Admissibility in Civil Actions of Nonuse of a Seat Belt Act

{Title, enacting clause, etc.}

Section 1. {Short Title} This Act is titled and may be known as the Admissibility in Civil Actions of Nonuse of a Seat Belt

Section 2. In any civil action, a violation of [the mandatory seatbelt usage statute] shall not establish negligence as a matter of law or negligence per se for comparative fault purposes, but such violation may be considered in a civil action as evidence of comparative negligence or as evidence of failure to mitigate damages and such evidence may serve to reduce liability based upon an apportionment of damages as to the extent of the injury caused by the failure to wear a seat belt.

Section 3. {Repealer Clause}

Section 4. {Effective Date}


This bill provides that failure to use a seatbelt can be used to limit damages in a personal injury lawsuit, without establishing negligence as a matter of law.