

HOUSE FILE _____
BY HUNTER

(COMPANION TO LSB 1707SS
BY BEALL)

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

A BILL FOR

1 An Act relating to restraint requirements for motor vehicle
2 occupants and making a penalty applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1707HH 82
5 dea/je/5

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1 1 Section 1. Section 321.445, subsection 2, unnumbered
1 2 paragraph 1, Code 2007, is amended to read as follows:
1 3 2. The driver and ~~front seat~~ occupants of a type of motor
1 4 vehicle that is subject to registration in Iowa, except a
1 5 motorcycle or a motorized bicycle, shall each wear a properly
1 6 adjusted and fastened safety belt or safety harness any time
1 7 the vehicle is in forward motion on a street or highway in
1 8 this state except that a child under eleven years of age shall
1 9 be secured as required under section 321.446.
1 10 Sec. 2. Section 321.445, subsection 2, paragraphs a, b,
1 11 and f, Code 2007, are amended to read as follows:
1 12 a. The driver or ~~front seat~~ occupants of a motor vehicle
1 13 which is not required to be equipped with safety belts or
1 14 safety harnesses.
1 15 b. The driver and ~~front seat~~ occupants of a motor vehicle
1 16 who are actively engaged in work which requires them to alight
1 17 from and reenter the vehicle at frequent intervals, providing
1 18 the vehicle does not exceed twenty-five miles per hour between
1 19 stops.
1 20 f. ~~Front seat occupants~~ Occupants of an authorized
1 21 emergency vehicle while they are being transported in an
1 22 emergency. However, this exemption does not apply to the
1 23 driver of the authorized emergency vehicle.
1 24 Sec. 3. Section 321.445, subsection 3, Code 2007, is
1 25 amended to read as follows:
1 26 3. The driver and ~~front seat~~ passengers may be each
1 27 charged separately for improperly used or nonused equipment
1 28 under subsection 2. The owner of the motor vehicle may be
1 29 charged for equipment violations under subsection 1.
1 30 Sec. 4. Section 321.445, subsection 5, Code 2007, is
1 31 amended to read as follows:
1 32 5. The department shall adopt rules pursuant to chapter
1 33 17A providing exceptions from application of subsections 1 and
1 34 2 for ~~front seats and front seat~~ passengers of motor vehicles
1 35 owned, leased, rented, or primarily used by persons with
2 1 physical disabilities who use collapsible wheelchairs.

EXPLANATION

2 2 This bill requires the driver and all occupants of a motor
2 3 vehicle to wear a seat belt or safety harness while the
2 4 vehicle is in forward motion on a street or highway.
2 5 Currently, only the driver and front seat passengers are
2 6 required to wear seat belts or safety harnesses. Restraint
2 7 requirements do not apply to the driver and occupants of a
2 8 motor vehicle that is not required to be equipped with seat
2 9 belts or safety harnesses, persons who are engaged in work
2 10 that requires frequent stops to exit and reenter the vehicle,
2 11 letter carriers, bus passengers, persons with a certified
2 12 physical or medical exemption, and occupants being transported
2 13 in an emergency vehicle. The department of transportation
2 14 shall adopt rules providing exceptions from seat belt
2 15 requirements for motor vehicles owned, leased, rented, or
2 16 primarily used by persons who use collapsible wheelchairs.
2 17

2 18 Separate provisions that apply for children under 11 years of
2 19 age are not affected by the bill.
2 20 A violation of seat belt or restraint requirements is a
2 21 scheduled violation subject to a fine of \$25. Seat belt and
2 22 restraint violations are not a factor in establishing grounds
2 23 for license suspension or identifying a person as a habitual
2 24 violator.
2 25 LSB 1707HH 82
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