

2009344er

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2 An act relating to safety belt law enforcement;
3 creating the Dori Slosberg and Katie Marchetti Safety
4 Belt Law; amending s. 316.614, F.S.; deleting a
5 provision exempting passengers in a pickup truck from
6 the requirement to use a safety belt; providing an
7 exemption for certain vehicles from provisions of
8 state law relating to the use of safety belts;
9 deleting a requirement for enforcement of the Florida
10 Safety Belt Law as a secondary action; providing an
11 effective date.

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

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15 Section 1. This act may be cited as the "Dori Slosberg and
16 Katie Marchetti Safety Belt Law."

17 Section 2. Subsections (6) and (8) of section 316.614,
18 Florida Statutes, are amended to read:

19 316.614 Safety belt usage.—

20 (6) (a) Neither a person who is certified by a physician as
21 having a medical condition that causes the use of a safety belt
22 to be inappropriate or dangerous nor an employee of a newspaper
23 home delivery service while in the course of his or her
24 employment delivering newspapers on home delivery routes is
25 required to be restrained by a safety belt.

26 ~~(b) The number of front seat passengers of a pickup truck~~
27 ~~required to wear a safety belt pursuant to this section shall~~
28 ~~not exceed the number of safety belts which were installed in~~
29 ~~the front seat of such pickup truck by the manufacturer.~~

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30 ~~(b)(e)~~ An employee of a solid waste or recyclable
31 collection service is not required to be restrained by a safety
32 belt while in the course of employment collecting solid waste or
33 recyclables on designated routes.

34 ~~(c)(d)~~ The requirements of this section do ~~shall~~ not apply
35 to the living quarters of a recreational vehicle or a space
36 within a truck body primarily intended for merchandise or
37 property.

38 (d) The requirements of this section do not apply to motor
39 vehicles that are not required to be equipped with safety belts
40 under federal law.

41 (8) Any person who violates the provisions of this section
42 commits a nonmoving violation, punishable as provided in chapter
43 318. ~~However, except for violations of s. 316.613 and paragraph~~
44 ~~(4)(a), enforcement of this section by state or local law~~
45 ~~enforcement agencies must be accomplished only as a secondary~~
46 ~~action when a driver of a motor vehicle has been detained for a~~
47 ~~suspected violation of another section of this chapter, chapter~~
48 ~~320, or chapter 322.~~

49 Section 3. This act shall take effect June 30, 2009.