

By: Watson

S.B. No. 1028

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the use of safety belts while operating or riding in a
3 passenger vehicle; creating an offense.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 545.413, Transportation Code, is amended
6 by amending Subsections (a) and (d) and adding Subsection (a-1) to
7 read as follows:

8 (a) A person commits an offense if:

9 (1) the person:

10 (A) is at least 15 years of age;

11 (B) is riding in [~~the front seat of~~] a passenger
12 vehicle while the vehicle is being operated;

13 (C) is occupying a seat that is equipped with a
14 safety belt; and

15 (D) is not secured by a safety belt; or

16 (2) as the operator of a school bus equipped with a
17 safety belt for the operator's seat, the person is not secured by
18 the safety belt.

19 (a-1) A person commits an offense if the person:

20 (1) operates a passenger vehicle that is equipped with
21 safety belts; and

22 (2) allows another person who is at least 17 years of
23 age to ride in the vehicle without requiring the other person to be
24 secured by a safety belt, provided the other person is occupying a

1 seat that is equipped with a safety belt.

2 (d) An offense under Subsection (a) or (a-1) is a
3 misdemeanor punishable by a fine of not less than \$25 or more than
4 \$50. An offense under Subsection (b) is a misdemeanor punishable by
5 a fine of not less than \$100 or more than \$200.

6 SECTION 2. The change in law made by this Act applies only
7 to an offense committed on or after the effective date of this Act.
8 An offense committed before the effective date of this Act is
9 governed by the law in effect when the offense was committed, and
10 the former law is continued in effect for that purpose. For
11 purposes of this section, an offense was committed before the
12 effective date of this Act if any element of the offense was
13 committed before that date.

14 SECTION 3. This Act takes effect September 1, 2009.