HOUSE DOCKET, NO. FILED ON: 1/14/2009

**HOUSE . . . . . . . . . . . . . . No.**

|  |
| --- |
|  |

The Commonwealth of Massachusetts

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PRESENTED BY:

**Matthew C. Patrick**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General
 Court assembled:*

 The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act establishing a primary seat belt law.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Matthew C. Patrick | 3rd Barnstable |
| James B. Eldridge | Middlesex and Worcester |

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3478 OF 2007-2008.]

The Commonwealth of Massachusetts

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**In the Year Two Thousand and Nine**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

An Act establishing a primary seat belt law.

 *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Section 13A of chapter 90 of the general Laws, as appearing in the 2002 Official Edition, is hereby amended by striking the seventh paragraph beginning on the line 23 and inserting in place thereof the following:-

 Any person who operates a motor vehicle without a safety belt, and any person sixteen years of age or over who rides as a passenger in a motor vehicle without wearing a safety belt in violation of this section, shall be subject to a fine of twenty-five dollars. Any operator of a motor vehicle shall be subject to an additional fine of twenty-five dollars for each person under the age of sixteen and not younger than twelve who is a passenger in said motor vehicle and not wearing a safety belt. The provisions of this section shall be enforced by law enforcement agencies when an operator of a motor vehicle or passenger who rides in the front seat is not wearing a safety belt in violation of motor vehicle laws. A police officer may not search or inspect a motor vehicle, its contents, the driver, or a passenger solely because of a violation of this section. For a period of 180 days following the effective day of this act, any law enforcement official who stops a motorist solely because of failure to wear a safety belt shall not issue a citation, but shall only issue a written or verbal warning.

 SECTION 2. Chapter 228 of the Acts of 2000 is hereby amended by adding at the end the following new section:- The registry of motor