

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

***** 257.710e.amended THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT
OF THE 2024 REGULAR SESSION SINE DIE *****

257.710e.amended Safety belt required; driver or passenger to which section inapplicable; transporting child 13 years of age but less than 16 years of age; use of lap belt for purpose of road construction or maintenance; enforcement of section; violation as evidence of negligence; reduction of recovery for damages; violation as civil infraction; reports of inappropriate enforcement; intent; assessment of points prohibited.

Sec. 710e. (1) This section does not apply to an operator or passenger of any of the following:

- (a) A motor vehicle manufactured before January 1, 1965.
- (b) A bus.
- (c) A motorcycle.
- (d) A moped.
- (e) A motor vehicle, if the operator or passenger possesses a written verification from a physician that the operator or passenger is unable to wear a safety belt for physical or medical reasons.
- (f) A motor vehicle that is not required to be equipped with safety belts under federal law.
- (g) A commercial or United States Postal Service vehicle that makes frequent stops for the purpose of pickup or delivery of goods or services.
- (h) A motor vehicle operated by a rural carrier of the United States Postal Service while serving the carrier's rural postal route.

(2) This section does not apply to a passenger of a school bus.

(3) Each operator and front seat passenger of a motor vehicle operated on a street or highway in this state shall wear a properly adjusted and fastened safety belt, except that a child who is less than 13 years of age must be protected as required in section 710d.

(4) If there are more passengers than safety belts available for use, and all safety belts in the motor vehicle are being utilized in compliance with this section, the operator of the motor vehicle is in compliance with this section.

(5) Except as otherwise provided in section 710d, each operator of a motor vehicle transporting a child 13 years of age or older but less than 16 years of age in a motor vehicle shall secure the child in a properly adjusted and fastened safety belt and seated as required under this section. If the motor vehicle is transporting more children than there are safety belts available for use, all safety belts available in the motor vehicle are being utilized in compliance with this section, and the operator and all front seat passengers comply with subsection (3), the operator of a motor vehicle transporting a child 13 years of age or older but less than 16 years of age for which there is not an available safety belt is in compliance with this subsection if that child is seated in other than the front seat of the motor vehicle. However, if that motor vehicle is a pickup truck without an extended cab or jump seats, and all safety belts in the front seat are being used, the operator may transport the child in the front seat without a safety belt.

(6) The operator of a motor vehicle shall wear a lap belt, but is not required to wear a shoulder harness, if the operator is operating the vehicle for the purpose of performing road construction or maintenance in a work zone.

(7) If the office of highway safety planning certifies that there has been less than 80% compliance with the safety belt requirements of this section during the preceding year, enforcement of this section by state or local law enforcement agencies must be accomplished only as a secondary action when an operator of a motor vehicle has been detained for a suspected violation of another section of this act.

(8) Failure to wear a safety belt in violation of this section may be considered evidence of negligence and may reduce the recovery for damages arising out of the ownership, maintenance, or operation of a motor vehicle. However, that negligence must not reduce the recovery for damages by more than 5%.

(9) A person who violates this section is responsible for a civil infraction.

(10) A law enforcement agency shall conduct an investigation for all reports of inappropriate enforcement that result from the enforcement of this section.

(11) The secretary of state shall promote compliance with the safety belt requirements of this section at the branch offices and through any print or visual media determined appropriate by the secretary of state.

(12) It is the intent of the legislature that the enforcement of this section be conducted in a manner calculated to save lives and not in a manner that results in the inappropriate enforcement of this section against the citizens of this state.

(13) Points must not be assessed under section 320a for a violation of this section.

History: Add. 1985, Act 1, Eff. July 1, 1985;—Am. 1989, Act 3, Imd. Eff. Apr. 6, 1989;—Am. 1990, Act 90, Eff. Mar. 28, 1991;—Am. 1991, Act 25, Imd. Eff. May 20, 1991;—Am. 1999, Act 29, Eff. Mar. 10, 2000;—Am. 2008, Act 43, Eff. July 1, 2008;—Am. 2016, Act 460, Eff. Apr. 5, 2017;—Am. 2024, Act 21, Eff. (sine die).

Compiler's note: Enacting section 1 of 1999 PA 29, which amended this section, provides:

“Enacting section 1. It is the intent of the legislature that the cost savings realized by insurance companies because of the changes made by this amendatory act shall be passed on to insurance policy holders.”

Popular name: Seat Belt Law