

SAFETY BELT AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Luz Escamilla

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Traffic Code by amending provisions relating to safety belt restraint requirements.

Highlighted Provisions:

This bill:

- ▶ provides that a state or local law enforcement officer may only enforce the safety belt restraint requirement as a secondary action on a highway with a posted speed limit of less than 55 miles per hour; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-6a-1803, as last amended by Laws of Utah 2008, Chapter 160

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.



28 (1) (a) The operator of a motor vehicle operated on a highway shall:
29 (i) wear a properly adjusted and fastened safety belt;
30 (ii) provide for the protection of each person younger than eight years of age by using a
31 child restraint device to restrain each person in the manner prescribed by the manufacturer of
32 the device; and
33 (iii) provide for the protection of each person eight years of age up to 16 years of age
34 by securing, or causing to be secured, a properly adjusted and fastened safety belt on each
35 person.
36 (b) Notwithstanding the requirement under Subsection (1)(a)(ii), a child under eight
37 years of age who is 57 inches tall or taller:
38 (i) is exempt from the requirement in Subsection (1)(a)(ii) to be in a child restraint
39 device; and
40 (ii) shall use a properly adjusted and fastened safety belt as required in Subsection
41 (1)(a)(iii).
42 (2) A passenger who is 16 years of age or older of a motor vehicle operated on a
43 highway shall wear a properly adjusted and fastened safety belt.
44 (3) If more than one person is not using a child restraint device or wearing a safety belt
45 in violation of Subsection (1), it is only one offense and the driver may receive only one
46 citation.
47 (4) (a) Except as provided in Subsection (4)(b), a state or local law enforcement officer
48 shall enforce a violation of this section as a primary offense.
49 ~~[(4)]~~ (b) For a person 19 years of age or older who violates Subsection (1)(a)(i) or (2),
50 enforcement by a state or local law enforcement officer shall be only as a secondary action
51 ~~[when]~~ if the person:
52 (i) has been detained for a suspected violation of Title 41, Motor Vehicles, other than
53 Subsection (1)(a)(i) or (2), or for another offense~~[-];~~ and
54 (ii) was operating the motor vehicle or was a passenger in a motor vehicle being
55 operated on a highway with a posted speed limit of less than 55 miles per hour.

Legislative Review Note
as of 1-21-15 7:30 PM

Office of Legislative Research and General Counsel