

By the Committee on Transportation; and Senator Wasserman  
Schultz

306-2136-02

1                                   A bill to be entitled  
2           An act relating to the Florida Safety Belt Law,  
3           creating the "Dori Slosberg Act of 2002";  
4           amending s. 316.614, F.S.; revising provisions  
5           relating to safety belt usage; prohibiting  
6           searches of vehicles or occupants because of a  
7           safety belt violation; providing an effective  
8           date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12           Section 1. Short title.--This act may be cited as the  
13 "Dori Slosberg Act of 2002."

14           Section 2. Subsections (4) and (8) of section 316.614,  
15 Florida Statutes, are amended, present subsection (9) is  
16 redesignated as subsection (10), and a new subsection (9) is  
17 added to that section, to read:

18           316.614 Safety belt usage.--

19           (4) It is unlawful for any person:

20           (a) To operate a motor vehicle in this state unless  
21 each passenger and the operator of the vehicle under the age  
22 of 18 years is restrained by a safety belt or by a child  
23 restraint device pursuant to s. 316.613, if applicable; or

24           (b) To operate a motor vehicle in this state unless  
25 the person is restrained by a safety belt.

26           (8) Any person who violates the provisions of this  
27 section commits a nonmoving violation, punishable as provided  
28 in chapter 318. However, except for violations of s. 316.613  
29 and paragraph (4)(a), enforcement of this section by state or  
30 local law enforcement agencies must be accomplished only as a  
31 secondary action when a driver of a motor vehicle has been

1 detained for a suspected violation of another section of this  
2 chapter, chapter 320, or chapter 322.

3 (9) A law enforcement officer may not search a motor  
4 vehicle or its occupants because of a violation of this  
5 section.

6 (10)~~(9)~~ A violation of the provisions of this section  
7 shall not constitute negligence per se, nor shall such  
8 violation be used as prima facie evidence of negligence or be  
9 considered in mitigation of damages, but such violation may be  
10 considered as evidence of comparative negligence, in any civil  
11 action.

12 Section 3. This act shall take effect July 1, 2002.

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14 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
15 COMMITTEE SUBSTITUTE FOR  
16 Senate Bill 540

17 Amends the "Florida Safety Belt Law" to provide for primary  
18 enforcement of the safety belt law for operators and  
19 passengers under the age of 18 years.  
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