

1 **SEAT BELT AMENDMENTS**

2 2006 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Joseph G. Murray**

5 Senate Sponsor: Dan R. Eastman

6

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the Motor Vehicles Code by amending provisions related to safety
10 belt enforcement.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ provides that ~~H→ [enforcement of certain safety belt violations shall be as a secondary~~
14 ~~action when the driver or passenger]~~ a person 19 years of age or older may be cited for a safety
14a belt violation as a secondary action if the vehicle ←H has been detained for another offense; and

15 ▶ makes technical changes.

16 **Monies Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 **AMENDS:**

22 **41-6a-1803**, as renumbered and amended by Chapter 2, Laws of Utah 2005

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

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

26 **41-6a-1803. Driver and passengers -- Seat belt or child restraint device required.**

27 (1) The operator of a motor vehicle operated on a highway shall:



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

Legislative Review Note
as of 12-28-05 12:51 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 HB0234

Seat Belt Amendments

18-Jan-06

8:41 AM

State Impact

Provisions of this bill can be implemented with existing resources.

Individual and Business Impact

No fiscal impact for those who comply with the law.

Office of the Legislative Fiscal Analyst