



# Ohio Legislative Service Commission

## Bill Analysis

Bethany Boyd

### H.B. 331

131st General Assembly  
(As Introduced)

**Reps.** Phillips, Clyde, Lepore-Hagan, M. O'Brien, Sheehy, K. Smith

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## BILL SUMMARY

- Requires all automobile passengers, including back seat passengers, to wear safety belts.

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## CONTENT AND OPERATION

### Use of occupant restraining devices

The bill requires all automobile passengers, regardless of where they are seated, to wear all of the available elements of a properly adjusted "occupant restraining device," which is a seat safety belt, shoulder belt, harness, or other safety device for restraining a person who is an operator of or passenger in an automobile.<sup>1</sup> Currently, only the driver and front seat passengers are required to wear an occupant restraining device. The bill's requirement applies to commercial tractors, passenger cars, commercial cars, or trucks that are required to be factory-equipped with an occupant restraining device for the operator or any passenger by regulations adopted under federal law.<sup>2</sup>

Under the bill, a violation of this back seat safety belt use requirement is a secondary offense, i.e., no law enforcement officer can stop an automobile for the sole purpose of determining whether a safety belt violation is being committed, nor may an officer issue a ticket, citation, or summons, or prosecute a person for a violation of that nature. Officers also cannot view the interior or visually inspect any automobile for the

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<sup>1</sup> R.C. 4513.263(A)(2) and (B).

<sup>2</sup> R.C. 4513.263(A)(1).

sole purpose of determining whether a safety belt violation is being committed.<sup>3</sup> (Currently, it is also a secondary offense for not wearing a safety belt while seated in a front seat of an automobile.)

The bill does not change the requirement that a child who is at least eight but not older than 15 wear a safety belt in an automobile when the child is not required to be secured in a child restraint system or booster seat, regardless of the location of the seat in which the child is seated.<sup>4</sup>

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## HISTORY

ACTION	DATE
Introduced	09-14-15

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<sup>3</sup> R.C. 4513.263(D).

<sup>4</sup> R.C. 4511.81(D), not in the bill.

