

Current Law	Proposed Amendments (S.64)	Leg. Counsel Comments
<p><u>§ 1258.</u> CHILD RESTRAINT SYSTEMS; PERSONS UNDER AGE 18</p> <p>(a) No person shall operate a motor vehicle, other than a type I school bus, in this State upon a public highway unless every occupant under age 18 is properly restrained in a federally approved child passenger restraining system as defined in 49 C.F.R. § 571.213, as may be amended, or a federally approved safety belt, as follows:</p> <p>(1) all children under the age of one and all children weighing less than 20 pounds, regardless of age, shall be restrained in a rear-facing position, properly secured in a federally approved child passenger restraining system, which shall not be installed in front of an active air bag ;</p> <p>(2) a child weighing more than 20 pounds, and who is one year of age and under eight years , shall be restrained in a child passenger restraining system ; and</p> <p>(3) a child eight through 17 years of age shall be restrained in a safety belt system or a child passenger restraining system</p>	<p>§ 1258. CHILD RESTRAINT SYSTEMS; PERSONS INDIVIDUALS UNDER AGE 18 YEARS OF AGE</p> <p>(a) No person individual shall operate a motor vehicle, other than a type I school bus, in this State upon a public highway unless every occupant under age 18 years of age is properly restrained in a federally approved child passenger restraining system as defined in 49 C.F.R. § 571.213, as may be amended, or a federally approved safety belt, as follows:</p> <p>(1) all children a child under the age of one and all children year of age or weighing less than 20 pounds, regardless of age, shall be restrained in a rear-facing position, properly secured in a federally approved child passenger restraining system, which shall not be installed in front of an active air bag and shall, if possible, be installed in a rear seat of the motor vehicle;</p> <p>(2) a child weighing more than 20 pounds, and who is at least one year of age or older and under the age of eight years of age, shall be restrained in a child passenger restraining system properly secured in a federally approved child passenger restraining system, which shall not be installed in front of an active air bag and shall, if possible, be installed in a rear seat of the motor vehicle; and</p> <p>(3) (A) a child eight through 17 years of age shall be restrained in a safety belt system that is used according to the manufacturer’s specifications, including the use of a shoulder strap, as applicable, or a child passenger restraining system properly secured in a federally approved child passenger restraining system, which shall not be</p>	<p>Technical correction Technical correction</p> <p>Technical correction Technical correction</p> <p>Grammatical/clarity correction</p> <p>Additional “if possible” language.</p> <p>Technical corrections</p> <p>Track phrasing in subdiv. (a)(1) (fed. approved and active airbag) and addtl. “if possible” language</p> <p>B/c adding subdiv. (a)(3)(B) Addtl. reference to manufacturer’s specifications; track phrasing in subdiv. (a)(1)</p>

<p>(b) A person shall not be adjudicated in violation of this section if:</p> <p>(1) the motor vehicle is regularly used to transport passengers for hire, except a motor vehicle owned or operated by a child care facility;</p> <p>(2) the motor vehicle was manufactured without safety belts; or</p> <p>(3) the person has been ordered by an enforcement officer, a firefighter, or an authorized civil authority to evacuate persons from a stricken area.</p> <p>(c) The penalty for violation of this section shall be as follows:</p> <p>(1) \$25.00 for a first violation;</p> <p>(2) \$50.00 for a second violation;</p> <p>(3) \$100.00 for third and subsequent violations.</p>	<p><u>installed in front of an active air bag and shall, if possible, be installed in a rear seat of the motor vehicle; and</u></p> <p><u>(B) a child under 13 years of age shall always, if possible, ride in a rear seat of the motor vehicle.</u></p> <p>(b) A person <u>An individual</u> shall not be adjudicated in violation of this section if:</p> <p>(1) the motor vehicle is regularly used to transport passengers for hire, except a motor vehicle owned or operated by a child care <u>child-care</u> facility;</p> <p>(2) the motor vehicle was manufactured without safety belts; or</p> <p>(3) the person <u>individual</u> has been ordered by an enforcement officer, a firefighter, or an authorized civil authority to evacuate persons <u>individuals</u> from a stricken area.</p> <p>(c) The <u>civil</u> penalty for violation of this section shall be as follows:</p> <p>(1) \$25.00 for a first violation;</p> <p>(2) \$50.00 for a second violation; <u>and</u></p> <p>(3) \$100.00 for third and subsequent violations.</p>	<p>and addtl. “if possible” language</p> <p>New</p> <p>Technical correction</p> <p>Technical correction</p> <p>Technical correction Technical correction</p> <p>Technical correction</p> <p>Technical correction</p>
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	<p>Sec. 4. CHILD RESTRAINT SYSTEMS; PUBLIC OUTREACH CAMPAIGN</p> <p><u>(a) The Department of Health, in consultation with the Governor’s Highway Safety Program, shall implement a public outreach campaign on car seat safety that builds upon the current Be Seat Smart Program; utilizes materials on child safety prepared by the U.S. Department of Transportation, Traffic Safety Marketing; is consistent with the recommendations from the American Academy of Pediatrics in the Child Passenger Safety Policy Statement published in 2018; and educates Vermonters on 23 V.S.A. § 1258 as amended by Sec. 3 of this act.</u></p> <p><u>(b) The public outreach campaign shall disseminate information on car seat safety through e-mail; a dedicated web page on car seat safety that is linked through the websites for the Agency of Transportation and the Department of Health; social media platforms; community posting websites; radio; television; and printed written materials that, at a minimum, shall be delivered to all pediatricians, obstetricians, and midwives licensed in the State and all Child Safety Seat Inspection Stations in the State.</u></p>	<p>Not aware of current law (session or codified) that requires public outreach on child restraint systems, but the Department of Health does maintain www.beseatsmart.org.</p>
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