
SENATE BILL NO. 151—COMMITTEE ON TRANSPORTATION

FEBRUARY 10, 1999

Referred to Committee on Transportation

SUMMARY—Removes provision that prohibits failure to wear safety belt from being considered as negligence or causation in civil action. (BDR 43-340)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to motor vehicles; removing provision that prohibits failure to wear a safety belt from being considered as negligence or causation in a civil action; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 484.641 is hereby amended to read as follows:
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3 484.641 1. It is unlawful to drive a passenger car manufactured after:
4 (a) January 1, 1968, on a highway , unless it is equipped with at least
5 two lap-type safety belt assemblies for use in the front seating positions.
6 (b) January 1, 1970, on a highway, unless it is equipped with a lap-type
7 safety belt assembly for each permanent seating position for passengers.
8 This requirement does not apply to the rear seats of vehicles operated by a
9 police department or sheriff's office.
10 (c) January 1, 1970, ***on a highway***, unless it is equipped with at least
11 two shoulder-harness-type safety belt assemblies for use in the front seating
12 positions.
13 2. Any person driving and any passenger 5 years of age or older who
14 rides in the front or back seat of any vehicle described in subsection 1,
15 having an unladen weight of less than 6,000 pounds, on any highway, road
16 or street in this state shall wear a safety belt if one is available for his
17 seating position.
18 3. A citation must be issued to any driver or to any adult passenger
19 who fails to wear a safety belt as required by subsection 2. If the passenger
20 is a child 5 years of age or older but under 18 years, a citation must be

1 issued to the driver for his failure to require that child to wear the safety
2 belt, but if both the driver and that child are not wearing safety belts, only
3 one citation may be issued to the driver for both violations. A citation may
4 be issued pursuant to this subsection only if the violation is discovered
5 when the vehicle is halted or its driver arrested for another alleged violation
6 or offense. Any person who violates the provisions of subsection 2 shall be
7 punished by a fine of not more than \$25 or by a sentence to perform a
8 certain number of hours of work for the community.

9 4. A violation of subsection 2:

10 (a) Is not a moving traffic violation under NRS 483.473.

11 (b) May not be considered ~~as negligence or as causation in any civil~~
12 ~~action or as~~ negligent or reckless driving under NRS 484.377.

13 (c) May not be considered as misuse or abuse of a product or as
14 causation in any action brought to recover damages for injury to a person or
15 property resulting from the manufacture, distribution, sale or use of a
16 product.

17 5. The department shall exempt those types of motor vehicles or
18 seating positions from the requirements of subsection 1 when compliance
19 would be impractical.

20 6. The provisions of subsections 2 and 3 do not apply:

21 (a) To a driver or passenger who possesses a written statement by a
22 physician certifying that he is unable to wear a safety belt for medical or
23 physical reasons;

24 (b) If the vehicle is not required by federal law to be equipped with
25 safety belts;

26 (c) To an employee of the United States Postal Service while delivering
27 mail in the rural areas of this state;

28 (d) If the vehicle is stopping frequently, the speed of that vehicle does
29 not exceed 15 miles per hour between stops and the driver or passenger is
30 frequently leaving the vehicle or delivering property from the vehicle; or

31 (e) To a passenger riding in a means of public transportation, including
32 a taxi, school bus or emergency vehicle.

33 7. It is unlawful for any person to distribute, have for sale, offer for
34 sale or sell any safety belt or shoulder harness assembly for use in a motor
35 vehicle unless it meets **the** current minimum standards and specifications of
36 the United States Department of Transportation.