

PRIMARY SEAT BELT LAW

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Richard A. Greenwood

Senate Sponsor: _____

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

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

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

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

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

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

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

(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 10-30-07 7:42 AM

Office of Legislative Research and General Counsel

H.B. 87 - Primary Seat Belt Law

Fiscal Note

2008 General Session
State of Utah

State Impact

It is estimated that provisions of this bill will increase General Fund revenues by \$2,400 in FY 2008 and \$14,400 each fiscal year thereafter. The Courts will require General Fund appropriations of \$3,100 in FY 2008 and \$18,800 each fiscal year thereafter to address increased caseload. Therefore the net cost of this bill will be \$700 in FY 2008 and \$4,400 in each year thereafter.

	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2009</u> <u>Approp.</u>	<u>FY 2010</u> <u>Approp.</u>	<u>FY 2008</u> <u>Revenue</u>	<u>FY 2009</u> <u>Revenue</u>	<u>FY 2010</u> <u>Revenue</u>
General Fund	\$3,100	\$18,800	\$18,800	\$2,400	\$14,400	\$14,400
Total	\$3,100	\$18,800	\$18,800	\$2,400	\$14,400	\$14,400

Individual, Business and/or Local Impact

The bill potentially increases the number of individuals impacted by seatbelt laws. Local governments may also experience an increase in revenues.