

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 478 Session of 2023

INTRODUCED BY McANDREW, D. MILLER, RABB, MADDEN, HILL-EVANS, KINSEY, PROBST, SCHLOSSBERG, SANCHEZ, CIRESI, GALLOWAY, CEPEDA-FREYTIZ, KINKEAD, WARREN, SAMUELSON AND GREEN, MARCH 16, 2023

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 6, 2024

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).

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

10 (iii) This paragraph shall apply to all persons
11 while they are operators of motor vehicles where a
12 seating position is available which is equipped with a
13 seat safety belt or other means to secure the systems
14 [~~or~~], where the seating position was originally equipped <--
15 with seat safety belts [.] OR WHERE THE SEATING POSITION <--
16 IS EQUIPPED BY THE ORIGINAL MANUFACTURER TO INSTALL A
17 CHILD PASSENGER RESTRAINT SYSTEM OR REAR-FACING CHILD
18 PASSENGER RESTRAINT SYSTEM AS PROVIDED IN SUBSECTION (D).

19 (1.1) Any person who is operating a passenger car,
20 [Class I truck, Class II truck,] truck, truck tractor,
21 classic motor vehicle, antique motor vehicle or motor home
22 and who transports a child four years of age or older but
23 under eight years of age anywhere in the motor vehicle,
24 including the cargo area, shall fasten such child securely in
25 a fastened safety seat belt system and in an appropriately
26 fitting child booster seat, as provided in subsection (d).
27 This paragraph shall apply to all persons while they are
28 operators of motor vehicles where a seating position is
29 available which is equipped with a seat safety belt or other
30 means to secure the systems [~~or~~], where the seating position <--

1 was originally equipped with seat safety belts [.] OR WHERE <--
2 THE SEATING POSITION IS EQUIPPED BY THE ORIGINAL MANUFACTURER
3 TO INSTALL A CHILD BOOSTER SEAT AS PROVIDED IN SUBSECTION
4 (D).

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

8 (A) if under 18 years of age, be secured in a
9 properly adjusted and fastened safety seat belt
10 system; and

11 (B) secure or cause to be secured in a properly
12 adjusted and fastened safety seat belt every vehicle
13 occupant eight years of age or older but under 18
14 years of age.

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

23 (iii) This paragraph shall not apply to:

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

26 (B) A driver or front seat occupant who
27 possesses a written verification from a physician
28 that he is unable to wear a safety seat belt system
29 for physical or medical reasons, or from a
30 psychiatrist or other specialist qualified to make an

1 informed judgment that he is unable to wear a safety
2 seat belt system for psychological reasons.

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

7 (D) A driver who makes frequent stops and is
8 traveling less than 15 miles per hour for the purpose
9 of delivering goods or services while in the
10 performance of his duties and only between the first
11 and last delivery points.

12 (iv) A violation of this paragraph shall not be
13 subject to the assessment of any points under section
14 1535 (relating to schedule of convictions and points).

15 (3) Notwithstanding the provisions of section 1503(c)
16 (2.1) (relating to persons ineligible for licensing; license
17 issuance to minors; junior driver's license), a driver who is
18 under 18 years of age may not operate a motor vehicle in
19 which the number of passengers exceeds the number of
20 available safety seat belts in the vehicle.

21 * * *

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