

SENATE BILL No. 728

September 24, 2003, Introduced by Senator CHERRY and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 710d (MCL 257.710d), as amended by 1999 PA
29, and by adding section 626d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 626d. A person shall not breast-feed a child while
2 operating a motor vehicle on a public highway. A person who
3 violates this section is responsible for a civil infraction.

4 Sec. 710d. (1) Except as provided in this section, or as
5 otherwise provided by law, a rule promulgated pursuant to the
6 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
7 24.328, or federal regulation, each driver transporting a child
8 less than 4 years of age in a motor vehicle shall properly secure
9 that child in a child restraint system that meets the standards
10 prescribed in 49 C.F.R. 571.213.

1 (2) This section does not apply to any child being nursed **by**
2 **a passenger in a motor vehicle.**

3 (3) This section does not apply if the motor vehicle being
4 driven is a bus, school bus, taxicab, moped, motorcycle, or other
5 motor vehicle not required to be equipped with safety belts under
6 federal law or regulations.

7 (4) A person who violates this section is responsible for a
8 civil infraction.

9 (5) Points shall not be assessed under section 320a for a
10 violation of this section. An abstract required under section
11 732 shall not be submitted to the secretary of state regarding a
12 violation of this section.

13 (6) The secretary of state may exempt by rules promulgated
14 pursuant to the administrative procedures act of 1969, 1969 PA
15 306, MCL 24.201 to 24.328, a class of children from the
16 requirements of this section, if the secretary of state
17 determines that the use of the child restraint system required
18 under subsection (1) is impractical because of physical
19 unfitness, a medical problem, or body size. The secretary of
20 state may specify alternate means of protection for children
21 exempted under this subsection.