

Calvin R. Musselman proposes the following substitute bill:

**Motor Vehicle Civil Action Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Calvin R. Musselman**

House Sponsor:

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**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:**

AMENDS:

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

ENACTS:

**31A-22-323**, Utah Code Annotated 1953

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

Section 1. Section **31A-22-323** 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.

- (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.

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

**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:

- (1) ~~[does not]~~ may constitute contributory or comparative negligence on the part of a person  
seeking recovery for injuries; and  
(2) may ~~[not]~~ be introduced as evidence in any civil litigation on the issue of negligence,  
injuries, or the mitigation of damages.

Section 3. **Effective Date.**

This bill takes effect on May 6, 2026.