

Hard If You Don't Wear Safety Belt— **Recovering Damages**

An appeals court has ruled that a person injured in an automobile crash may be limited in recovering damages if he failed to wear a safety belt.

The New York Times reported that the New York State Court of Appeals in Albany upheld the action of a jury which desallowed a damage claim by a woman who was ejected from her car equipped with seat belts which she was not using.

The plaintiff, Alyce Spier of Madison County, N.Y. was flung

from her car after a tractor-trailer attempted to pass and struck her vehicle.

The court, in reviewing *Spier vs. Barker*, a decision made in December 1974, held in effect that the failure of the plaintiff to strap herself in "resulted in increasing the extent . . . injuries and damages."