

## **DEXTER TOWNSHIP ORDINANCE NUMBER 15.3**

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AMENDMENT TO UNIFORM TRAFFIC CODE ORDINANCE

ADOPTED: FEBRUARY 16, 1993

EFFECTIVE: MARCH 26, 1993

AN ORDINANCE TO AMEND THE UNIFORM TRAFFIC CODE AS PROMULGATED BY THE DIRECTOR OF THE MICHIGAN STATE POLICE UNDER THE PROVISIONS OF PUBLIC ACT 62 OF 1956, UNIFORM TRAFFIC CODE IN TOWNSHIPS, AND VILLAGES, WHICH HAS BEEN ADOPTED BY THE TOWNSHIP OF DEXTER, AND TO ADD THERETO THE REGULATIONS PERTAINING TO THE USE OF SEATBELTS.

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THE TOWNSHIP OF DEXTER ORDAINS:

AN ORDINANCE TO AMEND ORDINANCE 15, THE UNIFORM TRAFFIC CODE, BY THE ADDITION THERETO OF THE FOLLOWING PROVISIONS PERTAINING TO THE USE OF SEATBELTS:

### **SECTION I**

1. This section shall not apply to a driver or passenger of:
  - A. A motor vehicle manufactured before January 1, 1965.
  - B. A bus.
  - C. A motorcycle.
  - D. A moped.
  - E. A motor vehicle if the driver or passenger possesses a written verification from a physician that the driver or passenger is unable to wear a safety belt for physical or medical reasons.
  - F. A motor vehicle which is not required to be equipped with safety belts under federal law.
  - G. A commercial or United States postal service vehicle which makes frequent stops for the purpose of pickup or delivery of goods or services.
  - H. A motor vehicle operated by a rural carrier of the United States postal service while serving his or her rural postal route.

### **SECTION II**

1. This section shall not apply to a passenger of a school bus.

### **SECTION III**

1. Each driver and front seat passenger of a motor vehicle operated on a street or highway in this state shall wear a properly adjusted and fastened seat belt, except that a child less than 4 years of age shall be protected as required in section 5.82.

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### SECTION IV

1. Each driver of a motor vehicle transporting a child 4 years of age or more but less than 16 years of age in a motor vehicle shall secure the child in a properly adjusted and fastened safety belt.

### SECTION V

1. Enforcement of this section by state and local law enforcement agencies shall be accomplished only as a secondary action when a driver of a motor vehicle has been detained for a suspected violation of another section of this act.

### SECTION VI

1. Failure to wear a safety belt in violation of this section 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. However, such negligence shall not reduce the recovery for damages by more than 5%.

### SECTION VII

1. A person who violates this section is responsible for a civil infraction.

### SECTION VIII

1. Points shall not be assessed for a violation of this section.

### SECTION IX

1. This section does not apply if the motor vehicle is transporting more children, 4 years of age or more, than there are safety belts available for use and if all safety belts available in the motor vehicle are being utilized in compliance with this section.

### SECTION X

1. CONFLICTING ORDINANCE REPEALED. The provisions of Ordinance No. 15, as amended, which are not inconsistent with the within amendment are hereby ratified and reaffirmed and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

### SECTION XI

1. SEVERABILITY. Any section or provision of this amending Ordinance which is subsequently declared to be unconstitutional or unenforceable for any reason shall be considered separate and severable from this amending Ordinance, and the remaining provisions shall not be affected by such invalidity.

### SECTION XII

1. The within amendment shall be effective thirty (30) days after adoption and publication as provided by law.

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Township Clerk