

**7450.0700 USE OF SECUREMENT DEVICE.**

The driver of a vehicle equipped with a wheelchair securement device has the following duties:

A. The driver or a person designated by the driver shall ensure that an occupied wheelchair is properly secured before the driver sets the vehicle in motion.

B. When requested by the wheelchair user, when the wheelchair user is unable to communicate, when seat belt usage is required of all passengers in the vehicle, or when the vehicle is a school bus, the driver or a person designated by the driver shall ensure that the seat belt assembly, and upper torso restraint if so equipped, is fastened around the wheelchair user, before the driver sets the vehicle in motion. The seat belt assembly or the upper torso restraint must not be fastened, however, if the wheelchair user or other responsible person advises the driver that to do so would aggravate a physical condition of the wheelchair user. If the physical condition would be aggravated by the use of but one of the devices, the device that would have no adverse effect on the physical condition must be fastened in the required manner.

C. The driver or a person designated by the driver shall ensure that securement devices and seat belt assemblies are retracted, removed, or otherwise stored when not in use to prevent tripping of persons and damage to devices.

**Statutory Authority:** *MS s 299A.01; 299A.12; 299A.18*

**History:** *16 SR 2246*

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