

HOUSE BILL REPORT

HB 1503

*As Reported By House Committee on:
Judiciary*

Title: An act relating to safety belts.

Brief Description: Providing for enforcement of safety belt requirements.

Sponsor(s): Representative Appelwick.

Brief History:

Reported by House Committee on:
Judiciary, March 1, 1991, DPS.

**HOUSE COMMITTEE ON
JUDICIARY**

Majority Report: *That Substitute House Bill No. 1503 be substituted therefor, and the substitute bill do pass.* Signed by 12 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Inslee; H. Myers; Riley; Scott; Vance; and Wineberry.

Minority Report: *Do not pass.* Signed by 4 members: Representatives R. Meyers; Mielke; D. Sommers; and Tate.

Staff: Bill Perry (786-7123).

Background: Every person over age 16 operating a motor vehicle and every person riding in a motor vehicle must wear a safety belt. Failure to wear a safety belt constitutes a traffic infraction, subject to a monetary penalty, currently at \$25, as set by supreme court rule. Law enforcement officers can enforce this law only as a secondary action when a driver has been detained for a suspected motor vehicle violation or other offense.

Summary of Substitute Bill: The provision limiting enforcement of the safety belt law to secondary action is removed, thus making the failure to wear a safety belt a primary traffic infraction.

Law enforcement officers are prohibited from using the safety belt law as a pretext for harassment. No person may be harassed through enforcement of the safety belt law based

on a perception of the person's race, color, religion, ancestry, national origin, sexual orientation, gender, or disability. A person who is harassed may recover actual damages plus attorney fees and up to \$10,000 in punitive damages.

Substitute Bill Compared to Original Bill: The substitute adds the provision relating to harassment.

Fiscal Note: Not requested.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: The evidence is clear that seat belt use saves lives. The public should be given this additional incentive to wear safety belts.

Testimony Against: None.

Witnesses: Jean Leonard, State Farm Insurance Company (in favor); Basil Badley, American Insurance Association (in favor); John Gullickson, SAFECO Insurance Company (in favor); Kathryn Kruger, Washington Safety Restraint Coalition (in favor); Steve Lind, Washington Traffic Safety Commission (in favor); Susie Tracy, Washington State Medical Association (in favor); Tim Erickson, Washington State Patrol (in favor); and George Flood, PEMCO Insurance Company (in favor).