



General Assembly

January Session, 2023

**Raised Bill No. 6598**

LCO No. 3589



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING THE CONSIDERATION OF CONTRIBUTORY NEGLIGENCE CAUSED BY A PERSON'S FAILURE TO WEAR A SEAT SAFETY BELT.***

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

1 Section 1. Subsection (c) of section 14-100a of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective October*  
3 *1, 2023, and applicable to any civil action filed on or after said date*):

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

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

14 (2) The provisions of subdivision (1) of this subsection shall not apply  
15 to: (A) Any person whose physical disability or impairment would  
16 prevent restraint in such safety belt, provided such person obtains a  
17 written statement from a licensed physician, a licensed physician  
18 assistant or a licensed advanced practice registered nurse containing  
19 reasons for such person's inability to wear such safety belt and including  
20 information concerning the nature and extent of such condition. Such  
21 person shall carry the statement on his or her person or in the motor  
22 vehicle at all times when it is being operated, (B) an authorized  
23 emergency vehicle, other than fire fighting apparatus, responding to an  
24 emergency call or a motor vehicle operated by a rural letter carrier of  
25 the United States postal service while performing his or her official  
26 duties or by a person engaged in the delivery of newspapers, or (C) any  
27 passenger on a bus, as defined in 49 USC 30127, as amended from time  
28 to time.

29 (3) Failure to wear a seat safety belt [~~shall not~~] may be considered as  
30 contributory negligence [~~nor shall such failure~~] and such failure may be  
31 admissible evidence in any civil action.

32 (4) No law enforcement official may stop a motor vehicle solely for  
33 the apparent or actual failure of a back seat passenger who is sixteen  
34 years of age or older to wear a seat safety belt.

35 (5) Any operator of a motor vehicle, who is eighteen years of age or  
36 older, and any passenger in such motor vehicle, who violates any  
37 provision of this subsection shall have committed an infraction and shall  
38 be fined fifty dollars. Any operator of a motor vehicle who is under  
39 eighteen years of age and any passenger in such motor vehicle who  
40 violates any provision of this subsection shall have committed an  
41 infraction and shall be fined seventy-five dollars. Points may not be  
42 assessed against the operator's license of any person convicted of such  
43 violation.

This act shall take effect as follows and shall amend the following sections:
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Section 1	<i>October 1, 2023, and applicable to any civil action filed on or after said date</i>	14-100a(c)
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**Statement of Purpose:**

To permit consideration of a person's failure to wear a seat safety belt in violation of section 14-100a of the general statutes as contributory negligence in a civil action.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*