

COUNCIL OF THE DISTRICT OF COLUMBIA

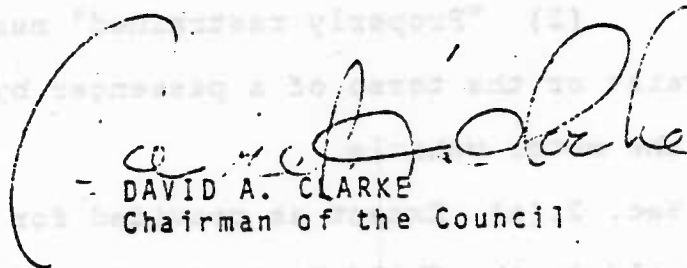
NOTICE

D.C. LAW 6-73

"Mandatory Use of Seat Belts Act of 1985".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 6-16 on first and second readings, September 24, 1985, and October 8, 1985, respectively. Following the signature of the Mayor on October 18, 1985, this legislation was assigned Act No. 6-97, published in the November 8, 1985, edition of the D.C. Register, (Vol. 32 page 6344) and transmitted to Congress on October 23, 1985 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 6-73, effective December 12, 1985.

  
- DAVID A. CLARKE  
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

October	23,24,25,28,29,30,31
November	1,4,5,6,7,8,12,13,14,15,18,19,20,21,22
December	2,3,4,5,6,9,10,11

~~EFFECTIVE~~  
DATE DEC 12 1985

D.C. ACT 6 - 97

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCT 18 1985

To require the use of safety belts in a motor vehicle.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the "Mandatory Use of Seat Belts Act of 1985".

Codification  
New Chapter  
16 of title  
40

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Motor vehicle" means an automotive transportation device with more than 3 wheels and a seating capacity of 8 or less passengers, not including the driver, but the term does not include vehicles used for farm purposes.

New,  
D.C. Code,  
sec. 40-1601  
(1986 supp.)

(2) "Properly restrained" means strapped around the waist or the torso of a passenger by a safety belt built into the motor vehicle.

Sec. 3.(a) Except as provided for children less than 6 years old in the Child Restraint Act of 1982, effective March 10, 1982 (D.C. Law 4-194; D.C. Code, sec. 40-1201 et seq.), the driver and the passenger sitting next to the door in the front seat of a motor vehicle shall wear a properly adjusted and fastened safety belt.

New,  
D.C. Code,  
sec. 40-1602  
(1986 supp.)

(b) This section does not apply to operators or

passengers under the following circumstances:

(1) Riders in a motor vehicle manufactured before July 1, 1966; or

(2) Riders who possess a written verification from a licensed physician that the rider is unable to wear a safety belt for medical reasons.

Sec. 4. Safety belts shall conform to applicable federal motor vehicle safety standards established pursuant to section 103 of title 1 of the National Traffic and Motor Vehicle Safety Act of 1966, approved September 9, 1966 (80 Stat. 719; 15 U.S.C. sec. 1392).

New,  
D.C. Code,  
sec. 40-160  
(1986 supp.)

Sec. 5. This act shall apply to drivers operating a motor vehicle in the District of Columbia and their passengers.

New,  
D.C. Code,  
sec. 40-160  
(1986 supp.)

Sec. 6. For the first 6 months after the effective date of this act, the Mayor of the District of Columbia shall educate the public within the District of Columbia about the requirements and the purpose of this act.

New,  
D.C. Code,  
sec. 40-160  
(1986 supp.)

Sec. 7.(a) There shall not be penalties for violating this act during the first 6 months after its effective date. Instead, the Mayor of the District of Columbia shall issue warnings to drivers and passengers who violate this act during those 6 months.

New,  
D.C. Code,  
sec. 40-160  
(1986 supp.)

(b)(1) Six months after the effective date of this act, the Mayor shall issue rules that establish penalties consistent with the purpose and the regulatory scheme created by this act. The Mayor shall issue the rules pursuant to title 1 of the District of Columbia

Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1203; D.C. Code, sec. 1-1501 et seq.).

(2) The penalties imposed by the Mayor pursuant to subsection (a) of this section initially shall not exceed \$15, although the Mayor may subsequently modify the amount of the penalty.

(c) Enforcement of this act by law enforcement officials shall be accomplished only as a secondary action and only when the officials have probable cause to detain the operator of a motor vehicle for some other offense.

