

1 **CHANGING STATUTORY PRESUMPTION**

2 2003 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Chad E. Bennion**

5 **This act modifies the Motor Vehicle Code by repealing a provision that failure to use a**  
6 **child restraint device or to wear a safety belt does not constitute contributory or**  
7 **comparative negligence and may not be introduced as evidence in any civil litigation on**  
8 **the issue of negligence, injuries, or mitigation of damages.**

9 This act affects sections of Utah Code Annotated 1953 as follows:

10 **REPEALS:**

11 **41-6-186**, as last amended by Chapter 153, Laws of Utah 2000

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

13 **Section 1. Repealer.**

14 This act repeals:

15 **Section 41-6-186, Compliance -- Civil litigation.**

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**Legislative Review Note**  
**as of 2-12-03 12:29 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**



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**Fiscal Note****Changing Statutory Presumption***25-Feb-03***Bill Number HB0344***10:07 AM*

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**State Impact**

It is estimated that provisions of this bill can be implemented with existing resources.

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**Individual and Business Impact**

No significant fiscal impact.

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**Office of the Legislative Fiscal Analyst**