

CHILD RESTRAINT DEVICE AMENDMENTS

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Tim M. Cosgrove

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Motor Vehicles Code by amending provisions relating to child restraint devices and safety belts.

Highlighted Provisions:

This bill:

- requires that the operator of a motor vehicle shall provide for the protection of a person younger than eight years of age unless the person is 57 inches tall or taller by using a child restraint device;

- requires that the operator of a motor vehicle shall provide for the protection of a person eight years of age or older or 57 inches tall or taller until the person reaches 16 years of age by using an appropriate child restraint device or securing a properly adjusted and fastened safety belt; 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



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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:

(a) wear a properly adjusted and fastened safety belt;

(b) provide for the protection of ~~[each]~~ a person ~~[younger than five years of age]~~ by using a child restraint device to restrain ~~[each]~~ the person in the manner prescribed by the manufacturer of the device~~[-and]~~ if the person is younger than eight years of age unless the person is 57 inches tall or taller; and

(c) provide for the protection of each person ~~[five]~~ eight years of age ~~[up to]~~ or older or 57 inches tall or taller until the person reaches 16 years of age by:

(i) using an appropriate child restraint device to restrain each person in the manner prescribed by the manufacturer of the device; or

(ii) securing, or causing to be secured, a properly adjusted and fastened safety belt on each person.

(2) A passenger who is 16 years of age or older of a motor vehicle operated on a highway shall wear a properly adjusted and fastened safety belt.

(3) If more than one person is not using a child restraint device or wearing a safety belt in violation of Subsection (1), it is only one offense and the driver may receive only one citation.

(4) For a person 19 years of age or older who violates Subsection (1)(a) or (2), enforcement by a state or local law enforcement officer shall be only as a secondary action when the person has been detained for a suspected violation of Title 41, Motor Vehicles, other than Subsection (1)(a) or (2), or for another offense.

Legislative Review Note
as of 11-16-06 8:54 AM

Office of Legislative Research and General Counsel

H.B. 209 - Child Restraint Device Amendments

Fiscal Note

2007 General Session
State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

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

1/10/2007, 3:05:12 PM, Lead Analyst: Ricks, G.

Office of the Legislative Fiscal Analyst