

CONNECTICUT SEATBELT LAW

Sec. 14-100a. Seat safety belts. Child restraint systems. (a) No new passenger motor vehicle may be sold or registered in this state unless equipped with at least two sets of seat safety belts for the front and rear seats of the motor vehicle, which belts comply with the requirements of subsection (b) of this section. The anchorage unit at the attachment point shall be of such construction, design and strength as to support a loop load strength of not less than four thousand pounds for each belt.

(b) No seat safety belt may be sold for use in connection with the operation of a motor vehicle on any highway of this state unless it is so constructed and installed as to have a loop strength through the complete attachment of not less than four thousand pounds, and the buckle or closing device shall be of such construction and design that after it has received the aforesaid loop belt load it can be released with one hand with a pull of less than forty-five pounds.

(c) (1) The operator of and any front seat passenger in a motor vehicle with a gross vehicle weight rating not exceeding ten thousand pounds or fire fighting apparatus originally equipped with seat safety belts complying with the provisions of the Code of Federal Regulations, Title 49, Section 571.209, as amended from time to time, shall wear such seat safety belt while the vehicle is being operated on the highways of this state, except that a child six years of age and under shall be restrained as provided in subsection (d) of this section. Each operator of such vehicle shall secure or cause to be secured in a seat safety belt any passenger seven years of age or older and under sixteen years of age.

(2) The provisions of subdivision (1) of this subsection shall not apply to (A) any person whose physical disability or impairment would prevent restraint in such safety belt, provided such person obtains a written statement from a licensed physician containing reasons for such person's inability to wear such safety belt and including information concerning the nature and extent of such condition. Such person shall carry the statement on his or her person or in the motor vehicle at all times when it is being operated, or (B) an authorized emergency vehicle, other than fire fighting apparatus, responding to an emergency call or a motor vehicle operated by a rural letter carrier of the United States postal service while performing his or her official duties or by a person engaged in the delivery of newspapers.

(3) Failure to wear a seat safety belt shall not be considered as contributory negligence nor shall such failure be admissible evidence in any civil action.

(4) On and after February 1, 1986, any person who violates the provisions of this subsection shall have committed an infraction and shall be fined fifteen dollars. Points may not be assessed against the operator's license of any person convicted of such violation.

(d) (1) Any person who transports a child six years of age and under or weighing less than sixty pounds, in a motor vehicle on the highways of this state shall provide and require the child to use a child restraint system approved pursuant to regulations adopted by the Department of Motor Vehicles in accordance with the provisions of chapter 54. Any person who transports a child seven years of age or older and weighing sixty or more pounds, in a motor vehicle on the highways of this state shall either provide and require the child to use an approved child restraint system or require the child to use a seat safety belt. As used in this subsection, "motor vehicle" does not mean a bus having a tonnage rating of one ton or more. Failure to use a child restraint system shall not be considered as contributory negligence nor shall such failure be admissible evidence in any civil action.

(2) Any person who transports a child under one year of age or weighing less than twenty pounds in a motor vehicle on the highways of this state shall provide and require the child to ride rear-facing in a child restraint system approved pursuant to regulations that the Department of Motor Vehicles shall adopt in accordance with the provisions of chapter 54.

(3) Notwithstanding the provisions of subdivision (1) of this subsection, any person who transports a child four years of age or older in a student transportation vehicle, as defined in section 14-212, on the highways of this state shall either provide and require the child to use an approved child restraint system or require the child to use a seat safety belt. Any person who transports a child under four years of age weighing less than forty pounds in a student transportation vehicle on the highways of this state shall provide and require the child to use a child restraint system approved pursuant to regulations adopted by the Department of Motor Vehicles in accordance with the provisions of chapter 54.

(4) No person shall restrain a child in a booster seat unless the motor vehicle is equipped with a safety seat belt that includes a shoulder belt and otherwise meets the requirement of subsection (b) of this section.

(5) Any person who violates the provisions of subdivision (1), (2), (3) or (4) of this subsection shall, for a first violation, have committed an infraction; for a second violation, be fined not more than one hundred ninety-nine dollars; and, for a third or subsequent violation, be guilty of a class A misdemeanor. The commissioner shall require any person who has committed a first or second violation of the provisions of this subsection to attend a child car seat safety course offered or approved by the Department of Motor Vehicles. The commissioner may, after notice and an opportunity for a hearing, suspend for a period of not more than two months the motor vehicle operator's license of any person who fails to attend or successfully complete the course.

(e) The commissioner shall administer the provisions of this section.

(1961, P.A. 532; 1963, P.A. 405; P.A. 82-292; P.A. 84-429, S. 35; P.A. 85-429, S. 1, 8; P.A. 91-192, S. 2; P.A. 93-10; P.A. 94-52; P.A. 96-180, S. 149, 166; 96-257, S. 1; P.A. 02-70, S. 78; P.A. 05-58, S. 1.)

