

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 2035

By: Steidley

COMMITTEE SUBSTITUTE

An Act relating to motor vehicles; amending 47 O.S. 1991, Section 12-420, which relates to the Oklahoma Mandatory Seat Belt Use Act; providing exception to prohibition against allowing use or nonuse of seat belts to be used in civil actions; specifying actions to which exception applies; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 1991, Section 12-420, is amended to read as follows:

Section 12-420. A. Nothing in ~~this act~~ the Oklahoma Mandatory Seat Belt Use Act shall be used in any civil proceeding in this state and the use or nonuse of seat belts shall not be submitted into evidence in any civil suit in Oklahoma, except as provided in subsection B of this section.

B. Evidence of a failure to comply with Section 12-417 of this title may be admitted in a civil action as to mitigation of damages in a product liability action involving a motor vehicle restraint or supplemental restraint system. The defendant in such an action shall have the burden of proving that compliance would have reduced the injuries and the extent of the reduction.

C. Subsection B of this section shall apply only to product liability actions that arise after December 31, 1994.

SECTION 2. This act shall become effective January 1, 1995.

44-2-9064

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