



General Assembly

February Session, 2006

Raised Bill No. 5661

LCO No. 2499

02499_____TRA

Referred to Committee on Transportation

Introduced by:
(TRA)

**AN ACT CONCERNING CHILD RESTRAINTS IN SCHOOL
TRANSPORTATION VEHICLES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 14-100a of the 2006 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2006*):

4 (a) No new passenger motor vehicle may be sold or registered in
5 this state unless equipped with at least two sets of seat safety belts for
6 the front and rear seats of the motor vehicle, which belts comply with
7 the requirements of subsection (b) of this section. The anchorage unit
8 at the attachment point shall be of such construction, design and
9 strength as to support a loop load strength of not less than four
10 thousand pounds for each belt.

11 (b) No seat safety belt may be sold for use in connection with the
12 operation of a motor vehicle on any highway of this state unless it is so
13 constructed and installed as to have a loop strength through the
14 complete attachment of not less than four thousand pounds, and the
15 buckle or closing device shall be of such construction and design that

16 after it has received the aforesaid loop belt load it can be released with
17 one hand with a pull of less than forty-five pounds.

18 (c) (1) The operator of and any front seat passenger in a motor
19 vehicle with a gross vehicle weight rating not exceeding ten thousand
20 pounds or fire fighting apparatus originally equipped with seat safety
21 belts complying with the provisions of the Code of Federal
22 Regulations, Title 49, Section 571.209, as amended from time to time,
23 shall wear such seat safety belt while the vehicle is being operated on
24 the highways of this state, except that a child six years of age and
25 under shall be restrained as provided in subsection (d) of this section.
26 Each operator of such vehicle shall secure or cause to be secured in a
27 seat safety belt any passenger seven years of age or older and under
28 sixteen years of age.

29 (2) The provisions of subdivision (1) of this subsection shall not
30 apply to (A) any person whose physical disability or impairment
31 would prevent restraint in such safety belt, provided such person
32 obtains a written statement from a licensed physician containing
33 reasons for such person's inability to wear such safety belt and
34 including information concerning the nature and extent of such
35 condition. Such person shall carry the statement on his or her person
36 or in the motor vehicle at all times when it is being operated, or (B) an
37 authorized emergency vehicle, other than fire fighting apparatus,
38 responding to an emergency call or a motor vehicle operated by a rural
39 letter carrier of the United States postal service while performing his or
40 her official duties or by a person engaged in the delivery of
41 newspapers.

42 (3) Failure to wear a seat safety belt shall not be considered as
43 contributory negligence nor shall such failure be admissible evidence
44 in any civil action.

45 (4) On and after February 1, 1986, any person who violates the
46 provisions of this subsection shall have committed an infraction and
47 shall be fined fifteen dollars. Points may not be assessed against the

48 operator's license of any person convicted of such violation.

49 (d) (1) Any person who transports a child six years of age and under
50 or weighing less than sixty pounds, in a motor vehicle, including a
51 student transportation vehicle, as defined in section 14-212 of the 2006
52 supplement to the general statutes, on the highways of this state shall
53 provide and require the child to use a child restraint system approved
54 pursuant to regulations adopted by the Department of Motor Vehicles
55 in accordance with the provisions of chapter 54. Any person who
56 transports a child seven years of age or older and weighing sixty or
57 more pounds, in a motor vehicle, including a student transportation
58 vehicle, as defined in section 14-212 of the 2006 supplement to the
59 general statutes, on the highways of this state shall either provide and
60 require the child to use an approved child restraint system or require
61 the child to use a seat safety belt. As used in this subsection, "motor
62 vehicle" does not mean a bus having a tonnage rating of one ton or
63 more. Failure to use a child restraint system shall not be considered as
64 contributory negligence nor shall such failure be admissible evidence
65 in any civil action.

66 (2) Any person who transports a child under one year of age or
67 weighing less than twenty pounds in a motor vehicle on the highways
68 of this state shall provide and require the child to ride rear-facing in a
69 child restraint system approved pursuant to regulations that the
70 Department of Motor Vehicles shall adopt in accordance with the
71 provisions of chapter 54.

72 [(3) Notwithstanding the provisions of subdivision (1) of this
73 subsection, any person who transports a child four years of age or
74 older in a student transportation vehicle, as defined in section 14-212,
75 on the highways of this state shall either provide and require the child
76 to use an approved child restraint system or require the child to use a
77 seat safety belt. Any person who transports a child under four years of
78 age weighing less than forty pounds in a student transportation
79 vehicle on the highways of this state shall provide and require the

80 child to use a child restraint system approved pursuant to regulations
81 adopted by the Department of Motor Vehicles in accordance with the
82 provisions of chapter 54.]

83 [(4)] (3) No person shall restrain a child in a booster seat unless the
84 motor vehicle is equipped with a safety seat belt that includes a
85 shoulder belt and otherwise meets the requirement of subsection (b) of
86 this section.

87 [(5)] (4) Any person who violates the provisions of subdivision (1),
88 (2) [] or (3) [or (4)] of this subsection shall, for a first violation, have
89 committed an infraction; for a second violation, be fined not more than
90 one hundred ninety-nine dollars; and, for a third or subsequent
91 violation, be guilty of a class A misdemeanor. The commissioner shall
92 require any person who has committed a first or second violation of
93 the provisions of this subsection to attend a child car seat safety course
94 offered or approved by the Department of Motor Vehicles. The
95 commissioner may, after notice and an opportunity for a hearing,
96 suspend for a period of not more than two months the motor vehicle
97 operator's license of any person who fails to attend or successfully
98 complete the course.

99 (e) The commissioner shall administer the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	14-100a

Statement of Purpose:
To align child restraint system requirements for motor vehicles with those for school transportation vehicles.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]