

1 **SAFETY BELT ENFORCEMENT AMENDMENTS**

2 2006 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Karen Hale**

5 House Sponsor: Sheryl L. Allen

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the Motor Vehicles Code by amending safety belt provisions.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ repeals the provision that makes a safety belt violation for a person 19 years of age
13 or older enforceable only as a secondary action when the person is detained for
14 another offense.

15 **Monies Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **41-6a-1803**, as renumbered and amended by Chapter 2, Laws of Utah 2005

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

24 Section 1. Section **41-6a-1803** is amended to read:

25 **41-6a-1803. Driver and passengers -- Seat belt or child restraint device required.**

26 (1) The operator of a motor vehicle operated on a highway shall:

27 (a) wear a properly adjusted and fastened safety belt;



28 (b) provide for the protection of each person younger than five years of age by using a
29 child restraint device to restrain each person in the manner prescribed by the manufacturer of
30 the device; and

31 (c) provide for the protection of each person five years of age up to 16 years of age by:

32 (i) using an appropriate child restraint device to restrain each person in the manner
33 prescribed by the manufacturer of the device; or

34 (ii) securing, or causing to be secured, a properly adjusted and fastened safety belt on
35 each person.

36 (2) A passenger who is 16 years of age or older of a motor vehicle operated on a
37 highway shall wear a properly adjusted and fastened safety belt.

38 (3) If more than one person is not using a child restraint device or wearing a safety belt
39 in violation of Subsection (1), it is only one offense and the driver may receive only one
40 citation.

41 [~~(4) For a person 19 years of age or older who violates Subsection (1)(a) or (2),~~
42 ~~enforcement by a state or local law enforcement officer shall be only as a secondary action~~
43 ~~when the person has been detained for a suspected violation of Title 41, Motor Vehicles, other~~
44 ~~than Subsection (1)(a) or (2), or for another offense.]~~

Legislative Review Note

as of 10-27-05 1:03 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel