

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003**

**SENATE BILL 1218  
RATIFIED BILL**

**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. If no seating position equipped with a lap and shoulder belt to properly secure the weight-appropriate child passenger restraint system is available, a child less than eight years of age and between 40 and 80 pounds may be restrained by a properly fitted lap belt only."

**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 January 1, 2005.  
In the General Assembly read three times and ratified this the 15<sup>th</sup> day of  
July, 2004.

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Beverly E. Perdue  
President of the Senate

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James B. Black  
Speaker of the House of Representatives

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Michael F. Easley  
Governor

Approved \_\_\_\_\_m. this \_\_\_\_\_ day of \_\_\_\_\_, 2004