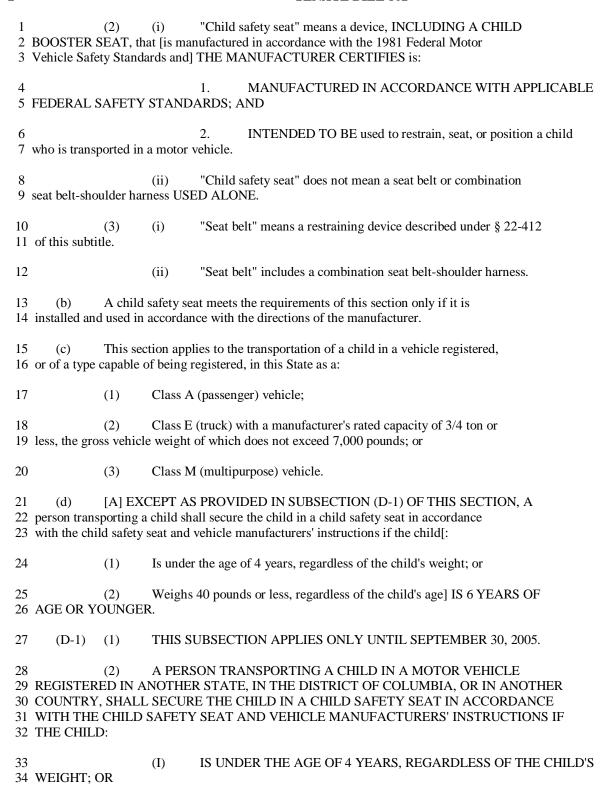
Unofficial Copy R6 2002 Regular Session 2lr2749 CF 2lr1872

By: Senator Forehand Introduced and read first time: February 11, 2002 Assigned to: Rules				
Re-referred to: Judicial Proceedings, February 14, 2002				
Committee Report: Favorable Senate action: Adopted				
Read second time: March 13, 2002				
СН	APTER			
1 AN ACT concerning				
2 Vehicle Laws - Child B	ooster Seats			
FOR the purpose of including "child booster seat" in the definition of "child safety seat"; altering the definition of "child safety seat"; altering the circumstances under which a child is required to be secured in a child safety seat when traveling in a motor vehicle; providing that certain provisions of this Act do not apply to a person transporting a child in a motor vehicle registered in another state, in the District of Columbia, or in another country until a certain date; providing for the termination of a certain provision of this Act; providing for a delayed effective date; and generally relating to child booster seats.  BY repealing and reenacting, with amendments, Article - Transportation Section 22-412.2 Annotated Code of Maryland (1999 Replacement Volume and 2001 Supplement)				
16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:				
18 Article - Trans	portation			
19 22-412.2.				
20 (a) (1) In this section the following word	s have the meanings indicated.			

## **SENATE BILL 802**



## SENATE BILL 802

1 2	AGE.	(II)	WEIGHS 40 POUNDS OR LESS, REGARDLESS OF THE CHILD'S		
3	(e) A per child is secured in:	A person may not transport a child under the age of 16 years unless the secured in:			
5 6	(1) vehicle manufactur		A child safety seat in accordance with the child safety seat and instructions; or		
7	(2)	A seat b	elt.		
10	(f) If a physician, who is licensed to practice medicine in the state in which the vehicle transporting the child is registered, certifies in writing that use of a child safety seat by a particular child would be impractical due to the child's weight, physical unfitness, or other medical reason, there is not a violation of this section.				
12 13	2 (g) A child safety seat or seat belt may not be used to restrain, seat, or position 3 more than 1 individual at a time.				
16 17	(h) If the number of children subject to the provisions of this section exceeds the number of passenger securing locations [available for use by children affected by] SUITABLE FOR SECURING A CHILD EITHER IN A SEAT BELT OR IN A CHILD SAFETY SEAT IN ACCORDANCE WITH this section, and all of those securing locations are in use by children, there is not a violation of this section.				
19 20			s section is not contributory negligence and may not be al of any civil action.		
21 22	1 (j) A violation of this section is not considered a moving violation for purposes 2 of § 16-402 of this article.				
	(k) The failure to provide a child safety seat or seat belt for more than 1 child in the same vehicle at the same time, as required by this section, shall be treated as a single violation.				
26 27	(l) (1) of \$25.	Any per	son convicted of a violation of this section is subject to a fine		
28 29	(2) this section:	A judge	may waive the fine if the person charged with violation of		
30		(i)	Did not possess a child safety seat at the time of the violation;		
31		(ii)	Acquires a child safety seat prior to the hearing date; and		
32		(iii)	Provides proof of acquisition to the court.		
	Mental Hygiene sl	nall jointly in	of Transportation and the Department of Health and mplement the Child Safety Seat Program and foster hrough educational and promotional efforts.		

- 1 SECTION 2. AND BE IT FURTHER ENACTED, That § 22-412.2(d-1) of the
- 2 Transportation Article, as enacted by this Act, shall remain effective for a period of 2
- 3 years and, at the end of September 30, 2005, with no further action required by the
- 4 General Assembly, shall be abrogated and of no further force and effect.
- 5 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 6 October 1, 2003.