

JAN 3 1 2003

TRANSPORTATION

HOUSE FILE 100  
BY SMITH

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act increasing the penalty for violating the requirements for  
2 securing a child under six years of age during transit in a  
3 motor vehicle.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HF 100

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

1 Section 1. Section 321.446, subsection 4, Code 2003, is  
2 amended to read as follows:

3 4. The operator who violates subsection 1 or 2 is guilty  
4 of a misdemeanor and subject only to the penalty provisions of  
5 section 805.8A, subsection 14, paragraph "c", subparagraph  
6 (2).

7 Sec. 2. Section 805.8A, subsection 14, paragraph c, Code  
8 2003, is amended to read as follows:

9 c. SEAT BELT OR RESTRAINT VIOLATIONS.

10 (1) For violations under ~~sections~~ section 321.445 and  
11 ~~321.446~~, the scheduled fine is twenty-five dollars.

12 (2) For violations under section 321.446, the scheduled  
13 fine is one hundred dollars.

14 EXPLANATION

15 This bill increases the scheduled fine for a violation of  
16 the requirements for securing a child under six years of age  
17 during transit in a motor vehicle from \$25 to \$100.

18 Current law requires that a child under three years of age  
19 who is being transported in a motor vehicle subject to  
20 registration, other than a school bus or motorcycle, be  
21 secured during transit by a child restraint system which meets  
22 federal safety standards and is used in accordance with the  
23 manufacturer's instructions. A child at least three years of  
24 age but under six years of age who is being transported in  
25 such a vehicle must be secured during transit by either a  
26 child restraint system or a safety belt or safety harness  
27 which conforms with federal safety standards.

28  
29  
30  
31  
32  
33  
34  
35