| 1   | CHILD RESTRAINT DEVICE AMENDMENTS   |
|-----|---|
| 2   | 2006 GENERAL SESSION  |
| 3   | STATE OF UTAH   |
| 4   | Chief Sponsor: Tim M. Cosgrove  |
| 5   | Senate Sponsor: Gregory S. Bell   |
| 6   | Cosponsor: Carol Spackman Moss  |
| 7   |   |
| 8   | LONG TITLE  |
| 9   | General Description:  |
| 10  | This bill modifies the Motor Vehicles Code by amending provisions related to child  |
| 11  | restraint devices and safety belts.   |
| 12  | Highlighted Provisions:   |
| 13  | This bill:  |
| 14  | <ul> <li>provides that the operator of a motor vehicle shall provide for the protection of a</li> </ul>   |
| 15  | person younger than eight years of age and under 57 inches tall by using a child  |
| 16  | restraint device;   |
| 17  | <ul> <li>provides that the operator of a motor vehicle shall provide for the protection of a</li> </ul>   |
| 18  | person eight $\hat{\mathbf{H}} \rightarrow [\mathbf{s}] \leftarrow \hat{\mathbf{H}}$ year $\hat{\mathbf{H}} \rightarrow \underline{\mathbf{s}} \leftarrow \hat{\mathbf{H}}$ of age or 57 inches tall or taller up to 16 years of age by |
| 18a | using an  |
| 19  | appropriate child restraint device or securing a properly adjusted and fastened safety  |
| 20  | belt; and   |
| 21  | <ul><li>makes technical changes.</li></ul>  |
| 22  | Monies Appropriated in this Bill:   |
| 23  | None  |
| 24  | Other Special Clauses:  |
| 25  | None  |
| 26  | <b>Utah Code Sections Affected:</b>   |
| 27  | AMENDS:   |

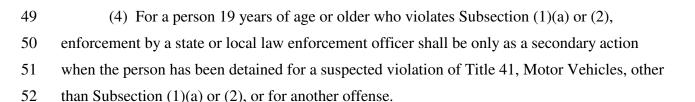


01-16-06 **BŁBI PM** 

01-16-06 3:14 PM H.B. 111

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

29 30 *Be it enacted by the Legislature of the state of Utah:* 31 Section 1. Section 41-6a-1803 is amended to read: 32 41-6a-1803. Driver and passengers -- Seat belt or child restraint device required. 33 (1) The operator of a motor vehicle operated on a highway shall: 34 (a) wear a properly adjusted and fastened safety belt; 35 (b) provide for the protection of each person younger than [five] eight years of age and 36 under 57 inches tall by using a child restraint device to restrain each person in the manner 37 prescribed by the manufacturer of the device; and 38 (c) provide for the protection of each person [five] eight years of age or 57 inches tall 39 or taller up to 16 years of age by: 40 (i) using an appropriate child restraint device to restrain each person in the manner 41 prescribed by the manufacturer of the device; or 42 (ii) securing, or causing to be secured, a properly adjusted and fastened safety belt on 43 each person.



in violation of Subsection (1), it is only one offense and the driver may receive only one

(2) A passenger who is 16 years of age or older of a motor vehicle operated on a

(3) If more than one person is not using a child restraint device or wearing a safety belt

highway shall wear a properly adjusted and fastened safety belt.



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citation.

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# Legislative Review Note as of 1-16-06 1:46 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

# Fiscal Note Bill Number HB0111

### **Child Restraint Device Amendments**

24-Jan-06 8:01 AM

## **State Impact**

No fiscal impact.

## **Individual and Business Impact**

Motor vehicle operators may have additional costs to provide child restraint devices for children up to eight years of age to conform to provisions of the bill.

Office of the Legislative Fiscal Analyst