



# BUCKLE UP

## UTAH'S LAW TO SAVE LIVES

### UTAH SAFETY RESTRAINT ENFORCEMENT GUIDE *Utah Traffic Code 41-6a-1803*

#### IT'S ABOUT SAVING LIVES

Seat belts are the single **most effective** traffic safety device for preventing death and injury.

Seat belts help the driver **stay in the driver seat** to maintain control of the vehicle.

Seat belts **reduce the risk** of injury or death by 50% when used properly.

#### UTAH PRIMARY SEAT BELT LAW

Violation of Law	First Offense	Second Offense
<b>Driver</b>	Written warning to driver	Citation may be issued to driver
<b>Passenger(s) Ages 16 and Older</b>	Written warning to passenger(s)	Citation may be issued to passenger(s)
<b>Passenger Ages 8 to 15</b>	Written warning to driver	Citation may be issued to driver
<b>Passenger Under 8 without Booster/Car Seat</b>	Written warning to driver	Citation may be issued to driver
<b>Penalty</b>	Written warning	<b>Maximum fine: \$45</b> Non-moving violation, no points assessed
<b>Exceptions</b>	<ul style="list-style-type: none"> <li>• Pre-July 1966 vehicles without seat belts</li> <li>• Written verification from a licensed physician</li> <li>• All other seat belt positions are occupied</li> <li>• Only applies to seating position required to have seat belts</li> <li>• Children under 8 who are 57 inches tall or taller are exempt from the requirement to be in a child restraint</li> </ul>	
<b>Seat Belt Safety Course</b>	Fine is waived upon completion of an online 30-minute seat belt safety course. Contact the Utah Safety Council at 801-746-SAFE (7233), toll free 800-933-5943 or online at <a href="http://utahsafetycouncil.org">utahsafetycouncil.org</a> .	

#### WHAT ENFORCEMENT AGENCIES NEED TO KNOW

**WHAT'S CHANGED?**

All seat belt violations became a primary offense for all ages. Enforcement action on a first offense is restricted to a written warning.

**WHEN CAN AN OFFICER WRITE A CITATION?**

A seat belt citation can be issued when the individual breaking the law has previously been issued a written warning for the same violation.

**HOW ARE SEAT BELT WARNINGS BEING TRACKED?**

Written seat belt warnings will be tracked in UCJIS, using the driver license inquiry screen accessed by the officer or dispatch. Warnings must be submitted electronically to the State.

**CAN AN OFFICER ISSUE A CITATION FOR A SEAT BELT VIOLATION IF THE INDIVIDUAL IS STOPPED FOR A DIFFERENT OFFENSE?**

Only after the first written warning is issued can a citation be given regardless of whether or not a motorist is stopped for a different offense. A verbal warning is not enough. A written electronic warning is required for tracking purposes.

**CAN I ISSUE A CITATION ON THE FIRST OFFENSE FOR UNRESTRAINED PASSENGERS UNDER THE AGE OF 19?**

No. The current law requires that warnings be issued for all passengers on the first offense, including children.

**CAN YOU CITE AN OUT OF STATE DRIVER?**

No. A warning must be issued unless an agency can show a written warning has been issued and entered into their RMS system. Warnings issued prior to May 12 do not apply to this requirement. Utah DLD cannot track warnings for out of State drivers.

**WHAT IS THE PENALTY FOR A SEAT BELT CITATION?**

The maximum fine is \$45. This fine is waived upon completion of an online 30-minute seat belt safety course that is available through the Utah Safety Council at [utahsafetycouncil.org](http://utahsafetycouncil.org). Inquirers may also call the Council at 801-746-SAFE (7233) or toll-free 800-933-5943 for more information.

**WHEN IS THE LAW IN EFFECT?**

May 12, 2015 through July 1, 2018. During these three years, a warning period will be used to educate the public about the life-saving benefits of buckling up. Our goal is to increase seat belt use throughout the state. Enforcement and education are critical to making this law permanent.

**WHAT CAN LAW ENFORCEMENT DO TO HELP ENSURE SEAT BELT USE REMAINS A PRIMARY LAW?**

Educate non-users on the benefits of wearing a seat belt, issue written warnings on the first offense and provide educational handouts to violators.

**IF A PERSON HAS BEEN PREVIOUSLY CITED OR WARNED FOR A SEAT BELT VIOLATION (PRIOR TO MAY 12), IS THAT CONSIDERED A WARNING?**

Beginning May 12th the law becomes effective as does the warning period. All previous warnings and citations are irrelevant to the new law and warnings must be issued for the first violation.