

SENATE BILL NO. 116
INTRODUCED BY M. COONEY
BY REQUEST OF THE DEPARTMENT OF JUSTICE

A BILL FOR AN ACT ENTITLED: "AN ACT MAKING A VIOLATION OF THE MANDATORY SEATBELT LAW A STANDARD VIOLATION BY REMOVING THE PROHIBITION ON LAW ENFORCEMENT STOPPING A DRIVER FOR A VIOLATION; AND AMENDING SECTION 61-13-103, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 61-13-103, MCA, is amended to read:

"61-13-103. Seatbelt use required -- exceptions. (1) ~~No~~ A driver may not operate a motor vehicle upon a highway of the state of Montana unless each occupant of a designated seating position is wearing a properly adjusted and fastened seatbelt.

(2) The provisions of this section do not apply to:

(a) an occupant of a motor vehicle who possesses a written statement from a licensed physician that ~~he~~ the occupant is unable to wear a seatbelt for medical reasons;

(b) an occupant of a motor vehicle in which all seatbelts are being used by other occupants;

(c) an operator of a motorcycle, as defined in 61-1-105, or a motor-driven cycle as defined in 61-1-106;

(d) an occupant of a vehicle licensed as special mobile equipment, as defined in 61-1-104;

(e) children subject to the provisions of 61-9-420; or

(f) an occupant who makes frequent stops with a motor vehicle in ~~his~~ the occupant's official job duties and who may be exempted by the department.

(3) The department may adopt rules to implement subsection (2)(f).

~~(4) The department or its agent may not require a driver who may be in violation of this section to stop except upon reasonable cause to believe that he has violated another traffic regulation or that his vehicle is unsafe or not equipped as required by law."~~

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