

House Bill 650

By: Representatives Smith of the 131<sup>st</sup>, Geisinger of the 48<sup>th</sup>, Meadows of the 5<sup>th</sup>, and Lane of the 167<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 40-8-76.1 of the Official Code of Georgia Annotated, relating to use  
2 of safety belts in passenger vehicles, so as to change certain penalties for violations; to repeal  
3 conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 style="text-align:center">**SECTION 1.**

6 Code Section 40-8-76.1 of the Official Code of Georgia Annotated, relating to use of safety  
7 belts in passenger vehicles, is amended by revising paragraphs (2) and (3) of subsection (e)  
8 as follows:

9 "(2) A person failing to comply with the requirements of subsection (b) of this Code  
10 section shall be guilty of the offense of failure to wear a seat safety belt ~~and, upon~~  
11 ~~conviction thereof, may be fined not more than \$15.00; but, the.~~ Upon a first conviction  
12 of such an offense, the defendant shall be punished by a fine of not more than \$50.00.  
13 Upon a second or subsequent conviction of such an offense, the defendant shall be  
14 punished by a fine of not more than \$100.00. The provisions of Chapter 11 of Title 17  
15 and any other provision of law to the contrary notwithstanding, the costs of such  
16 prosecution shall not be taxed nor shall any additional penalty, fee, or surcharge to a fine  
17 for such offense be assessed against a person for conviction thereof. The court imposing  
18 such fine shall forward a record of the disposition of the case of failure to wear a seat  
19 safety belt to the Department of Driver Services.

20 (3) Each minor six years of age or older who is an occupant of a passenger vehicle shall,  
21 while such passenger vehicle is being operated on a public road, street, or highway of this  
22 state, be restrained by a seat safety belt approved under Federal Motor Vehicle Safety  
23 Standard 208. In any case where a minor passenger six years of age or older fails to  
24 comply with the requirements of this paragraph, the driver of the passenger vehicle shall  
25 be guilty of the offense of failure to secure a seat safety belt on a minor ~~and, upon~~  
26 ~~conviction thereof, may be fined not more than \$25.00.~~ Upon a first conviction of such

1 an offense, the defendant shall be punished by a fine of not more than \$50.00. Upon a  
2 second or subsequent conviction of such an offense, the defendant shall be punished by  
3 a fine of not more than \$100.00. The court imposing such a fine shall forward a record  
4 of the court disposition of the case of failure to secure a seat safety belt on a minor to the  
5 Department of Driver Services."

6 **SECTION 2.**

7 All laws and parts of laws in conflict with this Act are repealed.