

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 2341*

Short Title: Child Passenger Safety Technician Liability. (Public)

Sponsors: Representatives Weiss, Martin, Earle, Pierce (Primary Sponsors);
Alexander, Folwell, Glazier, Harrison, Insko, Lucas, Neumann, Ross,
Wainwright, and E. Warren.

Referred to: Judiciary I.

May 21, 2008

A BILL TO BE ENTITLED

AN ACT TO LIMIT LIABILITY FOR THE ACTS OF CHILD PASSENGER
SAFETY TECHNICIANS WHEN ACTING IN GOOD FAITH AND WITHIN
THE SCOPE OF THEIR TRAINING AS RECOMMENDED BY THE CHILD
FATALITY TASK FORCE.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 20 of the General Statutes is amended by adding a
new section to read:

"§ 20-137.5. Child passenger safety technician; limitation of liability.

(a) Certified Child Passenger Safety Technician. – A certified child passenger
safety technician is an individual who has successfully completed the U.S. Department
of Transportation, National Highway Traffic Safety Administration's (NHTSA)
National Standardized Child Passenger Safety Certification Training Program and who
maintains a current child passenger safety technician or technician instructor
certification through the current certifying body for the National Child Passenger Safety
Training Program as designated by the National Highway Traffic Safety
Administration.

(b) Limitation of Liability. – A certified child passenger safety technician or
sponsoring organization shall not be liable to any person as a result of any act or
omission that occurs solely in the inspection, installation, or adjustment of a child safety
seat, or in providing education regarding the installation or adjustment of a child safety
seat if the child passenger safety technician or sponsoring organization acts in good
faith and within the scope of training for which the technician is currently certified,
unless the act or omission constitutes willful and wanton misconduct or gross
negligence."

SECTION 2. This act becomes effective October 1, 2008.