

HCS HB 1264 -- EVIDENCE ON THE USE OF SAFETY BELTS

SPONSOR: Schroer

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Special Committee on Litigation Reform by a vote of 8 to 3. Voted "Do Pass" by the Rules- Legislative Oversight Committee by a vote of 7 to 2.

This bill modifies the definition of a "passenger car" from a motor vehicle designed to carry 10 persons or less to a motor vehicle designed to carry 15 persons or less.

The bill allows evidence of the failure to use a properly adjusted seatbelt to be for any purpose, including assessment of comparative fault, in a products liability action involving a passenger car.

This bill is similar to SB 822 (2018) and HB 881 (2017).

PROPOSERS: Supporters say that the bill will bring fairness to cases alleging the defective design or manufacture of passenger cars. Evidence of failure to use a seatbelt will be admissible so that the jury may accurately assess the fault, if any, of all parties.

Testifying for the bill were Representative Schroer; NFIB; Missouri Chamber of Commerce and Industry; Lee Mickus, American Tort Reform Association; Associated Industries of Missouri; General Motors; and the Missouri Organization of Defense Lawyers.

OPPOSERS: There was no opposition voiced to the committee.