

# HOUSE BILL REPORT

## ESB 5879

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As Reported By House Committee On:  
Transportation

**Title:** An act relating to child passenger restraint systems.

**Brief Description:** Conforming state law on child passenger restraint systems to the Uniform Vehicle Code.

**Sponsors:** Senators A. Smith, Spanel, Deccio and Winsley.

**Brief History:**

Reported by House Committee on:  
Transportation, March 31, 1993, DPA.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass as amended. Signed by 25 members: Representatives R. Fisher, Chair; Brown, Vice Chair; Jones, Vice Chair; Schmidt, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Brough; Brumsickle; Eide; Finkbeiner; Forner; Fuhrman; Hansen; Heavey; Horn; Johanson; J. Kohl; Miller; H. Myers; Orr; Patterson; Quall; Sheldon; Shin; Wood; and Zellinsky.

**Minority Report:** Do not pass. Signed by 1 member: Representative R. Meyers.

**Staff:** Jennifer Joly (786-7305).

**Background:** Children that are under one year of age are required to be restrained in a separate child passenger restraint device. Children that are one year of age through four years of age may be restrained with a properly adjusted and fastened, federally approved seat belt.

There is concern that seat belts do not provide adequate protection to children under four years of age.

**Summary of Amended Bill:** A child who weighs less than 40 pounds or who is under four years of age is required to be restrained in a child restraint system that is in compliance with United States Department of Transportation standards. The child restraint system must be secured in the vehicle according to instructions from the manufacturer of the child restraint system.

A child who is less than six years old but weighs at least 40 pounds or is at least four years of age is required to be restrained either in a child restraint system as described above or with a safety belt properly fastened around the child's body.

The following are exempt from child passenger restraint system requirements: for hire vehicles as defined in 46.72.010 (1); motor vehicles designed to transport 16 or more passengers, including the driver; rental car businesses with fleets of less than 15 motor vehicles; and auto transportation companies.

**Amended Bill Compared to Engrossed Bill:** Child restraint systems are required for children weighing under 40 pounds or under four years of age, instead of children under two years of age.

Exemptions from child passenger restraint system requirements are provided.

**Fiscal Note:** Not requested.

**Effective Date of Amended Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Seat belts do not adequately protect children under 40 pounds. During an accident, their bodies either slip under or over the seat belt and serious injuries have resulted. This bill conforms to the federal vehicle code.

**Testimony Against:** None.

**Witnesses:** Susie Tracy, Washington State Medical Association; Dr. Abe Bergman, Washington State Medical Association; Kathy Williams, Washington State Department of Health; Tim Erickson, Washington State Patrol; Steve Lind, Washington Traffic Safety Commission; and Kathryn Kruger, Safety Restraint Coalition.