

## **NC Seat Belt Law - G.S. 20-135.2A, EFFECTIVE 12-1-2006**

### **Summary of law**

updated 12-01-06

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Senate Bill 774 was introduced and sponsored by Senator William R. Purcell during the 2005 Session of the NC General Assembly and was passed by NC General Assembly during the 2006 Session. The ratified bill was signed by Governor Easley July 19th. Changes to the NC Seat Belt Law went into effect December 1, 2006.

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#### **Ages/Positions Covered:**

All drivers and passengers, in the rear seat as well as in the front seat, ages 16 and older must wear their seat belts. Children less than age 16 are covered by the NC child passenger safety law.

#### **Vehicles Covered:**

The seat belt law applies to all vehicles required by federal standards to have seat belts. In general, these are cars made after 1967 and light trucks and vans made after 1971.

#### **Restraint Required:**

The full restraint system provided for the seating position must be properly worn. Both the lap and shoulder belt must be properly worn even if the position is equipped with an automatic shoulder belt or air bag. Placing the shoulder belt behind the back or under the arm is not allowed.

#### **Exemptions:**

- » Vehicles not required to have belts. In general, these are cars made before 1968 and light trucks and vans made before 1972.
- » Drivers of noncommercial motor vehicles with a professionally certified medical condition or mental phobia preventing use.
- » Rural letter carriers and newspaper carriers while performing duties.
- » Frequently stopping delivery vehicles if speed between stops does not exceed 20 mph.
- » Vehicles with "Farm" license plates while being used for agricultural purposes in intrastate commerce.
- » Any occupant of a motor home, as defined in G.S. 20-4.01(27)d2, other than the driver and front seat passengers.

#### **Responsibility:**

- » The driver of the vehicle is responsible for himself and all children less than sixteen.
- » Passengers ages sixteen and older are responsible for themselves.

#### **Penalties**

##### *Drivers and Front Seat Occupants Older than age 15*

- » Penalty of \$25
- » \$75 court costs
- » No driver license or insurance points are assessed.

##### *Rear Seat Occupants Older than age 15*

- » Penalty of \$10
- » No court costs
- » No driver license or insurance points are assessed.

*Enforcement Note:* § 20-135.2A specifies that "Law enforcement agencies shall issue only warnings for violations of this act with regards to backseat passengers in motor vehicles from December 1, 2006, to June 30, 2007. On July 1, 2007, law enforcement agencies may begin issuing citations, or taking other enforcement action, for violations of this act with regards to backseat passengers. Front seat passengers not in compliance with this act may continue to be issued citations to ensure compliance with this section."