

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 1467*

Short Title: Strengthen Child Restraint Law.

(Public)

Sponsors: Senators Martin of Guilford, Cooper; and Marshall.

Referred to: Judiciary II.

May 25, 1994

A BILL TO BE ENTITLED

AN ACT TO STRENGTHEN THE REQUIREMENTS TO HAVE A CHILD IN A
RESTRAINT SYSTEM WHILE OPERATING A MOTOR VEHICLE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-137.1 reads as rewritten:

"§ 20-137.1. Child restraint systems required.

(a) Every driver who is transporting a child of less than ~~six~~ 16 years of age shall have the child properly secured in a child passenger restraint system (car safety seat) which met applicable federal standards at the time of its manufacture. The requirements of this section may be met when the child is ~~three~~ five years of age or older by securing the child in a seat safety belt.

(b) The provisions of this section shall not apply: ~~(i) to vehicles registered in another state or jurisdiction;~~ ~~(ii) (i) to ambulances or other emergency vehicles;~~ ~~(iii) when the child's personal needs are being attended to;~~ ~~(iv) if all seating positions equipped with child passenger restraint systems or seat belts are occupied;~~ or ~~(v) (ii) to vehicles which are not required by federal law or regulation to be equipped with seat belts.~~

(c) Any person convicted of violating this section may be punished by a fine not to exceed twenty-five dollars (\$25.00). No driver charged under this section for failure to have a child under ~~three~~ five 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.

1 (d) No driver license points or insurance points shall be assessed for a violation
2 of this section; nor shall a violation constitute negligence **per se** or contributory
3 negligence **per se** nor shall it be evidence of negligence or contributory negligence."

4 Sec. 2. This act becomes effective December 1, 1994.