

## **BILL ANALYSIS**

Senate Research Center  
78R8625 DAK-D

S.B. 1398  
By: Ogden  
State Affairs  
3/27/2003  
As Filed

### **DIGEST AND PURPOSE**

Although current law requires drivers or passengers in the front seat of a motor vehicle to wear safety belts, the law prohibits the use or non-use of a safety belt or child safety seat from being admitted as evidence in a civil trial. As proposed, S.B. 1398 repeals the portions of the Transportation Code that prohibit the admission of such evidence in certain civil trials.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Repealer: Sections 545.412(d) (providing that use or nonuse of a child safety seat is not admissible evidence in certain civil trials) and 545.413(g) (providing that use or nonuse of a safety belt is not admissible evidence in certain civil trials), Transportation Code.

SECTION 2. Effective date: September 1, 2003.  
Makes application of this Act prospective.