



House of Representatives

General Assembly

File No. 307

February Session, 2018

Substitute House Bill No. 5161

House of Representatives, April 9, 2018

The Committee on Public Health reported through REP. STEINBERG of the 136th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS REGARDING SEAT BELTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (1) of subsection (c) of section 14-100a of the
2 2018 supplement to the general statutes is repealed and the following
3 is substituted in lieu thereof (*Effective October 1, 2018*):

4 (c) (1) The operator of and any [front seat] passenger in any motor
5 vehicle or fire fighting apparatus originally equipped with seat safety
6 belts complying with the provisions of 49 CFR 571.209, as amended
7 from time to time, shall wear such seat safety belt while the vehicle is
8 being operated on any highway, except as follows:

9 (A) A child under eight years of age shall be restrained as provided
10 in subsection (d) of this section;

11 (B) The operator of such vehicle shall secure or cause to be secured
12 in a seat safety belt any passenger eight years of age or older and

13 under sixteen years of age; and

14 (C) [If the operator of such vehicle is under eighteen years of age,
15 such operator and each passenger in such vehicle shall wear such seat
16 safety belt while the vehicle is being operated on any highway.] As
17 used in this subsection, "motor vehicle" does not include a bus having
18 a tonnage rating of one ton or more, or a vehicle manufactured before
19 January 1, 1968.

20 Sec. 2. Section 54-33m of the general statutes is repealed and the
21 following is substituted in lieu thereof (*Effective October 1, 2018*):

22 The failure of an operator of, or [front seat] passenger in, a private
23 passenger motor vehicle or vanpool vehicle to wear a seat safety belt as
24 required by section 14-100a shall not constitute probable cause for a
25 law enforcement official to conduct a search of such vehicle and its
26 contents.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2018	14-100a(c)(1)
Sec. 2	October 1, 2018	54-33m

Statement of Legislative Commissioners:

In Section 1(c)(1)(C), "does not mean" was changed to "does not include" for consistency with standard drafting conventions.

PH *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 19 \$	FY 20 \$
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill requires all passengers in a motor vehicle to wear seat belts while the vehicle is moving and results in potential revenue gain from fines. In FY 17, 12,930 front seat passenger seat belt violations resulted in approximately \$1.9 million in fines.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis

sHB 5161

***AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S
RECOMMENDATIONS REGARDING SEAT BELTS.***

SUMMARY

This bill requires all passengers in a motor vehicle or fire-fighting apparatus to wear seat belts while the vehicle is moving. Current law only requires the operator and front seat passengers to wear seat belts with certain exceptions (for example, passengers of operators under age 18, passengers under age 16, or those requiring a child safety seat). As under current law, failure to wear a seat belt is not probable cause for law enforcement to search the vehicle and its contents.

Under current law, operator and passenger seat belt requirements apply only to motor vehicles or fire-fighting apparatus originally equipped with seat belts. The bill exempts from the definition of "motor vehicle" (1) vehicles manufactured before January 1, 1968 or (2) buses with a tonnage rating of one ton or more. Thus, under the bill, the following individuals are no longer required to wear seat belts:

1. drivers of such buses and
2. drivers and passengers in vehicles manufactured before 1968, regardless of whether the vehicles were originally equipped with seat belts.

As under current law, violators of the above seat belt requirements commit an infraction and are subject to a fine of (1) \$50 if the vehicle operator is age 18 or older or (2) \$75 if the vehicle operator is under age 18.

The bill also makes technical changes.

EFFECTIVE DATE: October 1, 2018

COMMITTEE ACTION

Public Health Committee

Joint Favorable

Yea 27 Nay 0 (03/19/2018)