

# FINAL BILL REPORT

## SSB 5085

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Synopsis as Enacted

**Brief Description:** Holding child car seat installers harmless for damages.

**Sponsors:** Senate Committee on Transportation (originally sponsored by Senators Weinstein, Haugen, Jacobsen and Kline).

**Senate Committee on Transportation**  
**House Committee on Judiciary**

**Background:** Under current law, with few exceptions, children less than six years old and/or sixty pounds, while traveling in motor vehicles, must be restrained in child restraint systems that comply with federal standards and are installed per manufacturer instructions.

Failure to comply with the child passenger restraint requirements does not constitute negligence by a parent or legal guardian, and may not be admitted in court as evidence of negligence. However, current law is silent regarding immunity from civil liability for installers or inspectors of child restraint systems or booster seats.

**Summary:** Nationally certified child passenger safety technicians who, in good faith, provide inspection, adjustment, or educational services regarding child passenger restraint systems may not be held civilly liable for an act or omission related to the services, unless the act or omission constitutes gross negligence or willful or wanton misconduct. However, the liability protection does not apply to employees of retailers of child passenger restraint systems who provide the services during their hours of employment.

**Votes on Final Passage:**

Senate	37	9	
House	96	0	(House amended)
Senate	42	0	(Senate concurred)

**Effective:** July 24, 2005