

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2199 Session of
1993

INTRODUCED BY MARKOSEK, MIHALICH, KENNEY, DALEY, TRELLO,
BATTISTO, E. Z. TAYLOR, PISTELLA, PETTIT, STABACK, TRICH AND
TOMLINSON, NOVEMBER 22, 1993

REFERRED TO COMMITTEE ON TRANSPORTATION, NOVEMBER 22, 1993

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for restraint systems.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Section 4581(a)(2) and (b) of Title 75 of the
6 Pennsylvania Consolidated Statutes are amended to read:

7 § 4581. Restraint systems.

8 (a) Occupant protection.--

9 * * *

10 (2) Except for children under four years of age and
11 except as provided in paragraph (1), each driver and front
12 seat occupant of a passenger car, Class I truck, Class II
13 truck or motor home operated in this Commonwealth shall wear
14 a properly adjusted and fastened safety seat belt system. [A
15 conviction under this paragraph by State or local law
16 enforcement agencies shall occur only as a secondary action
17 when a driver of a motor vehicle has been convicted of any

1 other provision of this title.] The driver of a passenger
2 automobile shall secure or cause to be secured in a properly
3 adjusted and fastened safety seat belt system any occupant in
4 the front seat who is four years of age or older and less
5 than 18 years of age. This paragraph shall not apply to:

6 (i) A driver or front seat occupant of any vehicle
7 manufactured before July 1, 1966.

8 (ii) A driver or front seat occupant who possesses a
9 written verification from a physician that he is unable
10 to wear a safety seat belt system for physical or medical
11 reasons, or from a psychiatrist or other specialist
12 qualified to make an informed judgment that he is unable
13 to wear a safety seat belt system for psychological
14 reasons.

15 (iii) A rural letter carrier while operating any
16 motor vehicle during the performance of his duties as a
17 United States postal service rural letter carrier only
18 between the first and last delivery points.

19 (iv) A driver who makes frequent stops and is
20 traveling less than 15 miles per hour for the purpose of
21 delivering goods or services while in the performance of
22 his duties and only between the first and last delivery
23 points.

24 A violation of this paragraph shall not be subject to the
25 assessment of any points under section 1535 (relating to
26 schedule of convictions and points).

27 (b) Offense.--Anyone who fails to comply with the provisions
28 of subsection (a)(1) [shall be guilty of] commits a summary
29 offense with a maximum fine of \$25. The court imposing and
30 collecting any such fines shall transfer the fines thus

1 collected to the State Treasurer for deposit in the Child
2 Passenger Restraint Fund, pursuant to section 4582 (relating to
3 Child Passenger Restraint Fund). [Anyone who violates subsection
4 (a)(2) commits a summary offense and shall, upon conviction, be
5 sentenced to pay a fine of \$10. No persons shall be convicted of
6 a violation of subsection (a)(2) unless the person is also
7 convicted of another violation of this title which occurred at
8 the same time.] A driver or front seat passenger who fails to
9 wear a properly adjusted and fastened safety seat belt system
10 under subsection (a)(2) commits a summary offense and shall,
11 upon conviction, be sentenced to pay a fine of \$10 if the driver
12 is also convicted of another violation of this title which
13 occurred at the same time. A driver, other than a bus driver,
14 who fails to ensure that a front seat passenger who is four
15 years of age or older and less than 18 years of age is wearing a
16 seat belt while riding in his vehicle commits a summary offense
17 for each such unsecured person and shall, upon conviction, be
18 sentenced to pay a fine of \$10 per offense. No costs as
19 described in 42 Pa.C.S. § 1725.1 (relating to costs) shall be
20 imposed for summary conviction of subsection (a)(2). Conviction
21 under this subsection shall not constitute a moving violation.

22 * * *

23 Section 2. This act shall take effect in 60 days.