

**Utah Department of Public Safety
Highway Safety Office
Seat Belt Enforcement Overtime Guidelines**
Updated 10/1/2022

This document provides guidance to law enforcement on working seat belt overtime enforcement shifts offered by the Utah Highway Safety Office. Please refer to guidelines before working enforcement shifts.

Allowed Use:

- **Overtime shifts** can be 4 or 5 hour shifts and must be worked during the designated Click It or Ticket enforcement dates.
- **Time of Day:** Unless specified, shifts can be worked day or night. Use discretion on time of day and location to ensure an adequate amount of contacts can be made during the enforcement shift. It is recommended to have a minimum of 2 contacts per hour.
- **Zero tolerance** for unrestrained motorists. Citations are highly encouraged for violators of Utah's primary seat belt law. No warning required. As of July 1, 2018, a previous warning is not required to issue a citation for a seat belt violation. This change allows a citation to be issued on a first violation, as well as subsequent violations.
- **Individual Violation Codes-** Three separate and distinct code violations are now included in the statute. Each distinguishes the violation type and is important to know and use for the specific violation observed. When there are multiple violations, a driver can only be issued one citation or warning. The only exception would be a passenger 16 years old or older can receive their own citation or warning for failure to wear a properly adjusted and fastened seat belt.
 - **41-6a-1803(1)(a)(i) FAILURE TO WEAR SEAT BELT OR PROPERLY ADJUST SAFETY BELT** (Driver or passenger 16 years old or older)
 - **41-6a-1803(1)(a)(ii) FAILURE TO PROVIDE CHILD RESTRAINT DEVICE FOR CHILD < 8 YEARS** (Child restraint for passenger under 8 – driver responsible) The fine waiver for completing an online course has been removed. The statute now provides a waiver for proof of purchase, acquisition, or rental of a child restraint device ONLY when the driver was cited for failure to secure a child less than 8 years old under subsection 41-6a-1803(a)(ii). A driver may only have the fine waived under this provision once, and not for subsequent violations. Issuing citations under the proper code of the statute is required to allow for proper enforcement.
 - **41-6a-1803(1)(a)(iii) FAILURE TO SECURE SEAT BELT FOR CHILD 8-16 YEARS** (Seat belt for passenger 8 years to 16 years – driver responsible)

Reporting:

- Stats must be filled out for each officer working a shift; if there are less than 2 contacts per hour, provide an explanation in the comments section of the enforcement report.
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- All activity reports should be submitted to the UHSO within **21 days** of enforcement period.
- Overtime stat forms must be kept by the agency for 4 years per federal rules. It is recommended that they be

stored electronically in GEARS as this would allow easy access during audits or monitoring. Agencies may scan and upload them into the Activity Reports as the shifts are worked.

- When completing the enforcement overtime report, make sure the employee Time Start and Time End match the number of hours being claimed.