
HOUSE BILL 1440

State of Washington 55th Legislature 1997 Regular Session

By Representatives Robertson, Blalock, Skinner, O'Brien, Fisher, Radcliff, Hankins, Mitchell, Sterk, Delvin, Cole and Ogden

Read first time 01/27/97. Referred to Committee on Transportation Policy & Budget.

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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