(d) The Department of Transportation shall not assign any points under 18 DCMR 303 to the driving record of a person found in violation of this act.

(e) Violations of this act shall be civil infractions.

(f) The driver of the vehicle will not be responsible for ensuring that passengers comply with this act.

Sec. 8. Neither a violation of this act nor compliance with its terms shall constitute evidence of negligence, evidence of contributory negligence, or a basis for a civil action for damages. Also, a violation or compliance with this act shall not be used as a basis for mitigating damages arising from a civil liability.

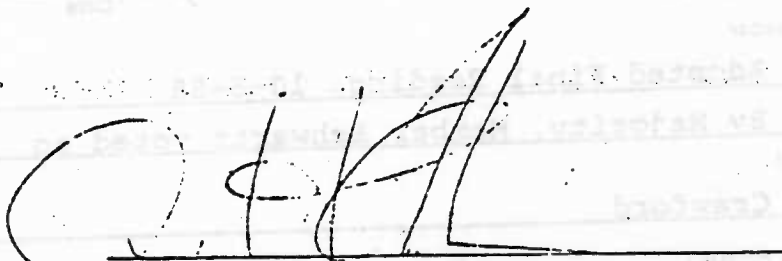
New,  
D.C. Code,  
sec. 40-1607  
(1986 supp.)

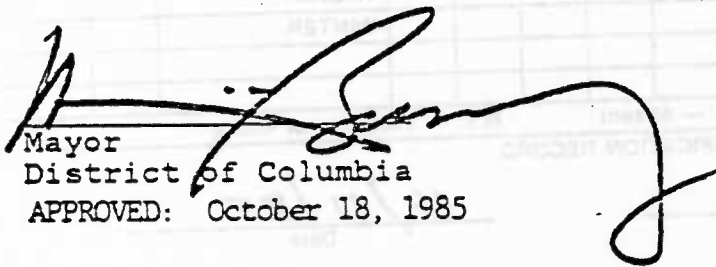
Sec. 9. (a) This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act,

approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)).

(b) This act shall expire immediately upon the date that the Secretary of the United States Department of Transportation, or his or her designee, determines to rescind the portion of standard 208 of the Federal Motor Vehicle Safety, promulgated December 25, 1968 (33 Fed. R. 19703; 49 CFR part 571.208), which requires the installation of automatic restraints in new private passenger motor vehicles, unless the secretary's decision to rescind standard 208 is not based on the enactment or the continued operation of this act.

Note,  
D.C. Code,  
sec. 40-1601  
to 40-1607  
(1986 supp.)

  
Chairman  
Council of the District of Columbia

  
Mayor  
District of Columbia  
APPROVED: October 18, 1985



COUNCIL OF THE DISTRICT OF COLUMBIA  
Council Period Six - First Session

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: B6-16

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 9-24-85

VOICE VOTE: By Majority, Member Schwartz voted no

Recorded vote on request

Absent: all present

ROLL CALL VOTE: - RESULT \_\_\_\_\_

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					RAY					SPAULDING				
CRAWFORD					ROLARK					WILSON				
JARVIS					SCHWARTZ					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X - Indicates Vote      A.B. - Absent      N.V. - Present, not voting

CERTIFICATION RECORD

*R. ...*  
Secretary to the Council

10/11/85  
Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 10-8-85

VOICE VOTE: By Majority, Member Schwartz voted no

Recorded vote on request

Absent: Crawford

ROLL CALL VOTE: - RESULT \_\_\_\_\_

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					RAY					SPAULDING				
CRAWFORD					ROLARK					WILSON				
JARVIS					SCHWARTZ					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X - Indicates Vote      A.B. - Absent      N.V. - Present, not voting

CERTIFICATION RECORD

*R. ...*  
Secretary to the Council

10/11/85  
Date

Item on Consent Calendar

ACTION & DATE: \_\_\_\_\_

VOICE VOTE: \_\_\_\_\_

Recorded vote on request

Absent: \_\_\_\_\_

ROLL CALL VOTE: - RESULT \_\_\_\_\_

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					RAY					SPAULDING				
CRAWFORD					ROLARK					WILSON				
JARVIS					SCHWARTZ					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X - Indicates Vote      A.B. - Absent      N.V. - Present, not voting

CERTIFICATION RECORD

Secretary to the Council