

**Part 18**  
**Motor Vehicle Safety Belt Usage Act**

**41-6a-1801 Short title.**

This part is known as the "Motor Vehicle Safety Belt Usage Act."

Renumbered and Amended by Chapter 2, 2005 General Session

**41-6a-1802 Definitions.**

As used in this part:

- (1) "Child restraint device" means a child restraint device that meets standards adopted under Section 41-6a-1601.
- (2) "Motor vehicle" means a vehicle defined in Section 41-1a-102, except vehicles that are not equipped with safety belts by the manufacturer.
- (3) "Safety belt" means a safety belt or seat belt system that meets standards adopted under Section 41-6a-1601.
- (4) "Seating position" means any area within the passenger compartment of a motor vehicle in which the manufacturer has installed a safety belt.

Renumbered and Amended by Chapter 2, 2005 General Session

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

- (1)
  - (a) Except as provided in Subsection (1)(c), the operator of a motor vehicle operated on a highway shall:
    - (i) wear a properly adjusted and fastened safety belt;
    - (ii) provide for the protection of each person younger than eight years old by using a child restraint device to restrain each person in the manner prescribed by the manufacturer of the device; and
    - (iii) provide for the protection of each person that is at least eight years old and no less than 16 years old by securing, or causing to be secured, a properly adjusted and fastened safety belt on each person.
  - (b) Notwithstanding the requirement under Subsection (1)(a)(ii), a child under eight years old who is 57 inches tall or taller:
    - (i) is exempt from the requirement in Subsection (1)(a)(ii) to be in a child restraint device; and
    - (ii) shall use a properly adjusted and fastened safety belt as required in Subsection (1)(a)(iii).
  - (c) An adult passenger who is utilizing transportation network services described in Section 13-51-102 or a taxicab described in Section 53-3-102 shall:
    - (i) provide for the protection of each person younger than eight years old who is under the adult's supervision by using a child restraint device to restrain the person in the manner prescribed by the manufacturer of the device; and
    - (ii) provide for the protection of each person who is under the adult's supervision and is at least eight years old and no less than 16 years old by securing, or causing to be secured, a properly adjusted and fastened safety belt on the person.
- (2) A person 16 years old or older who is a passenger in a motor vehicle operated on a highway shall wear a properly adjusted and fastened safety belt.

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

Amended by Chapter 351, 2024 General Session

**41-6a-1804 Exceptions.**

- (1) This part does not apply to an operator or passenger of:
  - (a) a motor vehicle manufactured before July 1, 1966;
  - (b) a motor vehicle in which the operator or passengers possess a written verification from a licensed physician or physician assistant that the person is unable to wear a safety belt for physical or medical reasons; or
  - (c) a motor vehicle or seating position which is not required to be equipped with a safety belt system under federal law.
- (2) This part does not apply to a passenger if all seating positions are occupied by other passengers.
- (3) This part does not apply to a passenger of a public transit vehicle with a gross vehicle weight rating exceeding 10,000 pounds.

Amended by Chapter 349, 2019 General Session

**41-6a-1805 Penalty for violation.**

- (1)
  - (a) A person who violates Section 41-6a-1803 is guilty of an infraction and shall be fined a maximum of \$45.
  - (b) Until July 1, 2018, a peace officer may not issue a citation to an individual for a violation of Section 41-6a-1803 if the person has not previously been warned for a violation of Section 41-6a-1803 but shall issue the individual a warning informing the individual that operating or being a passenger in a vehicle without wearing a properly adjusted and fastened safety belt is prohibited.
  - (c) The court shall waive all of the fine for a first violation of Subsection 41-6a-1803(1)(a)(ii) if the person submits proof of acquisition, rental, or purchase of a child restraint device.
- (2) Points for a motor vehicle reportable violation, as defined under Section 53-3-102, may not be assessed against a person for a violation of Section 41-6a-1803.

Amended by Chapter 320, 2018 General Session

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

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

- (1) does not 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.

Renumbered and Amended by Chapter 2, 2005 General Session