

SAFETY BELT AMENDMENTS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Luz Robles

House Sponsor: Lee B. Perry

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 -- Safety belt or child restraint device



28 **required.**

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

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

31 (ii) provide for the protection of each person younger than eight years of age by using a
32 child restraint device to restrain each person in the manner prescribed by the manufacturer of
33 the device; and

34 (iii) provide for the protection of each person from eight years of age ~~[up]~~ to 16 years
35 of age by securing, or causing to be secured, a properly adjusted and fastened safety belt on
36 each person.

37 (b) Notwithstanding the requirement under Subsection (1)(a)(ii), a child under eight
38 years of age who is 57 inches tall or taller:

39 (i) is exempt from the requirement in Subsection (1)(a)(ii) to be in a child restraint
40 device; and

41 (ii) shall use a properly adjusted and fastened safety belt as required in Subsection
42 (1)(a)(iii).

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

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

48 (4) (a) Except as provided in Subsection (4)(b), a state or local law enforcement officer
49 shall enforce a violation of this section as a primary offense.

50 ~~[(4)]~~ (b) For a person 19 years of age or older who violates Subsection (1)(a)(i) or (2),
51 enforcement by a state or local law enforcement officer shall be only as a secondary action
52 ~~[when]~~ if the person:

53 (i) has been detained for a suspected violation of Title 41, Motor Vehicles, other than
54 Subsection (1)(a)(i) or (2), or for another offense~~[-];~~ and

55 (ii) was operating the motor vehicle or was a passenger in a motor vehicle being
56 operated on a highway with a posted speed limit of less than 55 miles per hour.

Legislative Review Note
as of 1-17-13 1:03 PM

Office of Legislative Research and General Counsel