

Safety Belts

South Carolina's safety belt law requires that every driver and every occupant of a motor vehicle, when it is being operated on the public streets and highways of this State, must wear a fastened safety belt that complies with all provisions of federal law for its use. The driver is charged with the responsibility of requiring every occupant 17 years of age or younger to wear a safety belt or be secured in a child restraint system as required by law. However, a driver is not responsible for an occupant 17 years of age or younger who has a driver's license, special restricted license, or beginner's permit and who is not wearing a safety belt.

This law does not apply to:

- A driver or occupant who possesses a written verification from a physician that he is unable to wear a safety belt for physical or medical reasons;
- Medical or rescue personnel attending to injured or sick individuals in an emergency vehicle when operating in an emergency situation as well as the injured or sick individuals;
- School, church, or day care buses;
- Public transportation vehicles except taxis;
- Occupants of vehicles in parades;
- United States mail carriers;
- An occupant for which no seat belt is available because all belts are being used by other occupants;
- A driver or occupants in a vehicle not originally equipped with safety belts.

As of December 9, 2005, South Carolina's safety belt law changed from secondary enforcement to primary enforcement. What does this mean to a motorist? Under the old law, an officer could only cite a motorist for a safety belt violation if the motorist had been stopped for another violation. The new primary law, however, gives law enforcement officers the authority to stop a driver if the officer has a clear and unobstructed view of a driver or occupant of a motor vehicle not wearing a safety belt or not secured in a child restraint system.

Violators are subject to a fine not more than \$25. No person may be fined more than \$50 for any one incident of more than one violation.