

House File 366 - Introduced

HOUSE FILE 366

BY SWEENEY

A BILL FOR

1 An Act relating to the sale of child restraint systems and
2 making a penalty applicable.

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

1 Section 1. NEW SECTION. 321.447 Sales of child restraint
2 systems.

3 1. For the purposes of this section, the following
4 definitions apply:

5 a. "At retail" means to sell a child restraint system to a
6 person who will devote it to a consumer use.

7 b. "Child restraint system" means the same as defined in
8 section 321.446.

9 c. "Used child restraint system" means a child restraint
10 system which has been sold at retail in this or any other
11 state.

12 2. A child restraint system sold in this state shall bear
13 the manufacturer's label showing the make, model, and date of
14 manufacture, and shall be accompanied by the manufacturer's
15 instruction manual.

16 3. A person shall not sell any of the following:

17 a. A used child restraint system or parts of a used child
18 restraint system.

19 b. A child restraint system that is damaged, except for
20 cosmetic damage.

21 c. A child restraint system with a missing part, including
22 but not limited to a locking clip, latch belt, or harness
23 retainer.

24 d. A child restraint system beyond the manufacturer's
25 expiration date or more than six years past the date of
26 manufacture.

27 e. A child restraint system with an expired warranty.

28 f. A child restraint system for which the manufacturer has
29 issued a recall.

30 EXPLANATION

31 This bill imposes restrictions on the sale of child
32 restraint systems. Pursuant to current law relating to child
33 safety in motor vehicles, "child restraint system" means a
34 specially designed seating system, including a belt-positioning
35 seat or a booster seat, that meets federal motor vehicle safety

1 standards. The bill defines "used child restraint system" as a
2 system which has been sold at retail.

3 The bill requires that a child restraint system sold in this
4 state must bear the manufacturer's label showing the make,
5 model, and date of manufacture, and must be accompanied by the
6 manufacturer's instruction manual.

7 The bill prohibits the sale of used child restraint systems
8 or parts of used child restraint systems in this state. The
9 bill also prohibits the sale of a child restraint system that
10 is damaged, except for cosmetic damage; a system with missing
11 parts; a system that has passed the manufacturer's expiration
12 date or is more than six years past the date of manufacture;
13 a system with an expired warranty; or a system for which the
14 manufacturer has issued a recall.

15 Pursuant to current law, unless another penalty is
16 specified, a violation of a motor vehicle provision is a simple
17 misdemeanor. A simple misdemeanor is punishable by confinement
18 for no more than 30 days or a fine of at least \$65 but not more
19 than \$625 or by both.