

QUESTIONS AND ANSWERS ABOUT WISCONSIN'S 1961 ACT REQUIRING
THE INSTALLATION OF SAFETY SEAT BELTS IN AUTOMOBILES

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In October 1961, Wisconsin became the first state to pass a law requiring seat belts in automobiles as a safety measure. This brief is in response to the many requests for information about the act. It includes the text of the law.

1. What is the number of the bill and act providing for seat belts?

Bill No. 414, A., which became Chapter 521, Laws of 1961, created a new section of the Wisconsin Statutes, Section 347.48, requiring installation of safety seat belts.

2. When was the law passed?

The final action of the Legislature was completed August 12, and the Governor signed the bill September 25.

3. When does the act become effective?

The act became effective on the day following publication in the official state newspaper. Chapter 521 was published October 7 and so it takes effect on October 8, 1961.

4. Does this mean that all cars must have seat belts after October 8?

No. The act provides that 1962 models be so equipped.

5. Who introduced the bill into the Legislature?

Bill No. 414, A. was introduced by 6 assemblymen: Messrs. Flannigan; Myhra, Olson, Vanderperren, Anderson and Risser. The author of the initial draft was Assemblyman Allen J. Flannigan of Milwaukee. Several amendments were introduced at the request of the Wisconsin Automotive Trades Association, including Substitute Amendment No. 1, A.

6. What was the vote on the safety belt bill?

The vote on passage in the Assembly was 77 ayes to 22 noes with one absent or not voting. In the Senate, Bill No. 414, A. was concurred in as amended by a vote of 22 ayes to 9 noes with one absent or not voting.

7. Were any amendments passed?

Yes. Five amendments were introduced, but only 2 passed: Substitute Amendment No. 1, A. and Amendment No. 2, S. Those that were rejected were: Substitute Amendment No. 1, S.; Amendment No. 1, S.; and Substitute Amendment No. 2, S.

The Motor Vehicle Department offered some suggestions in the drafting of the original bill. As a result of the suggestions the original bill provided that seat belt installations meet specifications of the Society of Automotive Engineers. The penalty provision was deleted because a penalty is already provided in Chapter 347, Wis. Stats. relating to equipment of vehicles.

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8. Did the amendments make any significant changes?

Substitute Amendment No. 1, A. made 3 changes: (1) It provided that it is unlawful to buy, sell, lease, trade or transfer from or to Wisconsin residents at retail an automobile not equipped with a belt (words underscored were added). (2) The original bill made the act effective after September 30, 1961 but this amendment makes it effective commencing with the 1962 models. This change means that not all cars but only new cars must be so equipped. (3) A third change was to strike out the requirement that "each additional seat in the vehicle be equipped with safety belts on the left and right side thereof." The bill as passed requires safety belts only in the front seat.

Amendment No. 2, S. which passed provided that the anchor as well as the belt meet specifications of the Society of Automotive Engineers as approved by the Motor Vehicle Department.

9. Does the law require motorists to fasten their seat belts?

No. Substitute Amendment No. 2, S. which did not pass would have penalized a driver for operating an automobile if he or a passenger had not fastened the safety belt. The penalty was to be one demerit point on his driver's record under the point system in Wisconsin.

10. What is the penalty for violation?

A general penalty provision is provided under Chapter 347, Wis. Stats. relating to the equipment of vehicles. The Section 347.50 would apply to the seat belt provision:

"Sec. 347.50 Penalty for violating sections 347.35 to 347.49. Any person violating any provision of ss. 347.35 to 347.49 may be fined not less than \$10 nor more than \$200 or imprisoned not more than 30 days or both."

The text of Chapter 521, Laws of 1961, appears below:

"347.48 of the statutes is created to read:

347.48 SAFETY BELTS. (1) Safety belts required. It is unlawful for any person to buy, sell, lease, trade or transfer from or to Wisconsin residents at retail an automobile, which is manufactured or assembled commencing with the 1962 models, unless such vehicle is equipped with safety belts installed for use in the left front and right front seats thereof.

(2) Type and manner of installing. All such safety belts must be of a type and must be installed in a manner approved by the motor vehicle department. The department shall establish specifications and requirements for approved types of safety belts and attachments thereto. The department will accept, as approved, all seat belt installations and the belt and anchor meeting the society of automotive engineers' specifications."