

# SENATE BILL 176

R6

2lr0029

(PRE-FILED)

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By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)**

Requested: October 5, 2021

Introduced and read first time: January 12, 2022

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Rear-Facing Child Safety Seats – Requirement**

3 FOR the purpose of requiring a person transporting a child under a certain age in a motor  
4 vehicle to secure the child in a rear-facing child safety seat that complies with  
5 certain regulations until the child reaches the weight or height limit specified by the  
6 manufacturer of the child safety seat; and generally relating to rear-facing child  
7 safety seats.

8 BY repealing and reenacting, with amendments,  
9 Article – Transportation  
10 Section 22-412.2  
11 Annotated Code of Maryland  
12 (2020 Replacement Volume and 2021 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
14 That the Laws of Maryland read as follows:

15 **Article – Transportation**

16 22-412.2.

17 (a) (1) In this section the following words have the meanings indicated.

18 (2) (i) “Child safety seat” means a device, including a child booster seat,  
19 that the manufacturer:

20 1. Certifies is manufactured in accordance with applicable  
21 federal safety standards; and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.





1 (f) Notwithstanding subsection (d) of this section, if a physician, who is licensed  
2 to practice medicine in the state in which the vehicle transporting the child is registered,  
3 certifies in writing that use of a child safety seat by a particular child would be impractical  
4 due to the child's weight, height, physical unfitness, or other medical reason, there is not a  
5 violation of this section.

6 (g) A child safety seat or seat belt may not be used to restrain, seat, or position  
7 more than one individual at a time.

8 (h) A violation of this section is not contributory negligence and may not be  
9 admitted as evidence in the trial of any civil action.

10 (i) A violation of this section is not considered a moving violation for purposes of  
11 § 16-402 of this article.

12 (j) The failure to provide a child safety seat or seat belt for more than one child  
13 in the same vehicle at the same time, as required by this section, shall be treated as a single  
14 violation.

15 (k) (1) Any person convicted of a violation of this section is subject to a fine of  
16 \$50.

17 (2) A judge may waive the fine if the person charged with violation of this  
18 section:

19 (i) Did not possess a child safety seat at the time of the violation;

20 (ii) Acquires a child safety seat prior to the hearing date; and

21 (iii) Provides proof of acquisition to the court.

22 (l) The Department of Transportation and the Maryland Department of Health  
23 shall jointly implement the Child Safety Seat Program and foster compliance with this  
24 section through educational and promotional efforts.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2022.