

Senator Curtis S. Bramble proposes the following substitute bill:

SAFETY BELT AMENDMENTS

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karen Hale

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Insurance Code and the Motor Vehicles Code by amending provisions related to safety belts.

Highlighted Provisions:

This bill:

- ▶ provides that an insurance policy purchased to satisfy the owner's or operator's security requirement shall include a provision requiring a person covered under the insurance policy to wear a safety belt;

- ▶ repeals the provision that failure to use a child restraint device or wear a safety belt does not constitute contributory or comparative negligence and may not be introduced as evidence in any civil litigation for certain purposes; and

- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:



26 **31A-22-302**, as last amended by Chapter 124, Laws of Utah 2005

27 REPEALS:

28 **41-6a-1806**, 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 **31A-22-302** is amended to read:

32 **31A-22-302. Required components of motor vehicle insurance policies --**

33 **Exceptions.**

34 (1) Every policy of insurance or combination of policies purchased to satisfy the
35 owner's or operator's security requirement of Section 41-12a-301 shall include:

36 (a) motor vehicle liability coverage under Sections 31A-22-303 and 31A-22-304;

37 (b) uninsured motorist coverage under Section 31A-22-305, unless affirmatively
38 waived under Subsection 31A-22-305(4);

39 (c) underinsured motorist coverage under Section 31A-22-305, unless affirmatively
40 waived under Subsection 31A-22-305(9); ~~and~~

41 (d) except as provided in Subsection (2) and subject to Subsection (3), personal injury
42 protection under Sections 31A-22-306 through 31A-22-309[-]; and

43 (e) a requirement that a person covered under the insurance policy wear a safety belt as
44 required in Section 41-6a-1803.

45 (2) A policy of insurance or combination of policies, purchased to satisfy the owner's
46 or operator's security requirement of Section 41-12a-301 for a motorcycle, trailer, or semitrailer
47 is not required to have personal injury protection under Sections 31A-22-306 through
48 31A-22-309.

49 (3) (a) First party medical coverages may be offered or included in policies issued to
50 motorcycle, trailer, and semitrailer owners or operators.

51 (b) Owners and operators of motorcycles, trailers, and semitrailers are not covered by
52 personal injury protection coverages in connection with injuries incurred while operating any
53 of these vehicles.

54 (4) First party medical coverage expenses shall be governed by the relative value study
55 provisions under Subsections 31A-22-307(2) and (3).

56 Section 2. **Repealer.**

57 This bill repeals:

58 Section **41-6a-1806, Compliance -- Civil litigation.**