

infraction is the driver. The way the word...the language reads now is this, "except as provided in subsection (2) of this section, no driver shall operate a motor vehicle upon a highway or street in this state unless each front seat occupant in the vehicle is wearing an occupant protection system," and then it talks about child passenger restraints and so forth, which I do not touch. I'm eliminating the words that relate to each front seat occupant having to wear one of these systems. The language, as it exists in the law now, says if you're driving your car and you're tied down, but the person or persons in the front seat with you are not similarly tied down, you are guilty of an infraction. Let me ask Senator Horgan a question. Senator Horgan.

SENATOR CONWAY: Senator Horgan.

SENATOR CHAMBERS: Does this apply to cab drivers?

SENATOR HORGAN: Yes, Senator, it does.

SENATOR CHAMBERS: So then a cab driver would have to refuse a fare if that fare wanted to ride in the front seat and not be tied down or run the risk of having to pay a \$25 fine for being in violation of this law.

SENATOR HORGAN: Well, no, Senator, the law doesn't require anybody to be tied down.

SENATOR CHAMBERS: What does it require in order for the driver not to be guilty of an infraction?

SENATOR HORGAN: It requires that anybody in the front seat wear a safety belt.

SENATOR CHAMBERS: Well, okay, you use different terminology. When I say tied down I mean wearing this paraphernalia that you're talking about because it doesn't say safety belt, I don't think.

SENATOR HORGAN: Occupant protection device, I think it is.

SENATOR CHAMBERS: So you're trying to trick me. (Laughter.) Senator Horgan, you're an intelligent young man, now you know what you're doing. You said safety belt and it doesn't say safety belt and you knew that. You drafted it this way. I