

## Committee Substitute for Senate Bill No. 344

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

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

Section 1. This act may be cited as the “Dori Slosberg and Katie Marchetti Safety Belt Law.”

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

316.614 Safety belt usage.—

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

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

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

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

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

(8) 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 paragraph (4)(a), 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.~~

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

Approved by the Governor May 6, 2009.

Filed in Office Secretary of State May 6, 2009.