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HOUSE BILL 2506

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State of Washington

53rd Legislature

1994 Regular Session

By Representatives G. Cole, R. Fisher, Wang and Scott; by request of Washington Traffic Safety Commission

Read first time 01/17/94. Referred to Committee on Judiciary.

1 AN ACT Relating to safety belts; and amending RCW 46.61.688.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

3 **Sec. 1.** RCW 46.61.688 and 1990 c 250 s 58 are each amended to read  
4 as follows:

5 (1) For the purposes of this section, the term "motor vehicle"  
6 includes:

7 (a) "Buses," meaning motor vehicles with motive power, except  
8 trailers, designed to carry more than ten passengers;

9 (b) "Multipurpose passenger vehicles," meaning motor vehicles with  
10 motive power, except trailers, designed to carry ten persons or less  
11 that are constructed either on a truck chassis or with special features  
12 for occasional off-road operation;

13 (c) "Passenger cars," meaning motor vehicles with motive power,  
14 except multipurpose passenger vehicles, motorcycles, or trailers,  
15 designed for carrying ten passengers or less; and

16 (d) "Trucks," meaning motor vehicles with motive power, except  
17 trailers, designed primarily for the transportation of property.

18 (2) This section only applies to motor vehicles that meet the  
19 manual seat belt safety standards as set forth in federal motor vehicle

1 safety standard 208. This section does not apply to a vehicle occupant  
2 for whom no safety belt is available when all designated seating  
3 positions as required by federal motor vehicle safety standard 208 are  
4 occupied.

5 (3) Every person sixteen years of age or older operating or riding  
6 in a motor vehicle shall wear the safety belt assembly in a properly  
7 adjusted and securely fastened manner.

8 (4) No person may operate a motor vehicle unless all passengers  
9 under the age of sixteen years are either wearing a safety belt  
10 assembly or are securely fastened into an approved child restraint  
11 device.

12 (5) A person violating this section shall be issued a notice of  
13 traffic infraction under chapter 46.63 RCW. A finding that a person  
14 has committed a traffic infraction under this section shall be  
15 contained in the driver's abstract but shall not be available to  
16 insurance companies or employers.

17 (6) Failure to comply with the requirements of this section does  
18 not constitute negligence, nor may failure to wear a safety belt  
19 assembly be admissible as evidence of negligence in any civil action.

20 ~~((Enforcement of this section by law enforcement officers may  
21 be accomplished only as a secondary action when a driver of a motor  
22 vehicle has been detained for a suspected violation of Title 46 RCW or  
23 an equivalent local ordinance or some other offense.~~

24 ~~(8))~~ This section does not apply to an operator or passenger who  
25 possesses written verification from a licensed physician that the  
26 operator or passenger is unable to wear a safety belt for physical or  
27 medical reasons.

28 ~~((9))~~ (8) The state patrol may adopt rules exempting operators or  
29 occupants of farm vehicles, construction equipment, and vehicles that  
30 are required to make frequent stops from the requirement of wearing  
31 safety belts.

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