

FEB 9 2006  
TRANSPORTATION

HOUSE FILE 2327  
BY HUNTER

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to restraint requirements for motor vehicle  
2 occupants and making a penalty applicable.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2327

1 Section 1. Section 321.445, subsection 2, unnumbered  
2 paragraph 1, Code 2005, is amended to read as follows:

3 The driver and ~~front-seat~~ occupants of a type of motor  
4 vehicle that is subject to registration in Iowa, except a  
5 motorcycle or a motorized bicycle, shall each wear a properly  
6 adjusted and fastened safety belt or safety harness any time  
7 the vehicle is in forward motion on a street or highway in  
8 this state except that a child under eleven years of age shall  
9 be secured as required under section 321.446.

10 Sec. 2. Section 321.445, subsection 2, paragraphs a, b,  
11 and f, Code 2005, are amended to read as follows:

12 a. The driver or ~~front-seat~~ occupants of a motor vehicle  
13 which is not required to be equipped with safety belts or  
14 safety harnesses.

15 b. The driver and ~~front-seat~~ occupants of a motor vehicle  
16 who are actively engaged in work which requires them to alight  
17 from and reenter the vehicle at frequent intervals, providing  
18 the vehicle does not exceed twenty-five miles per hour between  
19 stops.

20 f. ~~Front-seat-occupants~~ Occupants of an authorized  
21 emergency vehicle while they are being transported in an  
22 emergency. However, this exemption does not apply to the  
23 driver of the authorized emergency vehicle.

24 Sec. 3. Section 321.445, subsection 3, Code 2005, is  
25 amended to read as follows:

26 3. The driver and ~~front-seat~~ passengers may be each  
27 charged separately for improperly used or nonused equipment  
28 under subsection 2. The owner of the motor vehicle may be  
29 charged for equipment violations under subsection 1.

30 EXPLANATION

31 This bill requires the driver and all occupants of a motor  
32 vehicle to wear a seat belt or safety harness while the  
33 vehicle is in forward motion on a street or highway.  
34 Currently, only the driver and front seat passengers are  
35 required to wear seat belts or safety harnesses. Restraint

1 requirements do not apply to the driver and occupants of a  
2 motor vehicle that is not required to be equipped with seat  
3 belts or safety harnesses, persons who are engaged in work  
4 that requires frequent stops to exit and reenter the vehicle,  
5 letter carriers, bus passengers, persons with a certified  
6 physical or medical exemption, and occupants being transported  
7 in an emergency vehicle. Separate provisions that apply for  
8 children under 11 years of age are not affected by the bill.

9 A violation of seat belt or restraint requirements is a  
10 scheduled violation subject to a fine of \$25. Seat belt and  
11 restraint violations are not a factor in establishing grounds  
12 for license suspension or identifying a person as a habitual  
13 violator.

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