

Senate Study Bill 3046

Bill Text

PAG LIN

1 1 Section 1. Section [321.445](#), subsection 2, unnumbered
1 2 paragraph 1, Code Supplement 2001, is amended to read as
1 3 follows:
1 4 The driver and front seat occupants of a type of motor
1 5 vehicle which is subject to registration in Iowa, except a
1 6 motorcycle or a motorized bicycle, shall each wear a properly
1 7 adjusted and fastened safety belt or safety harness any time
1 8 the vehicle is in forward motion on a street or highway in
1 9 this state except that a child under

~~—six~~

- sixteen years of age

1 10 shall be secured as required under section 321.446.

1 11 Sec. 2. Section [321.446](#), subsections 1, 2, and 4, Code
1 12 Supplement 2001, are amended to read as follows:

1 13 1. a. A child under one year of age and weighing less
1 14 than twenty pounds who is being transported in a motor vehicle
1 15 subject to registration, except a school bus or motorcycle,
1 16 shall be secured in a rear-facing child restraint system that
1 17 meets federal motor vehicle safety standards, and the system
1 18 shall be used in accordance with the manufacturer's
1 19 instructions.

1 20 b. A child under

~~—three~~

- eight years of age who does not

1 21 meet the description in paragraph "a" and who is being
1 22 transported in a motor vehicle subject to registration, except
1 23 a school bus or motorcycle, shall be secured during transit by
1 24 a child restraint system

~~—which~~

- that meets federal motor

1 25 vehicle safety standards, and the system shall be used in
1 26 accordance with the manufacturer's instructions. However, a
1 27 child under eight years of age who weighs more than forty
1 28 pounds may be transported in the backseat of a vehicle while
1 29 wearing only a lap safety belt if the backseat of the vehicle
1 30 is not equipped with a combination lap and shoulder safety
1 31 belt.

1 32 2. A child at least

~~—three~~

- eight years of age but under

~~—six~~

-
1 33 sixteen years of age who is being transported in a motor
1 34 vehicle subject to registration, except a school bus or
1 35 motorcycle, shall be secured during transit by either a child
2 1 restraint system that meets federal motor vehicle safety
2 2 standards and is used in accordance with the manufacturer's
2 3 instructions, or by a safety belt or safety harness of a type
2 4 approved under section 321.445.
2 5 4.

~~The~~

- An operator who violates subsection 1 or 2 is
2 6 guilty of a simple misdemeanor and subject

~~only~~

- to the penalty

2 7 provisions of section 805.8A, subsection 14, paragraph "c".
2 8 Sec. 3. Section [321.446](#), Code Supplement 2001, is amended
2 9 by adding the following new subsections:
2 10 NEW SUBSECTION. 7. The department, in cooperation with
2 11 the departments of public safety, public health, and
2 12 education, shall provide leadership and coordination of
2 13 education to foster compliance with the requirements of this
2 14 section concerning the appropriate use of child restraint
2 15 systems, safety belts, and safety harnesses.
2 16 NEW SUBSECTION. 8. For purposes of this section, "child
2 17 restraint system" means a specially designed seating system,
2 18 including a belt-positioning seat or a booster seat, that
2 19 meets federal motor vehicle safety standards set forth in 49
2 20 C.F.R. } 571.213.

2 21 EXPLANATION

2 22 This bill amends Code section 321.445 concerning safety
2 23 belts and harnesses to provide that persons under 16 years of
2 24 age must be secured during transit in a child restraint device
2 25 as required under Code section 321.446.

2 26 The bill also amends Code section 321.446 to provide that a
2 27 child under one year of age who weighs less than 20 pounds
2 28 must be secured in a rear-facing child restraint system that
2 29 meets federal motor vehicle safety standards while being
2 30 transported in a motor vehicle except a school bus or
2 31 motorcycle.

2 32 The bill also amends Code section 321.446 to provide that a
2 33 child under eight years of age who is not under one year of
2 34 age and less than 20 pounds must be secured by a child
2 35 restraint system while being transported in a motor vehicle
3 1 that is not a school bus or motorcycle. It provides that a
3 2 child under eight years of age who weighs more than 40 pounds
3 3 may be transported in the backseat of a vehicle wearing only a
3 4 lap safety belt if the backseat of the vehicle is not equipped
3 5 with a lap and shoulder safety belt.

3 6 The bill also amends Code section 321.446 to provide that a
3 7 child at least eight years of age but under 16 years of age
3 8 who is being transported in a motor vehicle subject to
3 9 registration, except a school bus or motorcycle, must be
3 10 secured by either a child restraint system that meets federal
3 11 motor vehicle safety standards or by a safety belt or harness
3 12 approved under Code section 321.445.

3 13 The bill defines "child restraint system" as a specially
3 14 designed seating system, including a belt-positioning seat or
3 15 a booster seat that meets federal motor vehicle safety
3 16 standards set forth in 49 C.F.R. } 571.213.

3 17 LSB 5988SC 79

3 18 av/cls/14