

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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SENATE BILL 1218  
House Committee Substitute Favorable 6/23/04

Short Title: Child Restraint Systems Modified.

(Public)

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Sponsors:

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Referred to:

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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 ~~4080~~ 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~~-system for a vehicle in which the child is normally transported."

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