THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL No. 1152 Session of 2015

INTRODUCED BY BROWNE, VULAKOVICH, BARTOLOTTA, McGARRIGLE, MENSCH, RAFFERTY, RESCHENTHALER, TEPLITZ, COSTA, DINNIMAN, TARTAGLIONE AND KITCHEN, MARCH 9, 2016

REFERRED TO TRANSPORTATION, MARCH 9, 2016

AN ACT

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in other required equipment, further providing for restraint systems; and making an editorial change.
The General Assembly of the Commonwealth of Pennsylvania
hereby enacts as follows:
Section 1. The heading of Subchapter E of Chapter 45 of
Title 75 of the Pennsylvania Consolidated Statutes is amended to
read:
SUBCHAPTER E
[CHILD PASSENGER] OCCUPANT PROTECTION
Section 2. Section 4581(a)(1), (1.1) and (2)(i) of Title 75
are amended to read:
§ 4581. Restraint systems.
(a) Occupant protection
(1) [Any] <u>(i) Except as provided under subparagraph</u>
<u>(ii), any</u> person who is operating a passenger car, Class
The second
I truck, Class II truck, classic motor vehicle, antique

under four years of age anywhere in the motor vehicle,
including the cargo area, shall fasten such child
securely in a child passenger restraint system, as
[defined] provided in subsection (d).

5 (ii) Any person who is operating a passenger car, <u>Class I truck, Class II truck, classic motor vehicle,</u> 6 7 antique motor vehicle or motor home and who transports a 8 child under two years of age anywhere in the motor 9 vehicle shall fasten such child securely in a rear-facing 10 child passenger restraint system, to be used until the 11 child outgrows the maximum weight and height limits 12 designated by the manufacturer, as provided in subsection 13 (d).

14 <u>(iii)</u> This [subsection] <u>paragraph</u> shall apply to all 15 persons while they are operators of motor vehicles where 16 a seating position is available which is equipped with a 17 seat safety belt or other means to secure the systems or 18 where the seating position was originally equipped with 19 seat safety belts.

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

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seating position was originally equipped with seat safety
belts.

3 (2)(i) The driver of a passenger car, Class I truck, Class II truck or motor home operated in this 4 5 Commonwealth [shall secure or cause to be secured in a properly adjusted and fastened safety seat belt system on 6 7 the driver, if under 18 years of age, and every vehicle 8 occupant eight years of age or older but under 18 years 9 of age.] shall:

10(A) if under 18 years of age, be secured in a11properly adjusted and fastened safety seat belt12system; and13(B) secure or cause to be secured in a properly

14adjusted and fastened safety seat belt every vehicle15occupant eight years of age or older but under 1816years of age.

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* * *

Section 3. Notwithstanding the provisions of 75 Pa.C.S. § 4581(b), a law enforcement official authorized to issue citations for a violation of 75 Pa.C.S. § 4581(a)(1)(ii) shall, during the first year following the effective date of this section, only issue verbal warnings to individuals who are in violation of 75 Pa.C.S. § 4581(a)(1)(ii).

24 Section 4. This act shall take effect in 60 days.

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