
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 388 Session of
2019

INTRODUCED BY D. MILLER, MURT, SCHLOSSBERG, McNEILL, YOUNGBLOOD,
NEILSON, OTTEN, HILL-EVANS, KORTZ AND McCLINTON,
FEBRUARY 6, 2019

REFERRED TO COMMITTEE ON TRANSPORTATION, FEBRUARY 6, 2019

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in other required equipment, further providing for
3 restraint systems.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 4581(a) of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 4581. Restraint systems.

9 (a) Occupant protection.--

10 (1) (i) Except as provided under subparagraph (ii), any
11 person who is operating a passenger car, [Class I truck,
12 Class II truck,] truck, truck tractor, classic motor
13 vehicle, antique motor vehicle or motor home and who
14 transports a child under four years of age anywhere in
15 the motor vehicle, including the cargo area, shall fasten
16 such child securely in a child passenger restraint
17 system, as provided in subsection (d).

18 (ii) Any person who is operating a passenger car,

1 [Class I truck, Class II truck,] truck, truck tractor,
2 classic motor vehicle, antique motor vehicle or motor
3 home and who transports a child under two years of age
4 anywhere in the motor vehicle shall fasten such child
5 securely in a rear-facing child passenger restraint
6 system, to be used until the child outgrows the maximum
7 weight and height limits designated by the manufacturer,
8 as provided in subsection (d).

9 (iii) This paragraph shall apply to all persons
10 while they are operators of motor vehicles where a
11 seating position is available which is equipped with a
12 seat safety belt or other means to secure the systems or
13 where the seating position was originally equipped with
14 seat safety belts.

15 (1.1) Any person who is operating a passenger car,
16 [Class I truck, Class II truck,] truck, truck tractor,
17 classic motor vehicle, antique motor vehicle or motor home
18 and who transports a child four years of age or older but
19 under eight years of age anywhere in the motor vehicle,
20 including the cargo area, shall fasten such child securely in
21 a fastened safety seat belt system and in an appropriately
22 fitting child booster seat, as provided in subsection (d).

23 This paragraph shall apply to all persons while they are
24 operators of motor vehicles where a seating position is
25 available which is equipped with a seat safety belt or other
26 means to secure the systems or where the seating position was
27 originally equipped with seat safety belts.

28 (2) (i) The driver of a passenger car, [Class I truck,
29 Class II truck] truck, truck tractor or motor home
30 operated in this Commonwealth shall:

1 (A) if under 18 years of age, be secured in a
2 properly adjusted and fastened safety seat belt
3 system; and

4 (B) secure or cause to be secured in a properly
5 adjusted and fastened safety seat belt every vehicle
6 occupant eight years of age or older but under 18
7 years of age.

8 (ii) Except for children under 18 years of age and
9 except as provided in paragraphs (1) and (1.1) and
10 subparagraph (i), each driver and front seat occupant of
11 a passenger car, [Class I truck, Class II truck,] truck,
12 truck tractor, classic motor vehicle, antique motor
13 vehicle or motor home operated in this Commonwealth shall
14 wear a properly adjusted and fastened safety seat belt
15 system.

16 (iii) This paragraph shall not apply to:

17 (A) A driver or front seat occupant of any
18 vehicle manufactured before July 1, 1966.

19 (B) A driver or front seat occupant who
20 possesses a written verification from a physician
21 that he is unable to wear a safety seat belt system
22 for physical or medical reasons, or from a
23 psychiatrist or other specialist qualified to make an
24 informed judgment that he is unable to wear a safety
25 seat belt system for psychological reasons.

26 (C) A rural letter carrier while operating any
27 motor vehicle during the performance of his duties as
28 a United States postal service rural letter carrier
29 only between the first and last delivery points.

30 (D) A driver who makes frequent stops and is

1 traveling less than 15 miles per hour for the purpose
2 of delivering goods or services while in the
3 performance of his duties and only between the first
4 and last delivery points.

5 (iv) A violation of this paragraph shall not be
6 subject to the assessment of any points under section
7 1535 (relating to schedule of convictions and points).

8 (3) Notwithstanding the provisions of section 1503(c)
9 (2.1) (relating to persons ineligible for licensing; license
10 issuance to minors; junior driver's license), a driver who is
11 under 18 years of age may not operate a motor vehicle in
12 which the number of passengers exceeds the number of
13 available safety seat belts in the vehicle.

14 * * *

15 Section 2. This act shall take effect in 60 days.