

SENATE BILL NO. 217
INTRODUCED BY D. MAHLUM

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE USE OF CHILD SAFETY RESTRAINTS IN MOTOR VEHICLES FOR CHILDREN UNDER 6 YEARS OF AGE WHO WEIGH LESS THAN 40 POUNDS; REQUIRING ALL CHILDREN WHO WEIGH BETWEEN 40 AND 60 POUNDS WHO ARE PASSENGERS IN MOTOR VEHICLES TO BE PROPERLY RESTRAINED IN A BELT-POSITIONING BOOSTER SEAT IF THE MOTOR VEHICLE IS EQUIPPED WITH A COMBINATION LAP AND SHOULDER SAFETY BELT SYSTEM IN THE REAR PASSENGER SEAT; REMOVING THE PROVISION REQUIRING NO MORE THAN THREE CHILD SAFETY RESTRAINT SYSTEMS IN A VEHICLE; AND AMENDING SECTION 61-9-420, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 61-9-420, MCA, is amended to read:

"61-9-420. Child safety restraint systems -- standards -- exemptions. (1) If a child under 2 ½ years of age and weighing less than 40 pounds is a passenger in a motor vehicle, that motor vehicle must be equipped with one child safety restraint for each child in the vehicle and each child must be properly restrained.

(2) A child ~~between 2 and 4 years of age or weighing less than~~ between 40 pounds and 60 pounds who is a passenger in a motor vehicle must be properly restrained ~~or restrained in a safety belt that meets applicable federal motor vehicle safety standards~~ belt-positioning booster seat if the motor vehicle is equipped with a combination lap and shoulder safety belt system in the rear passenger seat.

(3) The department shall by rule establish standards in compliance with 61-9-419 through 61-9-423 and applicable federal standards for approved types of child safety restraint systems ~~purchased after January 1, 1984.~~

~~(4) A person is not required to have more than three child safety restraint systems in a vehicle.~~

~~(5)~~(4) The department may by rule exempt from the requirements of ~~subsection~~ subsections (1) and (2) a child who because of a physical or medical condition or body size cannot be placed in a child safety restraint system or ~~safety belt~~ belt-positioning booster seat."

- END -

