

House File 2179 - Introduced

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BY SITZMANN

A BILL FOR

1 An Act requiring the use of safety belts or safety harnesses by
2 passengers of motor vehicles, and making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 321.445, subsection 2, paragraph a, Code
2 2026, is amended to read as follows:

3 a. The driver and ~~front seat occupants~~ passengers of a type
4 of motor vehicle that is subject to registration in Iowa, except
5 a motorcycle or a motorized bicycle, shall each wear a properly
6 adjusted and fastened safety belt or safety harness any time the
7 vehicle is in forward motion on a street or highway in this
8 state, except that a child under eighteen years of age shall be
9 secured as required under section 321.446.

10 Sec. 2. Section 321.445, subsection 2, paragraph b,
11 subparagraphs (1), (2), and (6), Code 2026, are amended to read
12 as follows:

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

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

21 (6) ~~Front seat occupants~~ Passengers of an authorized
22 emergency vehicle while they are being transported in an
23 emergency. However, this exemption does not apply to the driver
24 of the authorized emergency vehicle.

25 Sec. 3. Section 321.445, subsections 3 and 5, Code 2026, are
26 amended to read as follows:

27 3. The driver and ~~front seat~~ passengers may be each charged
28 separately for improperly used or nonused equipment under
29 subsection 2. However, the driver shall not be charged for a
30 violation committed by a passenger who is fourteen years of age
31 or older unless the passenger is unable to properly fasten a ~~seat~~
32 safety belt or safety harness due to a temporary or permanent
33 disability. The owner of the motor vehicle may be charged for
34 equipment violations under subsection 1.

35 5. The department shall adopt rules pursuant to chapter 17A

1 providing exceptions from application of subsections 1 and 2 for
2 ~~front~~ seats and ~~front seat~~ passengers of motor vehicles owned,
3 leased, rented, or primarily used by persons with disabilities
4 who use collapsible wheelchairs.

5 Sec. 4. Section 321.446, subsection 3, paragraph d, Code
6 2026, is amended by striking the paragraph.

7 Sec. 5. Section 321.446, subsection 4, paragraphs b and c,
8 Code 2026, are amended to read as follows:

9 b. If a passenger fourteen years of age or older is unable to
10 properly fasten a ~~seatbelt~~ safety belt or safety harness due to
11 a temporary or permanent disability, an operator who transports
12 such a person in violation of subsection 2 may be charged with a
13 violation of this section. Otherwise, a passenger fourteen years
14 of age or older who violates subsection 2 shall be charged in
15 lieu of the operator.

16 c. If a child under fourteen years of age, or a child
17 fourteen years of age or older who is unable to fasten a ~~seatbelt~~
18 safety belt or safety harness due to a temporary or permanent
19 disability, is being transported in a taxicab or in a personal
20 vehicle operated by a transportation network company driver, as
21 defined in section 321N.1, in a manner that is not in compliance
22 with subsection 1 or 2, the parent, legal guardian, or other
23 responsible adult traveling with the child shall be served with
24 a citation for a violation of this section in lieu of the taxicab
25 operator or transportation network company driver. Otherwise, if
26 a passenger being transported in the taxicab or in a personal
27 vehicle operated by a transportation network company driver is
28 fourteen years of age or older, the citation shall be served on
29 the passenger in lieu of the taxicab operator or transportation
30 network company driver.

31 EXPLANATION

32 The inclusion of this explanation does not constitute agreement with
33 the explanation's substance by the members of the general assembly.

34 Under current law, Code section 321.445 (safety belts and
35 safety harnesses) requires drivers and front seat occupants of

1 motor vehicles who are 18 years of age or older to wear a
2 properly adjusted and fastened safety belt or safety harness any
3 time the vehicle is in forward motion on a street or highway.
4 This bill applies the requirement to all passengers of the
5 vehicle who are 18 years of age or older. The bill makes
6 corresponding changes to the exceptions, charging provisions, and
7 rulemaking provisions of Code section 321.445.

8 Code section 321.446 (child restraint devices) requires
9 children under 18 years of age to be secured during transit by
10 a child restraint system, safety belt, or safety harness. The
11 bill strikes a provision in Code section 321.446 that exempts
12 children occupying the back seat of a motor vehicle from having
13 to be secured during transit by a child restraint system, safety
14 belt, or safety harness if no safety belt is available because
15 all safety belts are being used by other occupants or cannot be
16 used due to the use of a child restraint system in the seating
17 position for which a belt is provided.

18 The bill makes the use of the terms "passenger", "safety
19 belt", and "safety harness" consistent throughout Code sections
20 321.445 and 321.446.

21 A violation of Code section 321.445 is punishable by a
22 scheduled fine of \$70. A violation of Code section 321.446
23 is punishable by a scheduled fine of \$135. The department of
24 transportation is prohibited from considering either violation in
25 determining an offender's driver's license suspension under Code
26 section 321.210 or habitual offender status under Code section
27 321.555.