

HB 1264 -- EVIDENCE ON THE USE OF SAFETY BELTS

SPONSOR: Schroer

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 person or less.

Currently, in an action to recover damages related to the operation of a motor vehicle, the failure to wear a safety belt may be considered as evidence of comparative negligence after the introduction of expert evidence on causation with a maximum 1% reduction in damages. The provisions of this bill remove the statutory requirement of expert evidence and increase the reduction in the amount of the plaintiff's recovery to an amount up to 25% of the damages awarded.

This bill is the same as HB 881 (2017).