"Seat belt" means a restraining device described under § 22-412

"Seat belt" includes a combination seat belt-shoulder harness.

Unofficial Copy R6 2001 Regular Session 1lr2187 CF 1lr1351

By: Senator Forehand Introduced and read first time: February 1, 2001 Assigned to: Judicial Proceedings A BILL ENTITLED 1 AN ACT concerning 2 **Motor Vehicle Laws - Child Booster Seats** 3 FOR the purpose of including a child booster seat in the definition of a child safety seat; altering the circumstances under which a child is required to be secured in 4 5 a child safety seat when traveling in a motor vehicle; providing for a delayed 6 effective date; and generally relating to child booster seats. 7 BY repealing and reenacting, with amendments, Article - Transportation 8 Section 22-412.2 9 10 Annotated Code of Maryland (1999 Replacement Volume and 2000 Supplement) 11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 12 13 MARYLAND, That the Laws of Maryland read as follows: 14 **Article - Transportation** 15 22-412.2. In this section the following words have the meanings indicated. 16 (a) (1) "Child safety seat" means a device, INCLUDING A CHILD 17 (2) (i) 18 BOOSTER SEAT, that is manufactured in accordance with the 1981 Federal Motor 19 Vehicle Safety Standards and is used to restrain, seat, or position a child who is 20 transported in a motor vehicle. "Child safety seat" does not mean a seat belt or combination 21 (ii)

22 seat belt-shoulder harness USED ALONE.

(i)

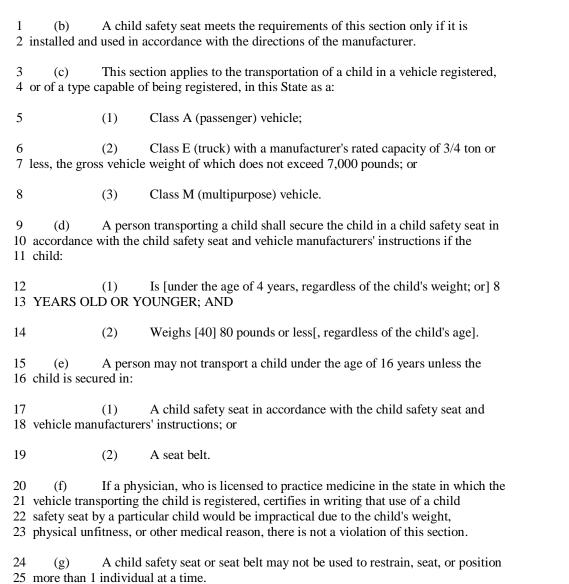
(ii)

(3)

23

25

24 of this subtitle.



- 26 (h) If the number of children subject to the provisions of this section exceeds
- 27 the number of passenger securing locations [available] SUITABLE FOR SECURING A
- 28 CHILD SAFETY SEAT IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS
- 29 for use by children [affected by] IN ACCORDANCE WITH this section, and all of those
- 30 securing locations are in use by children, there is not a violation of this section.
- 31 (i) A violation of this section is not contributory negligence and may not be 32 admitted as evidence in the trial of any civil action.
- 33 (j) A violation of this section is not considered a moving violation for purposes 34 of § 16-402 of this article.

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	(k) in the same v a single viola	The failure to provide a child safety seat or seat belt for more than 1 child ne vehicle at the same time, as required by this section, shall be treated as riolation.			
4 5	(l) fine of \$25.	(1)	Any person convicted of a violation of this section is subject to a		
6 7	this section:	(2)	A judge	may waive the fine if the person charged with violation of	
8			(i)	Did not possess a child safety seat at the time of the violation;	
9			(ii)	Acquires a child safety seat prior to the hearing date; and	
10			(iii)	Provides proof of acquisition to the court.	
	(m) The Department of Transportation and the Department of Health and Mental Hygiene shall jointly implement the Child Safety Seat Program and foster compliance with this section through educational and promotional efforts.				

- 14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 15 October 1, 2002.