

JURISDICTION:
General Reference:

OKLAHOMA
Oklahoma Statutes Annotated

Required Use of Safety Belts¹:

Requirements: When a passenger car² is in use, the driver and every front seat passenger shall wear a properly adjusted and fastened safety seat belt system.³ Title 47, §12-417(A)

Sanctions for Failure to Use or Require the Use of Safety Belts: Fine³ and court costs cannot exceed **\$20**. No points shall be assessed against an offender's driving record. Title 47, §§12-417(D) & (E) and 12-418

Effect on Civil Liability: A violation of this requirement shall not be used in a civil proceeding and use or nonuse of a seat belt shall not be submitted into evidence in any civil suit. Title 47, §12-420

Required Use of Child Safety Restraint Systems⁴:

Requirements: I. A resident driver, when transporting a child <4 years old and weighing ≤60 lbs. in a motor vehicle, shall secure such child in a Federally approved child restraint system. Title 47, §11-1112(A) & (C)(1)
II. A resident driver, when transporting children ≥4 but <13 years old, must secure such child in either a child passenger restraint system or a seat belt. Title 47, §11-1112(B) & (C)(1)

Sanctions for Failure to Require the Use of Child Restraint Systems: A fine of **\$10** plus court costs of not more than **\$15**. No points shall be assessed for a violation of these requirements. Title 47, §11-1112(G)

Required Use of Child Safety Restraint Systems:
(continued)

Effect on Civil Liability: A violation of these requirements shall not be admissible as evidence in any civil action or proceeding for damages. Also, in any action brought by or on behalf of an infant for personal injuries or wrongful death, the failure to comply with these requirements shall not be used in the aggravation or

¹**Exemptions.** The requirement to use a safety seat belt system does not apply in the following circumstances: (1) To drivers or passengers who are unable to wear such a belt for medical reasons; and, (2) to route carriers of the U.S. Postal Service while performing official duties. Title 47, §12-417(B) & (C)

²The safety belt requirement applies to motor vehicles that are required to have safety belts under Federal law. In addition, the term "passenger car" is defined as a "vehicle" which means any type of conveyance which transports persons or property on a highway. The term "vehicle," does not include bicycles, trailers (except travel trailers and rental trailers), implements of husbandry (farm vehicles), trucks, truck-tractors, recreational vehicles, motorcycles and motorized bicycles. However, "passenger car" does include the passenger compartment of pickups, van, minivans and sport utility vehicles but does not include vehicles used primarily for farm use (I.e., a "pickup, truck, truck-tractor owned and operated by one or more farmers and used primarily for farm use and not for commercial or industrial purposes."). Title 47, §§12-417, 1102(30) & 1134(A)

³The operator of a school bus shall wear a seat belt when such vehicle is in motion. A person, who violates this requirement, commits a misdemeanor and is subject to fine of not less than **\$25** nor more than **\$100**. Title 70, §24-121

⁴**Exemptions.** These requirements do not apply in the following circumstances: (1) To a driver who is operating a school bus, taxicab, moped, motorcycle or a motor vehicle that is not required to be equipped with safety belts; (2) to a driver of an ambulance or emergency vehicle; (3) to a driver where all of the available seat belts are in use; and, (4) to children who for medical reasons are unable to use either a child restraint system or a seat belt. Title 47, §11-1112(C)(2), (3), ~~(4)~~ & (5)

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mitigation of damages. Title 47, §11-1112(E) & (F)

Required Use of Motorcycle Protective Headgear:

Requirements:

When operating or riding on a motorcycle, motor-driven cycle or motor scooter,⁵ a person <18 years old shall “properly” wear a crash helmet that complies with 49 CFR 571.218. Title 47, §40-105(B)

Sanctions for Failure to Use:

Misdemeanor: An imprisonment term of not more than **6 months** and/or a fine of not less than **\$20** nor more than **\$500**.⁶ Title 47, §§17-101(C) & 40-106 Note: The law does not appear to assign points for a violation of this requirement.

Required Use of Motorcycle Eye Protection Device:

Requirements:

If a motorcycle or motor scooter is not equipped with a windshield, the operator shall wear goggles or a face shield which is designed to protect them from foreign objects. Title 47, §40-105(B)

Sanctions for Failure to Use:

Misdemeanor: An imprisonment term of not more than **6 months** and/or a fine of not less than **\$20** nor more than **\$500**.⁶ Title 47, §§17-101(C) & 40-106 Note: The law does not appear to assign points for a violation of this requirement.

Required Use of Bicycle Protective Headgear⁷:

Requirements:

When operating an electric-assisted bicycle, a person ≤18 years old shall wear a nationally approved bicycle helmet. Title 47, §19-201(5)

Sanctions for Failure to Use:

Misdemeanor: An imprisonment term of not more than **6 months** and/or a fine of not less than **\$20** nor more than **\$500**.⁶ Title 47, §17-101(C) Note: The law does not appear to assign points for a violation of this requirement.

Required Use of Bicycle Eye Protection Device:

Requirements:

None

Required Use of Bicycle Eye Protection Device:
(continued)

Sanctions for Failure to Use:

⁵Applies only when riding motor scooters on a public road. Title 47, §40-105

⁶There appears to be a mandatory fine of \$20 of which \$10 is deposited into a public safety patrol vehicle revolving fund. Title 47, §17-101(C)

⁷The Oklahoma Legislature has adopted a resolution encouraging municipalities to enact ordinances that require persons <16 years old, who are riding on a bicycle (operator or passenger), to wear a safety helmet. House Concurrent Resolution 1003 adopted in 1997

Prohibition Against Riding in Unsecured
Portion of Vehicle:

Requirements: **None**

Sanctions for a Violation:

Exemptions:

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