

Senator Karen Hale proposes the following substitute bill:

SAFETY BELT ENFORCEMENT

2005 GENERAL SESSION

STATE OF UTAH

Sponsor: Karen Hale

Patrice M. Arent

Gene Davis

LONG TITLE

General Description:

This bill modifies the Motor Vehicles Code by amending safety belt provisions.

Highlighted Provisions:

This bill:

► repeals the provision that makes a seat belt violation for a person 19 years of age or older enforceable only as a secondary action when the person is detained for another offense.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-6a-1803, as renumbered and amended by Chapter 2, Laws of Utah 2005

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

Section 1. Section **41-6a-1803** is amended to read:

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



- 26 (1) The operator of a motor vehicle operated on a highway shall:
- 27 (a) wear a properly adjusted and fastened safety belt;
- 28 (b) provide for the protection of each person younger than five years of age by using a
- 29 child restraint device to restrain each person in the manner prescribed by the manufacturer of
- 30 the device; and
- 31 (c) provide for the protection of each person five years of age up to 16 years of age by:
- 32 (i) using an appropriate child restraint device to restrain each person in the manner
- 33 prescribed by the manufacturer of the device; or
- 34 (ii) securing, or causing to be secured, a properly adjusted and fastened safety belt on
- 35 each person.
- 36 (2) A passenger who is 16 years of age or older of a motor vehicle operated on a
- 37 highway shall wear a properly adjusted and fastened safety belt.
- 38 (3) If more than one person is not using a child restraint device or wearing a safety belt
- 39 in violation of Subsection (1), it is only one offense and the driver may receive only one
- 40 citation.
- 41 ~~[(4) For a person 19 years of age or older who violates Subsection (1)(a) or (2);~~
- 42 ~~enforcement by a state or local law enforcement officer shall be only as a secondary action~~
- 43 ~~when the person has been detained for a suspected violation of Title 41, Motor Vehicles, other~~
- 44 ~~than Subsection (1)(a) or (2), or for another offense.]~~

State Impact

It is estimated that provisions of this bill will increase General Fund revenues by \$2,400 in FY 2005 and \$14,400 each fiscal year thereafter. The Courts will require General Fund appropriations of \$4,500 in FY 2005 and \$27,000 each fiscal year thereafter to deal with the increased caseload.

	<u>FY 2005</u>	<u>FY 2006</u>	<u>FY 2007</u>	<u>FY 2005</u>	<u>FY 2006</u>	<u>FY 2007</u>
	<u>Approp.</u>	<u>Approp.</u>	<u>Approp.</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Revenue</u>
General Fund	\$4,500	\$27,000	\$27,000	\$2,400	\$14,400	\$14,400
TOTAL	\$4,500	\$27,000	\$27,000	\$2,400	\$14,400	\$14,400

Individual and Business Impact

This bill potentially increases the number of individuals impacted by seat belt laws.
