

JURISDICTION:
General Reference:

PUERTO RICO

Law of Puerto Rico Annotated (Updated through 1995)

Important. The Legislature of Puerto Rico made substantial revisions to Puerto Rico's motor vehicle laws in 2000. However, the annotated code has not been updated to reflect these revisions.

Required Use of Safety Belts¹:

Requirements:

When a motor vehicle is being operated, the driver and all passengers shall wear safety belts.² Title 9, §1212(a)

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

Administrative Offense: A fine of **\$10**. Title 9, §§1214 & 1871(72) Note: The law does not appear to assign points for a violation of this requirement.

Effect on Civil Liability:

Required Use of Child Safety Restraint Systems³:

Requirements:

A person, when transporting a child <4 years old, shall secure such child in a protective car seat. Title 9, §1212(c)

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

Administrative Offense: A fine of **\$10**. Title 9, §§1214 & 1871(72) Note: The law does not appear to assign points for a violation of this requirement.

Effect on Civil Liability:

Required Use of Motorcycle Protective Headgear:

Requirements:

A person operating or riding on a motorcycle, motor-driven bicycle or motor scooter, shall wear a helmet. Title 9, §1146(a)

Sanctions for Failure to Use:

Administrative Offense: A fine of **\$10**. Title 9, §1871(65) Note: The law does not appear to assign points for a violation of this requirement.

Required Use of Motorcycle Eye Protection Device:

Requirements:

A person operating a motorcycle, motor-driven bicycle or motor scooter shall use either eyeglasses or spectacles or shall install a windshield on the vehicle. Title 9, §1146(a)

Sanctions for Failure to Use:

Administrative Offense: A fine of **\$10**. Title 9, §1871(65) Note: The law

¹**Exemptions.** The requirement to use a safety belt does not apply if (1) a person has a physical or medical condition that impedes the use of such a device or (2) a driver or a passenger of a public service vehicle where such vehicle has been given an exemption by the Public Service Commission due to the fact it is rendering service on short routes. Title 9, §1212(a) In addition, the requirement to use a safety belt only applies to drivers or passengers of motor vehicles that are required to have such belts. Title 9, §§1211 & 1212(a)

²This requirement appears to apply only to front seat vehicle occupants. Puerto Rico law requires that certain vehicles (generally those manufactured during and after the 1965 model year) have to be equipped with at least two (2) safety belts in the front seat. Title 9, §1211(a), (b) & (c) Drivers and passengers are only obligated to wear a safety belts pursuant to this requirement. Title 9, §1212(a)

³**Exemption.** A child who suffers from any type of disability which prevents them from traveling safely in a protective car seat is exempt from this requirement. Title 9, §1212(c)

PUERTO RICO

does not appear to assign points for a violation of this requirement.

Required Use of Bicycle Protective Headgear:

Requirements:

It is illegal to ride a bicycle upon a public highway of high vehicular density without wearing a nationally approved protective helmet.⁴ Title 9, §1181(b)(11)

Sanctions for Failure to Use:

Misdemeanor: 1st offense-An imprisonment term of not more than **10 days** and/or a fine of not more than **\$100**. 2nd offense (within 1 year)-An imprisonment term of not more than **20 days** and/or a fine of not more than **\$200**. 3rd or subsequent offense (within 1 year)-An imprisonment term of not more than **6 months** and/or a fine of not more than **\$500**. Title 9, §1221(a) & (b) Note: The law does not appear to assign points for a violation of this requirement.

Required Use of Bicycle Eye Protection Device:

Requirements:

None

Sanctions for Failure to Use:

Prohibition Against Riding in Unsecured Portion of Vehicle:

Requirements:

No person shall ride (1) upon the cargo or (2) in any other part of a vehicle except the cab. Title 9, §1373

Sanctions for a Violation:

Misdemeanor: Imprisonment for not more than **10 days** and/or a fine of not more than **\$15**.⁵ Title 9, §1752(a)

Exemptions:

This prohibition does not apply to public service vehicles (e.g., fire engines, garbage trucks, et al.) that belong either to municipal governments or to the Commonwealth of Puerto Rico. Title 9, §1373

⁴A parent or guardian may not authorize or knowingly permit a child to violate this requirement. Title 9, §1182 The sanctions for authorizing or permitting such a violation by a child are the same as noted for failure to use bicycle protective headgear.

⁵If a violation resulted in either an injury or a death, the following sanctions are imposed: Imprisonment for not more than **6 months** and/or a fine of not less than **\$100** nor more than **\$500**. In addition, the court may **suspend** the offender's driving privileges for not more than **2 years**. Title 9, §1374