

CHILD RESTRAINT VIOLATIONS

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: Carol Spackman Moss

This act modifies the Motor Vehicle Code to amend a safety belt violation provision regarding proof of acquisition of a child restraint device.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

41-6-185, as last amended by Chapter 153, Laws of Utah 2000

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **41-6-185** is amended to read:

41-6-185. Penalty for violation.

(1) (a) A person who violates Section 41-6-182 is guilty of an infraction and shall be fined a maximum of \$45.

(b) The court shall waive all but \$15 of the fine for a violation of Section 41-6-182 if a person:

(i) shows evidence of completion of a two-hour course approved by the commissioner of the Department of Public Safety that includes education on the benefits of using a safety belt and child restraint device[-]; and

(ii) ~~if the violation is for an offense under Subsection 41-6-182(1)(b),~~ ~~if~~ ~~submits~~ proof of acquisition, rental, or purchase of a child restraint device ~~if~~ ~~as required~~ ~~by Subsection 41-6-182(1)(b)]~~ ~~if~~ .

(2) Points for a motor vehicle reportable violation, as defined under Section 53-3-102, may not be assessed against any person for a violation of Section 41-6-182.

~~[(3) The court in which a charge is pending for a first violation of Subsection 41-6-182(1)(b) shall dismiss the action against a driver who, during or before any court appearance on the matter, submits proof of acquisition, rental, or purchase of a child restraint device as required by Subsection 41-6-182(1)(b).]~~



Legislative Review Note
as of 11-14-01 5:41 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Committee Note

The Transportation Interim Committee recommended this bill.