

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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SENATE BILL 1218
House Committee Substitute Favorable 6/23/04
House Committee Substitute #2 Favorable 6/30/04

Short Title: Child Restraint Systems Modified.

(Public)

Sponsors:

Referred to:

May 20, 2004

A BILL TO BE ENTITLED

1 AN ACT TO MODIFY THE CHILD RESTRAINT SYSTEM REQUIREMENTS AS
2 RECOMMENDED BY THE CHILD FATALITY TASK FORCE.
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4 The General Assembly of North Carolina enacts:

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

6 "(a1) A child less than ~~five-eight~~ years of age and less than ~~40~~80 pounds in weight
7 shall be properly secured in a weight-appropriate child passenger restraint system. In
8 vehicles equipped with an active passenger-side front air bag, if the vehicle has a rear
9 seat, a child less than five years of age and less than 40 pounds in weight shall be
10 properly secured in a rear seat, unless the child restraint system is designed for use with
11 air bags. If no seating position equipped with a lap and shoulder belt to properly secure
12 the weight-appropriate child passenger restraint system is available, a child less than
13 eight years of age and between 40 and 80 pounds may be restrained by a properly fitted
14 lap belt only."

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

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

24 **SECTION 3.** This act becomes effective January 1, 2005.