

**First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 11-0859.01 Kate Meyer

SENATE BILL 11-227

SENATE SPONSORSHIP

Hudak, Bacon, Boyd, Heath, Williams S.

HOUSE SPONSORSHIP

Vaad and Ryden,

Senate Committees

Health and Human Services

House Committees

A BILL FOR AN ACT

101 **CONCERNING A REPEAL OF THE EXCEPTION TO THE CHILD RESTRAINT**
102 **SYSTEM LAW FOR CHILDREN WEIGHING MORE THAN FORTY**
103 **POUNDS WHO ARE BEING TRANSPORTED IN A MOTOR VEHICLE**
104 **WITH A REAR SEAT THAT WAS NOT EQUIPPED WITH**
105 **COMBINATION BELTS AT THE TIME OF MANUFACTURE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Generally, Colorado law requires a child under 8 years of age who

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

Capital letters indicate new material to be added to existing statute.

Dashes through the words indicate deletions from existing statute.

SENATE
2nd Reading Unamended
April 20, 2011

is being transported in a motor vehicle to be restrained in a child restraint system. Senate Bill 10-110 excepted from that requirement a child weighing more than 40 pounds being transported in a motor vehicle in which the rear seat was not equipped at the time of manufacture with combination lap and shoulder belts. In order for the state to be eligible to receive certain federal funds, the bill repeals that exception.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** The introductory portion to 42-4-236 (3) and
3 42-4-236 (3) (e), Colorado Revised Statutes, are amended to read:

4 **42-4-236. Child restraint systems required - definitions -**
5 **exemptions - repeal.** (3) Except as provided in section 42-2-105.5 (4),
6 the requirements of subsection (2) of this section ~~shall~~ DO not apply to a
7 child who:

8 (e) ~~Weighs more than forty pounds and is being transported in a~~
9 ~~motor vehicle in which the rear seat of the vehicle was not equipped at the~~
10 ~~time of manufacture with combination lap and shoulder belts; or~~

11 **SECTION 2. Safety clause.** The general assembly hereby finds,
12 determines, and declares that this act is necessary for the immediate
13 preservation of the public peace, health, and safety.