

SENATE AMENDMENTS TO SENATE BILL 367

By COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT

March 7

1 On page 1 of the printed bill, line 2, after "ORS" insert "811.210 and".

2 In line 12, after "that" delete the rest of the line and line 13 and insert "the operator of a ve-
3 hicle described in this paragraph is not required to:

4 "(A) Be properly secured with a safety belt or safety harness as required by ORS 811.210 if the
5 operator is a taxicab operator; or

6 "(B) Ensure that a passenger is properly secured with a child safety system as described in ORS
7 811.210 (2)(a) and (b)."

8 On page 2, after line 2, insert:

9 "**SECTION 2.** ORS 811.210 is amended to read:

10 "811.210. (1) A person commits the offense of failure to use safety belts if the person:

11 "(a) Operates a motor vehicle on the highways of this state and is not properly secured with a
12 safety belt or safety harness as required by subsection (2) of this section;

13 "(b) Operates a motor vehicle on the highways of this state with a passenger who is under 16
14 years of age and the passenger is not properly secured with a child safety system, safety belt, or
15 safety harness as required by subsection (2) of this section; [*or*]

16 "**(c) Is a passenger in a privately owned commercial vehicle, as defined in ORS 801.210,
17 that is designed and used for the transportation of 15 or fewer persons, including the driver,
18 and the person is 16 years of age or older and is responsible for another passenger who is
19 not properly secured with a child safety system as required under subsection (2)(a) or (b) of
20 this section; or**

21 "[*(c)*] **(d)** Is a passenger in a motor vehicle on the highways of this state who is 16 years of age
22 or older and who is not properly secured with a safety belt or safety harness as required by sub-
23 section (2) of this section.

24 "(2) To comply with this section:

25 "(a) A person who is under four years of age and weighs 40 pounds or less must be properly
26 secured with a child safety system that meets the minimum standards and specifications established
27 by the Department of Transportation under ORS 815.055 for child safety systems designed for chil-
28 dren weighing 40 pounds or less;

29 "(b) Except as provided in subsection (3) of this section, a person who is at least four years of
30 age and under six years of age or weighs between 40 and 60 pounds must be properly secured with
31 a child safety system that elevates the person so that a safety belt or safety harness properly fits
32 the person. 'Proper fit' means the lap belt of the safety belt or safety harness is positioned low
33 across the thighs and the shoulder belt is positioned over the collarbone and away from the neck.
34 The child safety system shall meet the minimum standards and specifications established by the
35 Department of Transportation under ORS 815.055 for child safety systems designed for children

1 weighing between 40 and 60 pounds; or

2 “(c) A person who is at least six years of age and weighs 60 pounds or more must be properly
3 secured with a safety belt or safety harness that meets requirements under ORS 815.055.

4 “(3) If the rear seat of a vehicle is not equipped with shoulder belts, the requirements of sub-
5 section (2)(b) of this section do not apply provided the person is secured by a lap belt.

6 “(4) The offense described in this section, failure to use safety belts, is a Class D traffic vio-
7 lation.”.

8 In line 3, delete “2” and insert “3” and delete “811.215 by section 1” and insert “811.210 and
9 811.215 by sections 1 and 2”.

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