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INTRODUCED

HB233

HOUSE BILL NO. 233

Offered January 14, 2026

Prefiled January 8, 2026

A BILL to amend and reenact § 46.2-1094 of the Code of Virginia, relating to motor vehicles; use of safety belt systems; certain emergency medical services personnel.

7 Patron—Wachsmann

8 Committee Referral Pending

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10 **Be it enacted by the General Assembly of Virginia:**11 **1. That § 46.2-1094 of the Code of Virginia is amended and reenacted as follows:**12 **§ 46.2-1094. Occupants of seats of motor vehicles required to use safety lap belts and shoulder**
13 **harnesses; penalty.**14 A. Any driver, and any other person at least 18 years of age and occupying a seat, of a motor vehicle
15 equipped or required by the provisions of this title to be equipped with a safety belt system, consisting of lap
16 belts, shoulder harnesses, combinations thereof or similar devices, shall wear the appropriate safety belt
17 system at all times while the motor vehicle is in motion on any public highway. A passenger under the age of
18 years, however, shall be protected as required by the provisions of Article 13 (§ 46.2-1095 et seq.) of this
19 chapter.

20 B. This section shall not apply to:

21 1. Any person for whom a licensed physician determines that the use of such safety belt system would be
22 impractical by reason of such person's physical condition or other medical reason, provided the person so
23 exempted carries on his person or in the vehicle a signed written statement of the physician identifying the
24 exempted person and stating the grounds for the exemption; or25 2. Any law-enforcement officer transporting persons in custody or traveling in circumstances which
26 render the wearing of such safety belt system impractical; or27 3. Any person while driving a motor vehicle and performing the duties of a rural mail carrier for the
28 United States Postal Service; or29 4. Any person driving a motor vehicle and performing the duties of a rural newspaper route carrier,
30 newspaper bundle hauler or newspaper rack carrier; or

31 5. Drivers of and passengers in taxicabs; or

32 6. Personnel of commercial or municipal vehicles while actually engaged in the collection or delivery of
33 goods or services, including but not limited to solid waste, where such collection or delivery requires the
34 personnel to exit and enter the cab of the vehicle with such frequency and regularity so as to render the use of
35 safety belt systems impractical and the safety benefits derived therefrom insignificant. Such personnel shall
36 resume the use of safety belt systems when actual collection or delivery has ceased or when the vehicle is in
37 transit to or from a point of final disposition or disposal, including but not limited to solid waste facilities,
38 terminals, or other location where the vehicle may be principally garaged; or

39 7. Any person driving a motor vehicle and performing the duties of a utility meter reader; or

40 8. Law-enforcement agency personnel driving motor vehicles to enforce laws governing motor vehicle
41 parking; or42 9. Any emergency medical services personnel performing patient care while transporting persons inside
43 the patient compartment of an emergency medical services vehicle, as defined in § 32.1-111.1, where the
44 wearing of such safety belt systems is impractical.45 C. Any person who violates this section shall be subject to a civil penalty of twenty-five dollars to be paid
46 into the state treasury and credited to the Literary Fund. No assignment of demerit points shall be made under
47 Article 19 of Chapter 3 (§ 46.2-489 et seq.) of this title and no court costs shall be assessed for violations of
48 this section.49 D. A violation of this section shall not constitute negligence, be considered in mitigation of damages of
50 whatever nature, be admissible in evidence or be the subject of comment by counsel in any action for the
51 recovery of damages arising out of the operation, ownership, or maintenance of a motor vehicle, nor shall
52 anything in this section change any existing law, rule, or procedure pertaining to any such civil action.

53 E. A violation of this section may be charged on the uniform traffic summons form.

54 F. No law-enforcement officer shall stop a motor vehicle for a violation of this section. No evidence
55 discovered or obtained as the result of a stop in violation of this subsection, including evidence discovered or
56 obtained with the operator's consent, shall be admissible in any trial, hearing, or other proceeding.57 G. The governing body of the City of Lynchburg may adopt an ordinance not inconsistent with the
58 provisions of this section, requiring the use of safety belt systems. The penalty for violating any such

59 ordinance shall not exceed a fine or civil penalty of twenty-five dollars.