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SENATE BILL 499

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Shannon Robinson

AN ACT

RELATING TO MOTOR VEHICLES; REQUIRING SAFETY BELT USE BY ALL
OCCUPANTS OF CERTAIN MOTOR VEHICLES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 66-7-372 NMSA 1978 (being Laws 1985,
Chapter 131, Section 3, as amended) is amended to read:

"66-7-372. SAFETY BELT USE REQUIRED--EXCEPTION. --

A. Except as provided by Section 66-7-369 NMSA
1978 and in Subsection B of this section, each [~~front seat~~]
occupant of a motor vehicle having a gross vehicle weight of
ten thousand pounds or less manufactured with safety belts in
compliance with federal motor vehicle safety standard number
208 shall have a safety belt properly fastened about his body
at all times when the vehicle is in motion on any street or
highway [~~unless all seating positions equipped with safety~~

underscored material = new
[bracketed material] = delete

1 ~~belts are occupied~~].

2 B. This section shall not apply to an occupant of
3 a motor vehicle having a gross vehicle weight of ten thousand
4 pounds or less who possesses a written statement from a
5 licensed physician that he is unable for medical reasons to
6 wear a safety belt or to a rural letter carrier of the United
7 States postal service while performing the duties of a rural
8 letter carrier. "

9 Section 2. Section 66-7-373 NMSA 1978 (being Laws 1985,
10 Chapter 131, Section 4, as amended) is amended to read:

11 "66-7-373. ENFORCEMENT PROGRAMS. --

12 A. Failure to be secured by a child passenger
13 restraint device or by a safety belt as required by the Safety
14 Belt Use Act shall not in any instance constitute fault or
15 negligence and shall not limit or apportion damages.

16 B. The [~~traffic safety~~] bureau [~~of the state~~
17 ~~highway and transportation department~~] in cooperation with the
18 state department of public education and the department of
19 health shall, to the extent that funding allows, provide
20 education to encourage compliance with the use of restraint
21 devices in reducing the risk of harm to their users as well as
22 to others.

23 C. The [~~traffic safety~~] bureau [~~of the state~~
24 ~~highway and transportation department~~] shall evaluate the
25 effectiveness of the Safety Belt Use Act and shall include a

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1 report of its findings in the annual evaluation report on its
2 highway safety plan that it submits to the national highway
3 traffic safety administration and the federal highway
4 administration under 23 U. S. C. 402.

5 D. The provisions of the Safety Belt Use Act shall
6 be enforced whether or not associated with the enforcement of
7 any other statute. "

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