

House File 2181 - Introduced

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BY DETERMANN

A BILL FOR

1 An Act requiring certain children to be secured in child
2 restraint devices when traveling in motor vehicles.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.446, subsections 1 and 2, Code 2024,
2 are amended to read as follows:

3 1. *a.* A child under ~~one year~~ two years of age and ~~weighing~~
4 ~~less than twenty pounds~~ who is being transported in a motor
5 vehicle subject to registration, except a school bus or
6 motorcycle, shall be secured during transit in a rear-facing
7 child restraint system that is used in accordance with the
8 manufacturer's instructions.

9 *b.* A child ~~under six~~ at least two years of age ~~who does not~~
10 ~~meet the description in paragraph "a" and~~ but under eight years
11 of age who is being transported in a motor vehicle subject
12 to registration, except a school bus or motorcycle, shall be
13 secured during transit by a child restraint system that is used
14 in accordance with the manufacturer's instructions.

15 2. A child at least ~~six~~ eight years of age but under
16 eighteen years of age who is being transported in a motor
17 vehicle subject to registration, except a school bus or
18 motorcycle, shall be secured during transit by a child
19 restraint system that is used in accordance with the
20 manufacturer's instructions or by a safety belt or safety
21 harness of a type approved under [section 321.445](#).

22 Sec. 2. Section 321.446, subsection 3, paragraph d, Code
23 2024, is amended by striking the paragraph.

24 EXPLANATION

25 The inclusion of this explanation does not constitute agreement with
26 the explanation's substance by the members of the general assembly.

27 This bill requires certain children to be secured in child
28 restraint devices, including child restraint systems, safety
29 belts, and safety harnesses, when traveling in motor vehicles.

30 Current law requires a child under one year of age and
31 weighing less than 20 pounds who is being transported in a
32 motor vehicle subject to registration, except a school bus
33 or motorcycle, to be secured during transit in a rear-facing
34 child restraint system that is used in accordance with the
35 manufacturer's instructions. The bill extends this requirement

1 to a child under two years of age regardless of the child's
2 weight.

3 Current law also requires a child under six years of age,
4 who is not subject to the above requirement, and who is being
5 transported in a motor vehicle subject to registration, except
6 a school bus or motorcycle, to be secured during transit by
7 a child restraint system that is used in accordance with the
8 manufacturer's instructions. The bill extends this requirement
9 to children between two and eight years of age.

10 Accordingly, the bill requires a child at least eight years
11 of age (instead of six) but under 18 years of age who is being
12 transported in a motor vehicle subject to registration, except
13 a school bus or motorcycle, to be secured during transit by
14 a child restraint system that is used in accordance with the
15 manufacturer's instructions or by an approved safety belt or
16 safety harness.

17 The bill strikes a provision that exempts children occupying
18 the back seat of a motor vehicle from having to be secured
19 during transit by a child restraint system, safety belt, or
20 safety harness if no safety belt is available because all
21 safety belts are being used by other occupants or cannot be
22 used due to the use of a child restraint system in the seating
23 position for which a belt is provided.

24 A violation of Code section 321.446 is punishable by a
25 scheduled fine of \$135. The department of transportation is
26 prohibited from considering a violation of Code section 321.446
27 in determining an offender's driver's license suspension under
28 Code section 321.210 or habitual offender status under Code
29 section 321.555.