

SENATE BILL No. 483

By Committee on Transportation

1-28

9 AN ACT relating to motor vehicles; concerning the use of safety belts;
10 amending K.S.A. 2009 Supp. 8-2503 and 8-2504 and repealing the
11 existing sections.
12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 2009 Supp. 8-2503 is hereby amended to read as
15 follows: 8-2503. (a) Except as provided in K.S.A. 8-1344 and 8-1345, and
16 amendments thereto, and in subsection (b) or (c), each ~~front seat~~ occu-
17 pant of a passenger car manufactured with safety belts in compliance with
18 federal motor vehicle safety standard no. 208, who is 18 years of age or
19 older, shall have a safety belt properly fastened about such person's body
20 at all times when the passenger car is in motion.

21 (b) Each occupant of a passenger car manufactured with safety belts
22 in compliance with federal motor vehicle safety standard no. 208, who is
23 at least 14 years of age but less than 18 years of age, shall have a safety
24 belt properly fastened about such person's body at all times when the
25 passenger car is in motion.

26 (c) This section does not apply to:

27 (1) An occupant of a passenger car who possesses a written statement
28 from a licensed physician that such person is unable for medical reasons
29 to wear a safety belt system;

30 (2) carriers of United States mail while actually engaged in delivery
31 and collection of mail along their specified routes;

32 (3) newspaper delivery persons while actually engaged in delivery of
33 newspapers along their specified routes; or

34 (4) an occupant of a passenger car required to be protected by a safety
35 restraining system under the child passenger safety act.

36 (d) The secretary of transportation shall initiate an educational pro-
37 gram designed to encourage compliance with the safety belt usage pro-
38 visions of this act.

39 (e) The secretary shall evaluate the effectiveness of this act and shall
40 include a report of its findings in the annual evaluation report on its
41 highway safety plan that it submits under 23 U.S.C. 402.

42 ~~(f) Law enforcement officers shall not stop drivers for violations of~~
43 ~~subsection (a) in the absence of another violation of law. A citation for~~

1 ~~violation of subsection (a) shall not be issued without citing the violation~~
2 ~~that initially caused the officer to effect the enforcement stop.~~

3 Sec. 2. K.S.A. 2009 Supp. 8-2504 is hereby amended to read as fol-
4 lows: 8-2504. (a) (1) From and after ~~July 1, 2007, and prior to January 1,~~
5 ~~2008~~ *the effective date of this act and prior to June 30, 2010*, a law en-
6 forcement officer shall issue a warning citation to anyone violating sub-
7 section ~~(b)~~ (a) of K.S.A. 8-2503, and amendments thereto;

8 (2) *on and after June 30, 2010*, persons violating subsection (a) of
9 K.S.A. 8-2503, and amendments thereto, shall be fined ~~\$30~~ \$60 including
10 court costs; and

11 (3) ~~from and after January 1, 2008~~, persons violating subsection (b)
12 of K.S.A. 8-2503, and amendments thereto, shall be fined \$60 including
13 court costs.

14 (b) No court shall report violation of this act to the department of
15 revenue.

16 (c) Evidence of failure of any person to use a safety belt shall not be
17 admissible in any action for the purpose of determining any aspect of
18 comparative negligence or mitigation of damages.

19 Sec. 3. K.S.A. 2009 Supp. 8-2503 and 8-2504 are hereby repealed.

20 Sec. 4. This act shall take effect and be in force from and after its
21 publication in the Kansas register.