

ARTICLE 14 - SAFETY BELT USAGE

31-5-1401. Definitions.

(a) As used in this act:

(i) "Emergency vehicle" means as defined in W.S. 31-5-1302(a)(iii);

(ii) "Passenger vehicle" means a vehicle which is self-propelled and designed to carry eleven (11) persons or less and primarily used to transport persons, including pickup trucks but excluding emergency vehicles, motorcycles and buses;

(iii) "Police officer" means as defined in W.S. 31-5-102(a)(xxxiii);

(iv) "Safety belt" means a passenger restraint which was installed when the vehicle was manufactured;

(v) "Vehicle" means as defined in W.S. 31-5-102(a)(lviii);

(vi) "This act" means W.S. 31-5-1401 and 31-5-1402.

31-5-1402. Safety belts required to be used; exceptions; reduction in fine.

(a) Each driver and passenger of a motor vehicle operated in this state shall wear, and each driver of a motor vehicle shall require that a passenger under twelve (12) years of age shall wear, a properly adjusted and fastened safety belt when the motor vehicle is in motion on public streets and highways.

(b) Subsection (a) of this section does not apply to:

(i) Any person who has a written statement from a physician that it is not advisable for the person to wear a safety belt for physical or medical reasons;

(ii) Any passenger vehicle which is not required to be equipped with safety belts under federal law;

(iii) A carrier of the United States postal service performing duties as a postal carrier;

(iv) Any person properly secured in a child safety restraint system in accordance with W.S. 31-5-1301 through 31-5-1305; or

(v) Any person occupying a seat in a vehicle in which all operable safety restraints are being used by the driver or passengers and any person occupying a seat in a vehicle originally manufactured without a safety belt.

(c) No violation of this section shall:

(i) Be counted as a moving violation for the purpose of suspending a driver's license under W.S. 31-7-129;

(ii) Be grounds for increasing insurance premiums or made a part of the abstracts kept by the department pursuant to W.S. 31-5-1214.

(d) No motor vehicle shall be halted solely for a violation of this section.

(e) All citations for violations of the motor vehicle laws of this state and for violations of traffic ordinances or traffic regulations of a local authority shall contain a notation by the issuing officer indicating whether the driver and passengers complied with this section. Compliance with this section shall entitle a licensee to a ten dollar (\$10.00) reduction in the fine otherwise imposed by any court having jurisdiction over the alleged offense. The driver who violates this section may be issued a citation and may be subject to a fine of not more than twenty-five dollars (\$25.00). Any passenger who violates this section may be issued a citation and may be subject to a fine of not more than ten dollars (\$10.00).

(f) Evidence of a person's failure to wear a safety belt as required by this act shall not be admissible in any civil action.