

[First Reprint]

ASSEMBLY, No. 870

STATE OF NEW JERSEY
213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

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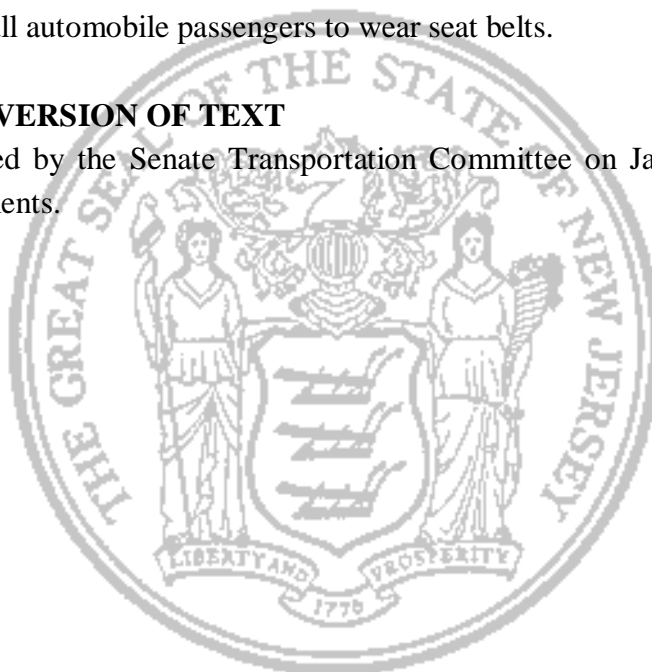
Senators Stack and Singer

SYNOPSIS

Requires all automobile passengers to wear seat belts.

CURRENT VERSION OF TEXT

As reported by the Senate Transportation Committee on January 7, 2010,
with amendments.



(Sponsorship Updated As Of: 1/12/2010)

1 AN ACT concerning safety seat belt usage and amending ¹and
2 supplementing¹ P.L.1984, c.179.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 2 of P.L.1984, c.179 (C.39:3-76.2f) is amended to
8 read as follows:

9 2. a. Except as provided in P.L.1983, c.128 (C.39:3-76.2a et
10 al.) for children under eight years of age and weighing less than 80
11 pounds, all passengers **[under eight years of age and weighing more**
12 **than 80 pounds, and all passengers who are at least eight years of**
13 **age but less than 18 years of age, and each driver and front seat**
14 **passenger]** ¹under eight years of age and weighing more than 80
15 pounds, and all passengers who are at least eight years of age but
16 less than 18 years of age, and each driver and front seat passenger¹
17 of a passenger automobile operated on a street or highway in this
18 State shall wear a properly adjusted and fastened safety seat belt
19 system as defined by Federal Motor Vehicle Safety Standard
20 Number 209.

21 b. The driver of a passenger automobile shall secure or cause to
22 be secured in a properly adjusted and fastened safety seat belt
23 system, as defined by Federal Motor Vehicle Safety Standard
24 Number 209, any passenger who is at least eight years of age but
25 less than 18 years of age.

26 ¹c. All rear seat passengers 18 years of age or older of a
27 passenger automobile operated on a street or highway in this State
28 shall wear a properly adjusted and fastened safety seat belt system
29 as defined by Federal Motor Vehicle Safety Standard Number 209.¹

30 For the purposes of the "Passenger Automobile Seat Belt Usage
31 Act," the term "passenger automobile" shall include vans, pick-up
32 trucks, and utility vehicles.

33 (cf: P.L.2001, c.244, s.2)

34

35 ¹2. Section 3 of P.L.1984, c.179 (C.39:3-76.2g) is amended to
36 read as follows:

37 3. This act shall not apply to a driver or **[front seat]** passenger
38 of:

39 a. A passenger automobile manufactured before July 1, 1966;

40 b. A passenger automobile in which the driver or passenger
41 possesses a written verification from a licensed physician that the
42 driver or passenger is unable to wear a safety seat belt system for
43 physical or medical reasons;

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate STR committee amendments adopted January 7, 2010.

1 c. A passenger automobile which is not required to be
2 equipped with a safety seat belt system under federal law;

3 d. A passenger automobile operated by a rural letter carrier of
4 the United States Postal Service while performing the duties of a
5 rural letter carrier; or

6 e. A passenger automobile which was originally constructed
7 with fewer safety seat belt systems than are necessary to allow the
8 passenger to be buckled.¹

9 (cf: P.L.1999, c.422, s.2)

10

11 ¹3. (New section) Enforcement of the provisions of subsection
12 c. of section 2 of P.L.1984, c.179 (C.39:3-76.2f) by State or local
13 law enforcement officials shall be accomplished by treating a
14 violation thereof only as a secondary offense when a driver of a
15 passenger automobile has been detained for some other suspected
16 violation of Title 39 of the Revised Statutes or other law. Each rear
17 seat passenger 18 years of age or older of a passenger automobile
18 shall be responsible for any fine imposed pursuant to section 6 of
19 P.L.1984, c.179 (C.39:3-76.2j) for failure to wear a seat belt
20 pursuant to subsection c. of section 2 of P.L.1984, c.179 (C.39:3-
21 76.2f).¹

22

23 ¹[2.] 4.¹ This act shall take effect immediately.