
SENATE BILL 6025

State of Washington

58th Legislature

2003 Regular Session

By Senators Benton and Kohl-Welles

Read first time 03/06/2003. Referred to Committee on Highways & Transportation.

1 AN ACT Relating to enforcement of seat belt laws; and amending RCW
2 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) Except for subsection (4)(b) of this section, which must be
23 enforced as a primary action, enforcement of this section by law
24 enforcement officers may be accomplished only as a secondary action
25 when the driver of a motor vehicle has been detained for a suspected
26 violation of Title 46 RCW or an equivalent local ordinance or some
27 other offense.

28 (8) This section does not apply to an operator or passenger who
29 possesses written verification from a licensed physician that the
30 operator or passenger is unable to wear a safety belt for physical or
31 medical reasons.

32 ((+8)) (9) The state patrol may adopt rules exempting operators or
33 occupants of farm vehicles, construction equipment, and vehicles that
34 are required to make frequent stops from the requirement of wearing
35 safety belts.

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