

JURISDICTION:  
General Reference:

CONNECTICUT  
Connecticut General Statutes Annotated

Required Use of Safety Belts<sup>1</sup>:

Requirements:

I. The operator and front seat passengers  $\geq 16$  years old in a private passenger motor vehicle<sup>2</sup>, fire fighting apparatus or vanpool vehicle shall wear safety belts while the vehicle is in motion. §14-100a(c)(1)  
II. A vehicle operator shall secure in a safety belt any passenger  $\geq 4$  but  $< 16$  years old. §14-100a(c)(1)  
**Enforcement.** The failure to wear a safety belt as required by law shall not constitute probable cause for a law enforcement officer to conduct a search of a vehicle and its contents. §54-33m

Sanctions for Failure to Use or  
Require the Use of Safety Belts:

Infraction: A fine of **\$15 (\$37)**.<sup>3</sup> §14-100a(c)(5)  
Note: No points can be assessed against a driver's record for violating this requirement. §14-100a(c)(5)

Effect on Civil Liability:

Failure to wear a safety belt shall not be considered as contributory negligence nor shall such failure be admissible evidence in any civil action. §14-100a(c)(4)

Required Use of Child Safety Restraint Systems:

Requirements:

A person, who transports a child  $< 4$  year old and weighing  $< 40$  lbs., in a motor vehicle<sup>4</sup>, must require that such child be secured in an approved child restraint system.<sup>5</sup> §14-100a(d)

Required Use of Child Safety Restraint Systems:  
(continued)

Sanctions for Failure to Require

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<sup>1</sup>**Exemptions.** The requirement to use a safety belt does not apply to persons whose physical disability or impairment would prevent restraint in a safety belt. §14-100a(c)(2)

<sup>2</sup>A "private passenger motor vehicle" is defined to include (1) a private passenger type automobile, (2) station-wagon-type automobile, (3) camper-type motor vehicle, (4) high-mileage-type motor vehicle, (5) truck type motor vehicle, with a load capacity of  $\leq 15,000$  lbs., and registered as either a passenger motor vehicle or as a passenger and commercial motor vehicle or (6) a vehicle with a commercial registration. The term does not include motorcycles or motor vehicles used as a public or livery conveyance. §§14-100a(c)(1) & 38a-363(e) In addition, the term does not mean (1) an authorized emergency vehicle, except fire fighting equipment responding to an emergency call, (2) vehicles operated by rural letter carriers of the U.S. Postal Service while performing official duties or (3) vehicles used by persons engaged in the delivery of newspapers. §14-100a(c)(3) Note: The law does not provide for a specific exemption for persons riding in motor vehicles that are not required to be equipped with safety belts under Federal law. However, State law, requiring the installation of safety belts in "new" passenger motor vehicles, became effective in 1963. This law does not require that vehicles manufactured prior to 1963 be equipped with such belts.

<sup>3</sup>The fine schedule established by the superior court (as of October 1, 1998) provides a fine of \$37 for a violation of the safety belt use law's requirements. However, for infractions, the maximum fine that can be imposed appears to be limited to that which is specifically provided for via statute. In the case of a violation of these requirements, the law, §14-100a(c)(5), has established, what appears to be, a maximum fine of \$15. §§51-164m(b), (d) & (f) and 51-164n(b) & (h)

<sup>4</sup>A "motor vehicle" does not include a bus having tonnage rating  $\geq 1$  ton. §14-100a(d)

<sup>5</sup>**Alternative.** As alternative to using a child restraint system, a driver may secure a child  $< 4$  years old and weighing  $\geq 40$  lbs., in a safety belt. §14-100a(d)

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the Use of Child Restraint Systems:

1st offense (Infraction)-A fine of \$60<sup>6</sup> 2nd offense (Violation)-A fine of not more than \$199 3rd or subsequent offense (Class A Misdemeanor)-An imprisonment sentence of not more than 1 year and/or a fine of not more than \$2,000 §§14-100a(d), 53a-24, 53a-27, 53a-36 & 53a-42 A 1st or 2nd offender may be required to attend a course on child car seat safety. §§14-100a(d)

Note: It appears that no points are assessed for a violation of this requirement.

Effect on Civil Liability:

Failure to use a child safety restraint system shall not be considered as contributory negligence nor shall such failure be admissible evidence in any civil action. §14-100a(d)

Required Use of Motorcycle Protective Headgear<sup>7</sup>:

Requirements:

No person <18 years old may operate or ride on a motorcycle unless they are wearing State approved protective headgear. §14-289g(a)

Sanctions for Failure to Use:

Infraction: A fine of not less than \$90. §14-289g(c) Note: It appears that no points are assessed for a violation of this requirement.

Required Use of Motorcycle Eye Protection Device<sup>8</sup>:

Requirements:

A person, who operates a motorcycle, must wear goggles, glasses or a face shield as approved by the State.

Sanctions for Failure to Use:

Infraction: A fine of not more than \$50. §§14-289d(b) & 14-296 Note: It appears that no points are assessed for a violation of this requirement.

Required Use of Bicycle Protective Headgear:

Requirements:

A child ≤15 years old shall not ride a bicycle on a highway unless they are wearing appropriate protective headgear.<sup>9</sup> §14-286d(b)

<sup>6</sup>The law provides that the judges of the superior court shall establish a fine schedule for infractions. The fines established cannot be less than \$35 nor more than \$90. As of October 1, 1998, the fine schedule provides for a \$60 fine for an "infraction" violation of the child safety seat requirement. §§51-164m(a) & (c)

<sup>7</sup>The Connecticut Superior Court has held that the failure to use protective headgear (helmet) is not negligence. In addition, the court determined that a person is not required to mitigate damages by wearing such a device. *Ruth v. Poggie*, 1993 Conn. Super. LEXIS 3090

<sup>8</sup>**Exemptions.** This requirement does not apply if the motorcycle has a wind screen or windshield. §14-289d(b)

<sup>9</sup>Failure to wear protective headgear as required by law shall not be considered to be contributory negligence on the part of a parent or child no shall such failure be admissible in any civil action. §14-286d(b)

Required Use of Bicycle Protective Headgear:  
(continued)

Sanctions for Failure to Use: There are no sanctions for a violation of this requirement. However, a law enforcement officer may issue a verbal warning to the parent or guardian of a child that has violated this requirement. §14-286d(b) & (c)

Required Use of Bicycle Eye Protection Device:

Requirements: **None**

Sanctions for Failure to Use:

Prohibition Against Riding in Unsecured Portion of Vehicle<sup>10</sup>:

Requirements: No person shall operate and carry a passenger <16 years on in an open bed of a truck type vehicle<sup>11</sup> or other vehicle. However, such passengers are allowed to ride in such open spaces provided they are properly restrained in a safety belt. §14-272a(a)

Sanctions for a Violation: Infraction: A fine of not more than **\$50**. §§14-272a(b) & 14-296 Note: It appears that no points are assessed for a violation of this requirement.

Exemptions: This prohibition does not apply in the following situations: (1) To a vehicle used in an authorized parade; (2) to a vehicle when such is used for farming purposes; and, (3) to a vehicle used for a recreational hayride in the months of August and December. §14-272a(a)

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<sup>10</sup>In addition, such a prohibition may have been indirectly established for certain children via the provisions of the Child Safety Restraint Systems law.

<sup>11</sup>A truck type vehicle with a gross vehicle weight rating not exceeding 7,500 lbs. §14-272a(a)

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