

House File 2043 - Introduced

HOUSE FILE _____
BY JACOBY

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act concerning the requirements for the use of safety belts
2 and safety harnesses in motor vehicles.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5392HH 82
5 dea/rj/5

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1 1 Section 1. Section 321.445, subsection 2, Code 2007, is
1 2 amended to read as follows:

1 3 2. a. The driver and front seat occupants of a type of
1 4 motor vehicle that is subject to registration in Iowa, except
1 5 a motorcycle or a motorized bicycle, shall each wear a
1 6 properly adjusted and fastened safety belt or safety harness,

~~1 7 including both a lap belt and a shoulder belt if the vehicle
1 8 is so equipped,~~ any time the vehicle is in forward motion on a
1 9 street or highway in this state, except that a child under
1 10 eleven years of age shall be secured as required under section
1 11 321.446. This subsection does not apply to:

~~1 12 This subsection does not apply to:~~

1 13 ~~a.~~ (1) The driver or front seat occupants of a motor
1 14 vehicle which is not required to be equipped with safety belts
1 15 or safety harnesses.

1 16 ~~b.~~ (2) The driver and front seat occupants of a motor
1 17 vehicle who are actively engaged in work which requires them
1 18 to alight from and reenter the vehicle at frequent intervals,
~~1 19 providing the vehicle does not exceed twenty-five miles per~~

~~1 20 hour between stops. This exemption applies only when the
1 21 vehicle is traveling between stops in a speed zone with a
1 22 legal speed limit of twenty-five miles per hour or less.~~

1 23 ~~c.~~ (3) The driver of a motor vehicle while performing
1 24 duties as a rural letter carrier for the United States postal
1 25 service. This exemption applies only between the first
1 26 delivery point after leaving the post office and the last
1 27 delivery point before returning to the post office.

1 28 ~~d.~~ (4) Passengers on a bus.

1 29 ~~e.~~ (5) A person possessing a written certification from a
1 30 health care provider licensed under chapter 148, 150, 150A, or
1 31 151 on a form provided by the department that the person is
1 32 unable to wear a safety belt or safety harness due to physical
1 33 or medical reasons. The certification shall specify the time
1 34 period for which the exemption applies. The time period shall
1 35 not exceed twelve months, at which time a new certification
2 1 may be issued unless the certifying health care provider is
2 2 from a United States military facility, in which case the
2 3 certificate may specify a longer period of time or a permanent
2 4 exemption.

2 5 ~~f.~~ (6) Front seat occupants of an authorized emergency
2 6 vehicle while they are being transported in an emergency.
2 7 However, this exemption does not apply to the driver of the
2 8 authorized emergency vehicle.

2 9 b. The department, in cooperation with the department of
2 10 public safety and the department of education, shall establish
2 11 educational programs to foster compliance with the safety belt
2 12 and safety harness usage requirements of this subsection.

EXPLANATION

2 14 This bill revises the existing requirement that the driver
2 15 and front seat occupants of a motor vehicle of a type subject
2 16 to registration, other than a motorcycle or motorized bicycle,
2 17 must each wear a properly adjusted and fastened seat belt or
2 18 safety harness when the vehicle is in motion. The bill
2 19 specifies that if the vehicle is equipped with both lap belts
2 20 and shoulder belts, both must be worn by the driver and front

2 21 seat occupants.

2 22 The bill also provides that the exemption from seat belt
2 23 use for persons who are actively engaged in work which
2 24 requires them to alight from and reenter the vehicle at
2 25 frequent intervals applies only when the vehicle is traveling
2 26 between stops in a speed zone of 25 miles per hour or less.

2 27 Under current law, a violation of seat belt requirements is
2 28 punishable by a scheduled fine of \$25. Such offenses are not
2 29 considered in the calculation of accumulated convictions that
2 30 determine "habitual offender" status, leading to driver's
2 31 license sanctions.

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