
HOUSE BILL 2587

State of Washington 58th Legislature 2004 Regular Session

By Representatives Wood, Nixon, Lovick, Campbell, Hankins, Hatfield, Moeller, Rockefeller and Kagi

Read first time 01/16/2004. Referred to Committee on Transportation.

1 AN ACT Relating to physical and medical exemptions from motor
2 vehicle safety belt requirements; amending RCW 46.61.688; adding a new
3 section to chapter 46.61 RCW; creating a new section; and prescribing
4 penalties.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that persons with
7 medical or physical conditions that prevent them from wearing safety
8 belts in motor vehicles are being unnecessarily stopped by law
9 enforcement officers and issued citations for failing to wear safety
10 belts under RCW 46.61.688. This act is intended to assist law
11 enforcement officers in identifying persons with medical or physical
12 exemptions to safety belt requirements.

13 **Sec. 2.** RCW 46.61.688 and 2003 c 353 s 4 are each amended to read
14 as follows:

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

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

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

5 (c) "Neighborhood electric vehicle," meaning a self-propelled,
6 electrically powered four-wheeled motor vehicle whose speed attainable
7 in one mile is more than twenty miles per hour and not more than
8 twenty-five miles per hour and conforms to federal regulations under
9 Title 49 C.F.R. Part 571.500;

10 (d) "Passenger cars," meaning motor vehicles with motive power,
11 except multipurpose passenger vehicles, motorcycles, or trailers,
12 designed for carrying ten passengers or less; and

13 (e) "Trucks," meaning motor vehicles with motive power, except
14 trailers, designed primarily for the transportation of property.

15 (2) This section only applies to motor vehicles that meet the
16 manual seat belt safety standards as set forth in federal motor vehicle
17 safety standard 208 and to neighborhood electric vehicles. This
18 section does not apply to a vehicle occupant for whom no safety belt is
19 available when all designated seating positions as required by federal
20 motor vehicle safety standard 208 are occupied.

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

24 (4) No person may operate a motor vehicle unless all child
25 passengers under the age of sixteen years are either: (a) Wearing a
26 safety belt assembly or (b) are securely fastened into an approved
27 child restraint device.

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

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

36 (7) This section does not apply to an operator or passenger who
37 possesses written verification from a licensed physician that the
38 operator or passenger is unable to wear a safety belt for physical or

1 medical reasons. A person who is unable to wear a safety belt for
2 physical or medical reasons may apply to the department of licensing
3 for a sticker to be displayed in a vehicle transporting the person.
4 The sticker must be displayed as required by the rules adopted by the
5 chief of the Washington state patrol.

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

10 NEW SECTION. Sec. 3. A new section is added to chapter 46.61 RCW
11 to read as follows:

12 (1) The department of licensing shall issue a safety belt exemption
13 sticker under RCW 46.61.688(7) for a person on whose behalf a statement
14 signed by a licensed physician is presented. For a physician's
15 statement to qualify under this section, the physician giving the
16 statement must set forth reasons in the statement why use of a safety
17 belt by the person would be impractical or harmful to the person. The
18 department shall charge a fee of not more than five dollars to cover
19 the costs of the sticker. Fees collected must be deposited into the
20 highway safety fund.

21 (2) The sticker must be designed to show distinguishing marks,
22 letters, or numerals indicating that the vehicle is being used to
23 transport a person with a physical or medical condition that prevents
24 him or her from wearing a safety belt.

25 (3) A safety belt exemption sticker is valid for six months unless
26 a shorter time period is indicated in the physician's statement. The
27 safety belt exemption sticker may be renewed once for an additional
28 consecutive six-month period.

29 (4) The applications for safety belt medical exemption stickers are
30 official state documents. Knowingly providing false information with
31 the intent to obtain an exemption in conjunction with the application
32 is a gross misdemeanor punishable under chapter 9A.20 RCW.

33 (5) Unauthorized use of a safety belt medical exemption sticker is
34 a traffic infraction with a monetary penalty of two hundred fifty
35 dollars.

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