

HOUSE BILL NO. 1193

Introduced by

Representative Klemin

Senator Trenbeath

1 A BILL for an Act to amend and reenact section 39-21-41.4 of the North Dakota Century Code,
2 relating to the use of safety belts.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 39-21-41.4 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **39-21-41.4. Use of safety belts required in certain motor vehicles - Enforcement -**
7 **Evidence.** Subject to the limitations of this section and section 39-21-41.5, a driver may not
8 operate upon a highway a motor vehicle designed for carrying fewer than eleven passengers,
9 which was originally manufactured with safety belts unless each front seat occupant is wearing
10 a properly adjusted and fastened safety belt. This section does not apply to a child in a child
11 restraint or seatbelt in accordance with section 39-21-41.2; to drivers of implements of
12 husbandry; to operators of farm vehicles as defined in subsection 5 of section 39-04-19; to rural
13 mail carriers while on duty delivering mail; to an occupant with a medical or physically disabling
14 condition that prevents appropriate restraint in a safety belt, if a qualified physician states in a
15 signed writing the nature of the condition and the reason restraint is inappropriate; or when all
16 front seat safety belts are in use by other occupants. A physician who, in good faith, provides a
17 statement that restraint would be inappropriate is not subject to civil liability. A violation for not
18 wearing a safety belt under this section is not, in itself, evidence of negligence. The fact of a
19 violation of this section is not admissible in any proceeding other than one charging the
20 violation.