

SEAT BELT AMENDMENTS

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Joseph G. Murray

Senate Sponsor: Dan R. Eastman

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

- ▶ provides that enforcement of certain safety belt violations shall be as a secondary action when the driver or passenger has been detained for another offense; and
- ▶ makes technical changes.

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.

(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] driver or passenger has been detained for a suspected violation 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