

Representative Curtis Oda proposes the following substitute bill:

SAFETY BELT AMENDMENTS

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Patricia W. Jones

House Sponsor: Sheryl L. Allen

LONG TITLE

General Description:

This bill modifies the Motor Vehicles Code by amending negligence provisions concerning the use of child restraint devices and safety belts.

Highlighted Provisions:

This bill:

- ▶ addresses the effect of failure to use a child restraint device or safety belt on a comparative negligence claim;
- ▶ allows the failure to use a child restraint device or safety belt to be used as evidence in a civil case on the issues of negligence, injuries, and mitigation of damages; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-6a-1806, as renumbered and amended by Chapter 2, Laws of Utah 2005



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

27 Section 1. Section **41-6a-1806** is amended to read:

28 **41-6a-1806. Compliance -- Civil litigation.**

29 The failure to use a child restraint device or to wear a safety belt:

30 (1) does not constitute [~~contributory or~~] comparative negligence on the part of a person
31 seeking recovery for injuries if the person failing to use the child restraint device or wear the
32 safety belt is under 16 years of age; and

33 (2) may [~~not~~] be introduced as evidence in any civil litigation on the issue of
34 negligence, injuries, or the mitigation of damages.

S.B. 36 1st Sub. (Green) - Safety Belt 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

Individuals who do not comply with provisions of this bill may be limited in the amount of financial relief obtainable through civil litigation.
