

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2764 Session of
1996

INTRODUCED BY GODSHALL, E. Z. TAYLOR, GORDNER AND BELFANTI,
JUNE 19, 1996

REFERRED TO COMMITTEE ON TRANSPORTATION, JUNE 19, 1996

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for restraint systems.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Sections 4581(e) and 4585 of Title 75 of the
6 Pennsylvania Consolidated Statutes are amended to read:

7 § 4581. Restraint systems.

8 * * *

9 (e) Civil actions.--In no event shall a violation or alleged
10 violation of this subchapter be used as evidence in a trial of
11 any civil action; nor shall any jury in a civil action be
12 instructed that any conduct did constitute or could be
13 interpreted by them to constitute a violation of this
14 subchapter[; nor shall failure]. Failure to use a child
15 passenger restraint system or safety seat belt system, as
16 required by this subchapter, may be considered as contributory
17 negligence [nor shall] and failure to use such a system may be

1 admissible as evidence of contributory negligence in the trial
2 of any civil action[; nor shall this subchapter], provided that
3 such evidence may be admitted to prove the extent to which
4 injuries sustained would have been avoided or reduced by
5 compliance with this subchapter. Further, this subchapter shall
6 not impose any legal obligation upon or impute any civil
7 liability whatsoever to an owner, employer, manufacturer, dealer
8 or person engaged in the business of renting or leasing vehicles
9 to the public to equip a vehicle with a child passenger
10 restraint system or to have such child passenger restraint
11 system available whenever their vehicle may be used to transport
12 a child.

13 * * *

14 § 4585. Use of information or evidence of violation of
15 subchapter.

16 [The] Except as provided in section 4581(e) (relating to
17 restraint systems), the requirements of this subchapter or
18 evidence of a violation of this subchapter may not be used by an
19 insurer for any purpose.

20 Section 2. This act shall take effect in 60 days.