

**SFA**

BILL ANALYSIS

Senate Fiscal Agency

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Lansing, Michigan 48909

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(517) 373-5383

Senate Bill 762

Sponsor: Senator Robert Geake

Committee: Commerce and Technology

Date Completed: 5-21-90

JUN 28 1990

SUMMARY OF SENATE BILL 762 as introduced 1-15-90:

The bill would amend the Michigan Vehicle Code to delete a provision that restricts the extent to which a person's failure to wear a seat belt as required by the Code reduces the amount of damages he or she may recover. Currently, the Code specifies that failure to wear a safety belt may be considered evidence of negligence and may reduce the recovery for damages arising out of the ownership, maintenance or operation of a motor vehicle, but such negligence cannot reduce the recovery by more than 5%. The bill would delete the 5% maximum reduction provision.

MCL 257.710e

Legislative Analyst: L. Burghardt

FISCAL IMPACT

The bill would have an indeterminate impact on State and local units of government. The bill could reduce payments in highway negligence cases against governmental units in cases in which the plaintiff was not wearing a safety belt.

Fiscal Analyst: B. Bowerman

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.