

1 **§→ NICK'S ←§ SAFETY BELT ENFORCEMENT §→ [AMENDMENTS] LAW ←§**

2 2007 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Patricia W. Jones**

5 House Sponsor: Sheryl L. Allen

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the Motor Vehicles Code by amending safety belt provisions.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ repeals the provision that makes a safety belt violation for a person 19 years of age
13 or older enforceable only as a secondary action when the person is detained for
14 another offense **§→ until July 1, 2010;**

14a **▶ provides that beginning on or after July 1, 2010, a safety belt violation for a**
14b **person 19 years of age or older is enforceable only as a secondary action when the person is**
14c **detained for another offense;**

14d **▶ requires the Transportation Interim Committee to study the effectiveness of the**
14e **primary safety belt requirement and make recommendations on safety belt usage; and**

14f **▶ makes technical changes ←§**

15 **Monies Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **41-6a-1803**, as renumbered and amended by Chapter 2, Laws of Utah 2005

21a **§→ ENACTS:**



21b **63-55-107, Utah Code Annotated 1953** ←§



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

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

25 **41-6a-1803. Driver and passengers -- Seat belt or child restraint device required.**

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

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

28 (b) provide for the protection of each person younger than five years of age by using a
 29 child restraint device to restrain each person in the manner prescribed by the manufacturer of
 30 the device; and

31 (c) provide for the protection of each person five years of age up to 16 years of age by:

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

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

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

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

41 **§→ [f] (4) [For] (a) Beginning on or after July 1, 2010, and for a person 19 years of age**
 41a **or older who violates Subsection (1)(a) or (2),**
 42 **enforcement by a state or local law enforcement officer shall be only as a secondary action**
 43 **when the person has been detained for a suspected violation of Title 41, Motor Vehicles, other**
 44 **than Subsection (1)(a) or (2), or for another offense. [f]**

44a **(b) The Transportation Interim Committee of the Legislature shall, prior to November 30,**
 44b **2009:**

44c **(i) study the increase or decrease in safety belt usage within the last three years; and**

44d **(ii) make recommendations on the effectiveness of primary enforcement of Subsection**
 44e **(1)(a) or (2).**

44f **Section 2. 63-55-107 is enacted to read:**

44g **63-55-107. Primary safety belt enforcement study.**

44h **The Transportation Interim Committee of the Legislature shall, prior to November 30,**
 44i **2009, study safety belt usage in accordance with Subsection 41-6a-1803(4)(b). ←§**

Legislative Review Note

as of 11-28-06 10:31 AM

Office of Legislative Research and General Counsel

S.B. 36 - Safety Belt Enforcement Amendments - As Amended

Fiscal Note

2007 General Session
State of Utah

State Impact

It is estimated that provisions of this bill will increase General Fund revenues by \$2,400 in FY 2007 and \$14,400 in FY 2008 through FY 2010 from increased fines. The Courts will require General Funds appropriations of \$3,100 in FY 2007 and \$18,800 in FY 2008 through FY 2010 for anticipated additional court procedures. After FY 2010 a safety belt violation for a person 19 years of age or older once again becomes enforceable only as a secondary action.

	<u>FY 2007</u> <u>Approp.</u>	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2009</u> <u>Approp.</u>	<u>FY 2007</u> <u>Revenue</u>	<u>FY 2008</u> <u>Revenue</u>	<u>FY 2009</u> <u>Revenue</u>
General Fund	\$3,100	\$18,800	\$18,800	\$2,400	\$14,400	\$14,400
Total	\$3,100	\$18,800	\$18,800	\$2,400	\$14,400	\$14,400

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
