South Carolina Safety Belt Law

"Section 56-5-6520. The 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, which complies with all provisions of federal law for its use. The driver is charged with the responsibility of requiring each occupant 17 years of age or younger to wear a safety belt or be secured in a child restraint system as provided in Article 47 of this chapter. 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; such occupant is in violation of this article and must be fined in accordance with Section 56-5-6540."

Some Exceptions

The 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;
• School, church, or day care buses, public transportation vehicles except taxis;
• An occupant for which no safety belt is available because all belts are being used by other occupants;
• Children under six years of age who must be properly restrained as provided by Article 47, Chapter 5 of Title 56 (i.e., in a child safety seat);
• A driver or occupant in a vehicle not originally equipped with safety belts.

As of December 9, 2005, South Carolina's safety belt law changes from secondary enforcement to primary enforcement. What does that 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.

Child safety seats are the most effective occupant protection devices used in motor vehicles today. If used correctly, they are 71 percent effective in reducing fatalities in children under the age of 5 and 69 percent effective in reducing the need for hospitalization.