

House File 2344 - Introduced

HOUSE FILE 2344
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 575)

A BILL FOR

- 1 An Act relating to the use of child restraint devices by certain
- 2 children traveling in motor vehicles.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 321.446, subsections 1 and 2, Code 2026,
2 are amended to read as follows:

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

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

17 2. A child at least ~~six~~ eight years of age ~~but under eighteen~~
18 ~~years of age who is~~ being transported in a motor vehicle subject
19 to registration, except a school bus or motorcycle, shall be
20 secured during transit by a child restraint system, ~~that is~~
21 used in accordance with the manufacturer's instructions, or by
22 a safety belt or safety harness of a type approved under section
23 321.445, until the child reaches the age of eighteen.

24 Sec. 2. Section 321.446, subsection 3, paragraph d, Code
25 2026, is amended by striking the paragraph.

26 EXPLANATION

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

29 This bill relates to the use of child restraint devices by
30 certain children traveling in motor vehicles, including child
31 restraint systems, safety belts, and safety harnesses.

32 Current law requires a child under one year of age and
33 weighing less than 20 pounds who is being transported in a
34 motor vehicle subject to registration, except a school bus
35 or motorcycle, to be secured during transit in a rear-facing

1 child restraint system that is used in accordance with the
2 manufacturer's instructions. The bill extends this requirement
3 to a child under two years of age or until the child exceeds the
4 manufacturer's recommended maximum height and weight limits for
5 the child restraint system.

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

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

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

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