

HOUSE BILL NO. 4618

May 21, 2019, Introduced by Reps. Robinson, Jones, Brenda Carter, Haadsma, Coleman, Manoogian, Hood, Kennedy, Kuppa and Lasinski 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 2009 PA 57.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 710d. (1) Except as provided in this section, or as
- 2 otherwise provided by law, a rule promulgated under the
- 3 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
- 4 24.328, or federal regulation, each driver transporting a child



1 ~~less than 4 years of age~~ in a motor vehicle shall properly secure
2 that child in a child restraint system that meets the standards
3 prescribed in 49 CFR 571.213.

4 (2) A driver transporting a child as required under subsection
5 (1) shall position the child in the child restraint system in a
6 rear seat, if the vehicle is equipped with a rear seat. If all
7 available rear seats are occupied by children, ~~less than 4 years of~~
8 ~~age,~~ then a child ~~less than 4 years of age~~ may be positioned in the
9 child restraint system in the front seat. A child in a rear-facing
10 child restraint system may be placed in the front seat only if the
11 front passenger air bag is deactivated. **In addition, a child shall**
12 **be seated and positioned as follows:**

13 (a) **If the child weighs less than 30 pounds or is less than 2**
14 **years of age, in a rear-facing child seat.**

15 (b) **Unless subdivision (a) applies, if the child weighs 30**
16 **pounds or more but less than 50 pounds, or is 2 years of age or**
17 **older but less than 5 years of age, in a forward-facing child seat**
18 **or a rear-facing child seat.**

19 (c) **Unless subdivision (a) or (b) applies, if the child is not**
20 **more than 57 inches tall and weighs 50 pounds or more, or is 5**
21 **years of age or older but less than 11 years of age, in a booster**
22 **seat or as required in subdivision (b).**

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

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

29 (5) Points ~~shall~~ **must** not be assessed under section 320a for a



1 violation of this section. An abstract required under section 732
2 ~~shall~~**must** not be submitted to the secretary of state regarding a
3 violation of this section.

4 (6) The secretary of state may exempt by rules promulgated
5 under the administrative procedures act of 1969, 1969 PA 306, MCL
6 24.201 to 24.328, a class of children from the requirements of this
7 section, if the secretary of state determines that the use of the
8 child restraint system required under subsection (1) is impractical
9 because of physical unfitness, a medical problem, or body size. The
10 secretary of state may specify alternate means of protection for
11 children exempted under this subsection.

12 Enacting section 1. This amendatory act takes effect 180 days
13 after the date it is enacted into law.

14 Enacting section 2. This amendatory act does not take effect
15 unless all of the following bills of the 100th Legislature are
16 enacted into law:

17 (a) Senate Bill No. ____ or House Bill No. 4619 (request no.
18 03311'19).

19 (b) Senate Bill No. ____ or House Bill No. 4617 (request no.
20 03314'19).

