

---

SENATE BILL 5032

---

State of Washington

58th Legislature

2003 Regular Session

By Senator Morton

Read first time 01/13/2003. Referred to Committee on Highways & Transportation.

1 AN ACT Relating to safety belt exemptions for commercial delivery  
2 vehicles making frequent stops; and amending RCW 46.61.688.

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

4 **Sec. 1.** RCW 46.61.688 and 2002 c 328 s 2 are each amended to read  
5 as follows:

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

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

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

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

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

1 (2) This section only applies to motor vehicles that meet the  
2 manual seat belt safety standards as set forth in federal motor vehicle  
3 safety standard 208. This section does not apply to a vehicle occupant  
4 for whom no safety belt is available when all designated seating  
5 positions as required by federal motor vehicle safety standard 208 are  
6 occupied.

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

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

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

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

22 (7) This section does not apply to:

23 (a) An operator or passenger who possesses written verification  
24 from a licensed physician that the operator or passenger is unable to  
25 wear a safety belt for physical or medical reasons;

26 (b) The operator of a commercial delivery vehicle making frequent  
27 stops when the vehicle is traveling no more than one city block between  
28 stops.

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

--- END ---