

SB0074S01 compared with SB0074

~~{Omitted text}~~ shows text that was in SB0074 but was omitted in SB0074S01

inserted text shows text that was not in SB0074 but was inserted into SB0074S01

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1 ~~{Seat Belt}~~ Motor Vehicle Civil Action Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Calvin R. Musselman

House Sponsor:

3 LONG TITLE

4 General Description:

5 This bill enacts requirements for a time-limited demand letter and amends seat belt laws to allow the misuse of or failure to use a seat belt to be considered for contributory or comparative negligence in civil litigation.

8 Highlighted Provisions:

9 This bill:

10 ▶ enacts requirements for a time-limited demand letter related to a motor vehicle insurance claim; and

9 ▶ amends the Traffic Code to allow the misuse of or failure to use a seat belt to be considered as contributory or comparative negligence in civil litigation.

14 Money Appropriated in this Bill:

15 None

16 Other Special Clauses:

17 None

18 Utah Code Sections Affected:

SB0074

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AMENDS:

41-6a-1806 , as renumbered and amended by Laws of Utah 2005, Chapter 2

ENACTS:

31A-22-323 , Utah Code Annotated 1953

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

Section 1. Section 1 is enacted to read:

31A-22-323. Time-limited demand letter -- Requirements.

- (1) A person issuing a time-limited demand to settle any claim under this part shall ensure that the letter:
- (a) is in writing;
 - (b) is labeled as a time-limited demand to settle;
 - (c) references this section; and
 - (d) contains material terms, including:
 - (i) the time period within which the demand is required to be accepted, which shall be no fewer than 30 days from the date on which the letter is:
 - (A) transmitted by facsimile;
 - (B) transmitted by email; or
 - (C) sent by certified mail;
 - (ii) a clear and unequivocal offer to settle all claims within policy limits, including the satisfaction of all liens;
 - (iii) an offer for a complete release from the claimant for the liability insurer's insureds from all present and future liability for the occurrence;
 - (iv) the date and location of the loss;
 - (v) the claim number, if known;
 - (vi) a description of all known injuries sustained by the claimant;
 - (vii) reasonable proof of injury, which may include medical records or bills, sufficient to support the claim; and
 - (viii) if the demand suggests the possibility of placing a judicial lien against personal property, an explanation of the process for obtaining a judicial lien and the defendant's rights to consult an attorney before discussions with the claimant or claimant's counsel.

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51 (2) A time-limited demand to settle a claim described in Subsection (1) may not include demands that
52 exceed amounts disclosed in the supporting records or bills.

53 Section 2. Section **41-6a-1806** is amended to read:

54 **41-6a-1806. Compliance -- Civil litigation.**

The misuse or failure to use a child restraint device or misuse or failure to wear a safety
belt:

24 (1) [~~does not~~] may constitute contributory or comparative negligence on the part of a person seeking
recovery for injuries; and

26 (2) may [~~not~~] be introduced as evidence in any civil litigation on the issue of negligence, injuries, or the
mitigation of damages.

61 Section 3. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

1-27-26 6:27 PM