

SAFETY BELT AMENDMENTS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Luz Robles

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Traffic Code by amending provisions relating to safety belt restraint requirements.

Highlighted Provisions:

This bill:

► provides that a state or local law enforcement officer may only enforce the safety belt restraint requirement as a secondary action on a highway with a posted speed limit of less than 55 miles per hour; ~~and~~

► provides that ~~and~~ until July 1, 2014, a state or local law enforcement officer may not issue a citation to a

person 19 years of age or older who has been detained ~~and~~ for a safety belt

violation that is enforced as a primary offense but shall issue the person a warning informing

the person that wearing a safety belt while operating or a passenger in a motor vehicle is

enforced as a primary offense on a highway with a posted speed limit of 55 miles per hour or

more; and ~~and~~

► makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-6a-1803, as last amended by Laws of Utah 2008, Chapter 160



28 **required.**

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

30 (i) wear a properly adjusted and fastened safety belt;

31 (ii) provide for the protection of each person younger than eight years of age by using a
32 child restraint device to restrain each person in the manner prescribed by the manufacturer of
33 the device; and

34 (iii) provide for the protection of each person from eight years of age [~~up~~] to 16 years
35 of age by securing, or causing to be secured, a properly adjusted and fastened safety belt on
36 each person.

37 (b) Notwithstanding the requirement under Subsection (1)(a)(ii), a child under eight
38 years of age who is 57 inches tall or taller:

39 (i) is exempt from the requirement in Subsection (1)(a)(ii) to be in a child restraint
40 device; and

41 (ii) shall use a properly adjusted and fastened safety belt as required in Subsection
42 (1)(a)(iii).

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

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

48 (4) (a) Except as provided in Subsection (4)(b), a state or local law enforcement officer
49 shall enforce a violation of this section as a primary offense.

50 [~~(4)~~] (b) For a person 19 years of age or older who violates Subsection (1)(a)(i) or (2),
51 enforcement by a state or local law enforcement officer shall be only as a secondary action
52 [~~when~~] if the person:

53 (i) has been detained for a suspected violation of Title 41, Motor Vehicles, other than
54 Subsection (1)(a)(i) or (2), or for another offense[-]; and

55 (ii) was operating the motor vehicle or was a passenger in a motor vehicle being
56 operated on a highway with a posted speed limit of less than 55 miles per hour.

56a **§→ (c) §→ [A] Until July 1, 2014, a ←§ state or local law enforcement officer may not**
56a1 **issue a citation to a person 19**
56b **years of age or older who has been detained §→ [for the first time] ←§ for a violation of**
56b1 **Subsection**
56c **(1)(a)(i) or (2) that is enforced as a primary offense but shall issue the person a warning**
56d **informing the person that wearing a safety belt in a motor vehicle is enforced as a primary**
56e **offense on a highway with a posted speed limit of 55 miles per hour or more. ←§**