

[(k) (1) A police officer may enforce the provisions of this section only as a secondary action when the police officer detains a driver of a motor vehicle for a suspected violation of another provision of the Code.

(2) Nothing contained in paragraph (1) of this subsection may be construed to limit the enforcement of a violation under § 22-412.2 of this subtitle.]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1997.

Approved May 8, 1997.

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## CHAPTER 310

### (House Bill 816)

AN ACT concerning

#### **Vehicle Laws – ~~Mandatory Seat Belt Use~~ Seat Belt Offenses – Enforcement**

FOR the purpose of repealing a provision of law that limits a police officer to enforcing a violation of certain mandatory seat belt use laws only as a secondary action when the police officer detains a driver suspected of violating another provision of law; ~~clarifying that a police officer may not inspect or search a vehicle, its contents, its driver, or its passengers solely because of a violation of the requirement to use a seat belt;~~ making stylistic changes; and generally relating to the enforcement of laws requiring the use of seat belts.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 22-412.3

Annotated Code of Maryland

(1992 Replacement Volume and 1996 Supplement)

#### Preamble

WHEREAS, It is the intent of the General Assembly to strengthen the enforcement of mandatory seat belt use laws in order to increase the survival rates of individuals involved in vehicular accidents on Maryland's highways, reduce the severity of vehicular accident injuries, and curb the escalating costs of health care, workers' compensation, and other insurance-related expenditures associated with motor vehicle accidents; and

WHEREAS, By providing for the primary enforcement of seat belt laws, the General Assembly intends to enhance the safety of motorists on the State's highways, but does not intend to expand in any way the circumstances under which a law enforcement officer may lawfully inspect or search a motor vehicle or the vehicle's contents, driver, or passengers; now, therefore,