

Seat Belts & Police Testimony



QUENTIN BROGDON

Crain Brogdon Rogers, LLP

Dallas, Texas

214-598-1009 Cell
Qbrogdon@cbrlawfirm.com

1

Seat Belts



2

Kerby
v.
Abilene Christian College
(Texas 1973)

3

Carnation
v.
Wong
(Texas 1974)

4

Texas Legislature in 1985

- Crime for 15 years + to ride unbelted in front seat; drivers must belt children under 15 years in front seat.
- "Use or non-use of a seatbelt is not admissible evidence in a civil trial."

5

Texas Legislature in 2003 – HB 4

- Repealed prohibition of admission of seat belt evidence in civil cases.
- Revived dormant, but never overruled *Kerby & Carnation* cases.

6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Seatbelts and Police Testimony

First appeared as part of the conference materials for the
2022 The Car Crash Seminar session
"Seatbelts and Police Officer Testimony"