



IOWA HOUSE DEMOCRATS

BILL SUMMARY

Seat Belt Liability HF 2412

Status of Bill: House Floor
Committee: Judiciary (13-8)

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Lead Democrat: Rep. Meyer
Floor Manager: Rep. Heartsill

Background

In the case of an accident, each party is sometimes partially at fault for the accident. Iowa uses a comparative fault system to determine the liability of each party in these situations (Iowa Code Chapter 668).

In a comparative fault case, each party is assigned a percentage of the blame for the accident. The apportionment of this fault then determines the monetary recovery of each party. For example, in a car accident where one driver is found to be 75% at fault and the other driver, the driver that is injured, is found to be 25% at fault, if the driver that was injured suffers \$100,000 in damages the other driver will be liable for \$75,000. Under Iowa's Comparative Fault Act, if the person that is injured is found to be more than 50% at fault for his or her injuries than the act prohibits any monetary recovery for that plaintiff.

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Under current law, the failure of a plaintiff to wear a safety belt or safety harness in a motor vehicle that contributed to the plaintiff's injury may be used as evidence to reduce a plaintiff's recovery by up to 5% of the damages awarded in a comparative fault civil case after any reductions for comparative fault have been determined. House File 530 would increase this reduction to 25%.