

SS SCS SB 916 -- Child Restraints

Sponsor: Koster

This substitute changes the laws regarding child restraints in motor vehicles.

The substitute requires children of certain ages, weights, and heights to be restrained by either a child passenger restraint system, booster seat, or safety belt.

Children younger than four years of age, regardless of weight, are required to use an appropriate child passenger restraint system. Children weighing less than 40 pounds, regardless of age, are required to be secured in a child passenger restraint system appropriate for the child. Children who are four to seven years of age and who weigh at least 40 pounds but less than 80 pounds and are less than four feet nine inches tall must be secured in a child passenger restraint system or booster seat appropriate for the child. Children who weigh at least 80 pounds or children taller than four feet nine inches must be secured by a vehicle safety belt or booster seat appropriate for the child.

The substitute allows a child to be transported in the back seat without a booster seat if the child is secured with a lap belt when the vehicle is not equipped with a combination lap and shoulder belt for booster seat installation.

A violation of the child passenger restraint/booster provisions is an infraction, and the fine will be \$50 plus court costs. The fine for violating the safety belt provision will be \$10. Charges for violating the child passenger restraint and booster seat provisions will be dismissed or withdrawn if the driver provides evidence that he or she acquired a child passenger restraint system or booster seat prior to or at his or her hearing. The substitute does not apply to public carriers for hire or students four years of age or older who are passengers on a school bus.

The substitute specifies that if there are more persons than there are seat belts in the enclosed area of a motor vehicle, the passengers who are unable to wear seat belts must sit in the area behind the front seat unless the vehicle is designed only for a front-seated area. This provision does not apply to passengers who are accompanying an intermediate driver's license holder. Currently, all passengers accompanying a intermediate driver's license holder must be properly restrained.