

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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SENATE BILL 1218

Short Title: Child Restraint Systems Modified.

(Public)

Sponsors: Senators Purcell; Allran, Bingham, Dannelly, Dorsett, and Lucas.

Referred to: Health & Human Resources.

May 20, 2004

A BILL TO BE ENTITLED
AN ACT TO MODIFY THE CHILD RESTRAINT SYSTEM REQUIREMENTS AS
RECOMMENDED BY THE CHILD FATALITY TASK FORCE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 20-137.1(a1) reads as rewritten:

"(a1) A child less than ~~five-eight~~ years of age and less than ~~40~~80 pounds in weight shall be properly secured in a weight-appropriate child passenger restraint system. In vehicles equipped with an active passenger-side front air bag, if the vehicle has a rear seat, a child less than five years of age and less than 40 pounds in weight shall be properly secured in a rear seat, unless the child restraint system is designed for use with air bags. A child less than eight years of age and more than 40 but less than 80 pounds in weight may be restrained only by a properly fitted lap belt only if all seating positions equipped with lap and shoulder belts are occupied."

SECTION 2. G.S. 20-137.1(c) reads as rewritten:

"(c) Any driver found responsible for a violation of this section may be punished by a penalty not to exceed twenty-five dollars (\$25.00), even when more than one child less than 16 years of age was not properly secured in a restraint system. No driver charged under this section for failure to have a child under ~~five-eight~~ years of age properly secured in a restraint system shall be convicted if he produces at the time of his trial proof satisfactory to the court that he has subsequently acquired an approved child passenger restraint system."

SECTION 3. This act becomes effective October 1, 2004.