

1 **State of Arkansas**  
2 **79th General Assembly**  
3 **Regular Session, 1993**  
4 **By: Senator Bell**

# A Bill

**ACT 1086 OF 1993**  
**SENATE BILL 645**

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 27-37-703 TO PROHIBIT THE  
9 FAILURE TO PROVIDE OR USE A SEAT BELT FROM BEING  
10 CONSIDERED AS EVIDENCE OF FAILURE TO MITIGATE DAMAGES; AND  
11 FOR OTHER PURPOSES."

## Subtitle

14 "TO PROHIBIT THE FAILURE TO PROVIDE FOR USE OF A SEAT BELT  
15 FROM BEING CONSIDERED AS EVIDENCE OF FAILURE TO MITIGATE  
16 DAMAGES."

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20 SECTION 1. Arkansas Code 27-37-703 is amended to read as follows:

21 "27-37-703. Effect of noncompliance. The failure to provide or use a  
22 seat belt shall not be considered under any circumstances as evidence of  
23 comparative or contributory negligence or failure to mitigate damages, nor  
24 shall such failure be admissible as evidence in the trial of any civil action  
25 with regard to negligence. Neither shall the failure to provide or use seat  
26 belts be considered under any circumstances as evidence in any prosecution for  
27 negligent homicide."

29 SECTION 2. All provisions of this act of a general and permanent nature  
30 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
31 Revision Commission shall incorporate the same in the Code.

33 SECTION 3. If any provision of this act or the application thereof to  
34 any person or circumstance is held invalid, such invalidity shall not affect  
35 other provisions or applications of the act which can be given effect without  
36 the invalid provision or application, and to this end the provisions of this

1 act are declared to be severable.

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3 SECTION 4. All laws and parts of laws in conflict with this act are  
4 hereby repealed.

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6 APPROVED: 04/13/93

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