

JURISDICTION:
General Reference:

IDAHO
Idaho Code (General Laws of Idaho Annotated)

Required Use of Safety Belts¹:

Requirements:

All front seat occupants of a motor vehicle² shall be secured in a safety belt when the vehicle is in motion. §49-673(1)

Possible Secondary Enforcement. It appears that a person can only be fined for a safety belt violation which is associated with some other traffic infraction. §49-673(3) I.e., enforcement of this provision must be in conjunction with some other traffic law violation.

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

Infraction: A fine of **\$5**³. §49-673(3) Note: A conviction for this infraction shall neither result in points being assigned to a person's driving record nor be deemed a moving violation for the purpose of establishing rates of motor vehicle insurance. §49-673(3)

Effect on Civil Liability:

The failure to use a safety belt shall not be considered any circumstances as evidence of contributory or comparative negligence, nor shall such failure be admissible as evidence in any civil action with regard to negligence. §49-673(6)

Required Use of Child Safety Restraint Systems⁴:

Requirements:

A person, transporting a child <4 years old and weighing <40 lbs. in a noncommercial motor vehicle⁵ shall secure such child in a "car safety seat" that meets Federal requirements. §49-672(1)

Sanctions for Failure to Require
the Use of Child Restraint Systems:

Infraction: A fine of not more than **\$100**. §§18-113A, 49-110(4) & 49-236(2) Note: The law does not appear to assign points for a violation of this requirement.

Required Use of Child Safety Restraint Systems:
(continued)

Effect on Civil Liability:

The failure to use a child safety seat shall not be considered under any circumstances as evidence of contributory negligence, nor shall such failure be admissible in any civil action with regard to negligence. §49-672(2)

¹**Exemptions.** This requirement does not apply in the following circumstances: (1) To persons who are unable to use a safety belt for medical reasons; (2) to persons riding on motorcycles, using implements of husbandry and occupying emergency vehicles; (3) to persons riding in the front seat of a motor vehicle when all of the available safety belts are already in use; and, (4) to mail carriers. §49-673(2)

²This requirement applies only to motor vehicles which have a gross vehicle weight of ≤8,000 lbs. and that comply with Federal Motor Vehicle Motor Vehicle Safety Standard No. 208 (49 CFR 571.208). §49-673(1) Note: This Federal standard applies to passenger motor vehicles manufactured after January 1, 1973.

³Note: The law is not clear as to whether the safety belt use law is only enforceable as a part of some other law enforcement activity or whether such law can be enforced on its own. If the safety belt use law is only enforceable as a part of some other activity, the law appears to provide for just a **\$5** fine. §49-673(3) However, if this law can be enforced as a separate independent infraction, a violator could be subject to a fine of not more than **\$100**. §§18-113A, 49-110(4) & 49-236(2)

⁴**Exemptions.** This requirement does not apply in the following circumstances: (1) If all of the vehicle's seat belts are in use (However, the child must be placed in the vehicle's rear seat.); or, (2) if the child is held by an attendant for the purpose of nursing the child or attending to the child's other immediate physiological needs. §49-672(1)(a) & (b)

⁵This requirement applies to motor vehicles that were manufactured with seat belts after January 1, 1966.

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Required Use of Motorcycle Protective Headgear:

Requirements:	No person <18 years old shall operate or ride on a motorcycle unless they are wearing a State approved protective safety helmet. §49-666
Sanctions for Failure to Use:	Infraction: A fine of not more than \$100 . §§18-113A, 49-110(4) & 49-236(2) Note: The law does not appear to assign points for a violation of this requirement.

Required Use of Motorcycle Eye Protection Device:

Requirements:	None
Sanctions for Failure to Use:	

Required Use of Bicycle Protective Headgear:

Requirements:	None
Sanctions for Failure to Use:	

Required Use of Bicycle Eye Protection Device:

Requirements:	None
Sanctions for Failure to Use:	

Prohibition Against Riding in Unsecured Portion of Vehicle:

Requirements:	None⁶
Sanctions for a Violation:	
Exemptions:	

⁶Even though there is no statutory authority prohibiting this activity, such a prohibition may have been indirectly established for certain children via the provisions of the Child Safety Restraint Systems law.