History: 1963 act made equipping of new cars with seat belts mandatory, 1961 act having made anchorage units only mandatory; P.A. 82-292 inserted new Subsec. (c) requiring the use of child restraint systems, relettering former Subsec. (c) accordingly; P.A. 84-429 rephrased provisions and made other technical changes; P.A. 85-429 amended Subsec. (a) to require that vehicles be equipped with safety belts for rear seats and inserted new Subsec. (c) re required use of seat belts, exemptions and penalties related to such use, relettering prior Subsecs. (c) and (d) accordingly; P.A. 91-192 amended Subdivs. (1) and (3) of Subsec. (c) to require use of seat belts in fire fighting apparatus and Subdiv. (5) to delete obsolete provision re issuance of verbal warnings by law enforcement officers for violations; P.A. 93-10 amended Subdiv. (1) of Subsec. (c) to eliminate exemption from requirement to use seat belts for vehicles equipped with air bags; P.A. 94-52 amended Subsec. (c) by deleting "front seat" in the last sentence of Subdiv. (1), making it applicable to any passenger four years of age or older and under sixteen, not only a "front seat" passenger, and amended Subsec. (d) by making its first sentence applicable to children under four years of age and "weighing less than forty pounds", deleting language which provided that: "For any child between the ages of one year and four years, a seat safety belt in the rear seat of the motor vehicle which complies with the provisions of subsection (b) of this section may be used in lieu of a child restraint system." and providing instead that: "Any person who transports a child under the age of four years, weighing forty or more pounds, in a motor vehicle on the highways of this state shall either provide and require the child to use an approved child restraint system or require the child to use a seat safety belt" and eliminating language which said that "motor vehicle" does not mean "a recreational vehicle of the truck or van type or a truck"; P.A. 96-180 amended of Subsec. (c)(1) to substitute Subsec. "(e)" for "(g)" of Sec. 38a-363,

effective June 3, 1996; P.A. 96-257 amended Subsec. (d) to eliminate provision requiring court waiver of fine upon proof that person installed child restraint system prior to court appearance date, to provide graduated penalties for violation of subsection and to require persons who have committed a first or second violation to attend a child car seat safety course; P.A. 02-70 amended Subsec. (c) to replace references to "private passenger" type of motor vehicle, "as defined in subsection (e) of section 38a-363" and "vanpool vehicle", with reference to motor vehicle "with a gross vehicle weight rating not exceeding ten thousand pounds", and to require seat belt use in fire fighting apparatus "originally" equipped with such belts in Subdiv. (1), combined existing Subdiv. (3) with Subdiv. (2) and made technical changes therein and redesignated existing Subdivs. (4) and (5) as Subdivs. (3) and (4); P.A. 05-58 amended Subsec. (c)(1) by substituting "six years of age and under" for "under the age of four years" and changing "four" to "seven" years of age or older, and amended Subsec. (d) by designating existing provisions as Subdivs. (1) and (5) and, in Subdiv. (1), substituting "six years of age and under or" for "under the age of four years" and changing "forty" to "sixty" pounds, adding Subdiv. (2) re child restraint system for transport of child under one year of age or weighing less than twenty pounds, adding Subdiv. (3) re child restraint systems in a student transportation vehicle, adding Subdiv. (4) re restraint of child in booster seat and, in Subdiv. (5), adding "subdivision (1), (2), (3) or (4) of".

See Sec. 54-33m re failure to wear seat belt not constituting probable cause for vehicle search.

Police officer who observed defendant operating motor vehicle without wearing a shoulder-harness-type seat belt had reasonable articulable suspicion of a violation of statute to justify initial stop. 96 CA 515.

Special defense of defendant that plaintiff's failure to use seat belts supplied pursuant to this section should be allowed as evidence may show nonuse as the proximate cause barring recovery or could affect amount of damages recoverable. 27 CS 498.

(e) (1) Any person who transports an individual in a wheelchair, in any motor vehicle on the highways of this state, shall provide and require the use of a device designed to secure individuals in wheelchairs while transferring such individuals from the ground to the vehicle and from the time the motor vehicle is brought to a stop until such individuals are transferred from the vehicle to the ground. Such device shall be located in the motor vehicle at all times. The Commissioner of Transportation, Public Health or Motor Vehicles may establish regulations in accordance with the provisions of this section.

(2) The following motor vehicles registered in this state on or after the effective date of this section that transport individuals in wheelchairs, shall, in addition to the requirements of subdivision (1) of this subsection, install or provide and require the use of a device that secures the wheelchair to the motor vehicle's lift or otherwise prevents an individual in a wheelchair from falling from such motor vehicle: (A) Motor vehicles in livery service, as defined in section 13b-101, (B) service buses, as defined in subdivision (77) of section 14-1, (C) invalid coaches, as defined in subdivision (11) of section 19a-175, (D) vanpool vehicles, as defined in subdivision (94) of section 14-1, (E) school buses, as defined in subdivision (73) of section 14-1, (F) motor buses, as defined in subdivision (47) of section 14-1, (G) student transportation vehicles, as defined in subdivision (8) of section 14-212, and (H) camp vehicles, as defined in subdivision (98) of section 14-1. The provisions of this subsection shall also apply to all motor vehicles used by municipal and commercial ambulance services, rescue services and management services.

(3) Violation of any provision of this subsection is an infraction