

SENATE BILL NO. 211

1/22 Introduced
1/24 Referred to Public Health, Welfare & Safety
1/28 Fiscal Note Requested
2/01 Fiscal Note Received
2/04 Hearing
Died in Committee

Senate BILL NO. *211*

INTRODUCED BY *Ed Christian*

Alvan Walden *Engine*

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING USE OF SEATBELTS BY OCCUPANTS OF THE FRONT SEAT OF A MOTOR VEHICLE; PROVIDING A PENALTY; PROVIDING THAT EVIDENCE OF COMPLIANCE OR NONCOMPLIANCE IS ADMISSIBLE IN CIVIL LITIGATION; AND PROVIDING A TERMINATION DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Short title. [Sections 1 through 4] may be cited as the "Montana Seatbelt Safety Act".

Section 2. Seatbelt use required -- exceptions. (1) Each operator and person occupying a designated seating position in the front seat of a motor vehicle operated in Montana shall wear a properly adjusted and fastened safety seatbelt system, as required in vehicles pursuant to 61-9-409 and meeting the specifications set forth in 61-9-410.

(2) This section does not apply to:

(a) an operator or passenger of a motor vehicle who:

(i) possesses a written verification from a licensed physician that he is unable to wear a safety seatbelt system for medical reasons; or

(ii) shows proof that the vehicle in which he is riding

is covered by a liability insurance' policy providing at least \$500,000 of protection for medical costs and disability payments;

(b) vehicles licensed as special mobile equipment;

(c) motorcycles or motor-driven cycles; or

(d) children subject to the provisions of 61-9-420.

Section 3. Penalty. Each person guilty of violating [section 2] is subject to a fine of \$25.

Section 4. Evidence admissible without presentation of negligence. Evidence of compliance or noncompliance with [section 2] is admissible in any civil action for personal injury or property damage resulting from the use or operation of a motor vehicle, but noncompliance with [section 2] does not alone constitute negligence.

Section 5. Codification instruction. Sections 1 through 4 are intended to be codified as an integral part of Title 61, chapter 8, and the provisions of Title 61, chapter 8, apply to sections 1 through 4.

Section 6. Termination. This act terminates October 1, 1987.

-End-

INTRODUCED BILL
SB 211



STATE OF MONTANA
FISCAL NOTE

REQUEST NO. FNN 249-85

Form BD-15

In compliance with a written request received January 28, 19 85, there is hereby submitted a Fiscal Note for Senate Bill 211 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

Senate Bill 211 requires the use of seatbelts by occupants of the front seat of a motor vehicle; provides a penalty; provides that evidence of compliance or non-compliance is admissible in civil litigation; and provides a termination date.


ASSUMPTIONS:

Data is not available regarding patterns of enforcement and history of court assessment of fines.

FISCAL IMPACT:

Expenditures: None
Revenues: Unavailable

Any revenues collected would be distributed in the same manner as all other fines.



BUDGET DIRECTOR
Office of Budget and Program Planning

Date:

Feb 1, 1985

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