

By Senator Wasserman Schultz

34-1026-03

See HB 125

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A bill to be entitled

An act relating to safety belt law enforcement; amending s. 316.614, F.S.; providing exception to enforcement as a secondary action; providing an effective date.

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

Section 1. Subsection (8) of section 316.614, Florida Statutes, is amended to read:

316.614 Safety belt usage.--

(4) It is unlawful for any person:

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

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

(8)(a) Any person who violates the provisions of this section commits a nonmoving violation, punishable as provided in chapter 318. However, except for violations of s. 316.613 and except as provided in paragraph (b), enforcement of this section by state or local law enforcement agencies must be accomplished only as a secondary action when a driver of a motor vehicle has been detained for a suspected violation of another section of this chapter, chapter 320, or chapter 322.

(b) If a law enforcement officer suspects the driver of a vehicle is in violation of both paragraphs (4)(a) and (b), enforcement of this section shall be accomplished as a primary action and the vehicle may be detained by the law

1 enforcement officer for a suspected violation of both
2 paragraphs (4)(a) and (b).

3 Section 2. This act shall take effect upon becoming a
4 law.

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