

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:

LONG TITLE

General Description:

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.

Highlighted Provisions:

This bill:

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

- ▶ 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.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

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19 AMENDS:

20 **41-6a-1806** , as renumbered and amended by Laws of Utah 2005, Chapter 2

21 ENACTS:

31A-22-323 , Utah Code Annotated 1953

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

25 Section 1. Section 1 is enacted to read:

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

27 (1) A person issuing a time-limited demand to settle any claim under this part shall ensure that the letter:

29 (a) is in writing;

30 (b) is labeled as a time-limited demand to settle;

31 (c) references this section; and

32 (d) contains material terms, including:

33 (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:

35 (A) transmitted by facsimile;

36 (B) transmitted by email; or

37 (C) sent by certified mail;

38 (ii) a clear and unequivocal offer to settle all claims within policy limits, including the satisfaction of all liens;

40 (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;

42 (iv) the date and location of the loss;

43 (v) the claim number, if known;

44 (vi) a description of all known injuries sustained by the claimant;

45 (vii) reasonable proof of injury, which may include medical records or bills, sufficient to support the claim; and

47 (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
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