

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 23-87—HB 6873

Judiciary Committee

AN ACT REQUIRING THE POLICE OFFICER STANDARDS AND TRAINING COUNCIL TO DEVELOP AND PROMULGATE A MODEL POLICY REQUIRING THE USE OF A SEAT SAFETY BELT FOR ANY PERSON WHO IS BEING TRANSPORTED IN A MUNICIPAL POLICE VEHICLE

SUMMARY: This act requires the Police Officer Standards and Training Council (POST), by December 31, 2023, to develop and promulgate (1) a model policy with guidelines on required seat belt use in municipal police vehicles and (2) standardized procedures for municipal police officers to use to ensure that anyone being transported in their vehicles is secured by a seat belt. By April 1, 2024, each municipal law enforcement unit must adopt and maintain a written policy that meets or exceeds these model policy standards.

Under the act, starting on April 1, 2024, if a municipal law enforcement unit's chief law enforcement officer finds, through existing POST-developed procedures, that an officer's actions violate the adopted seat belt policy and the violation undermines public confidence in the law enforcement unit, then the chief law enforcement officer must report the violation to POST, which must then conduct a de novo review (a new, independent review) of the matter.

Whenever POST believes there is a reasonable basis for suspending, canceling, or revoking an officer's certification because of the reported violation, the act requires it to give the officer notice and an adequate opportunity for a hearing before he or she is disciplined. The hearing must be done following the Uniform Administrative Procedure Act. If POST finds by clear and convincing evidence that a violation of the act has occurred, it may suspend, revoke, or cancel the officer's certificate.

EFFECTIVE DATE: July 1, 2023