

**SAFETY BELT AMENDMENTS**

2014 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Luz Robles**

House Sponsor: \_\_\_\_\_

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**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

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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 -- 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 eight years of age up to 16 years of age  
35 by securing, or causing to be secured, a properly adjusted and fastened safety belt on each  
36 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 wearing a safety belt  
46 in violation of Subsection (1), it is only one offense and the driver may receive only one  
47 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 12-2-13 1:51 PM

**Office of Legislative Research and General Counsel**