

HOUSE BILL REPORT

HB 2414

As Reported By House Committee On:
Transportation

Title: An act relating to child passenger restraint systems.

Brief Description: Changing provisions relating to child passenger restraint systems.

Sponsors: Representatives Brown, R. Fisher, Appelwick, J. Kohl, King and Patterson; by request of Washington Traffic Safety Commission.

Brief History:

Reported by House Committee on:
Transportation, February 3, 1994, DPS.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 25 members: Representatives R. Fisher, Chair; Brown, Vice Chair; Jones, Vice Chair; Schmidt, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Backlund; Brough; Cothorn; Eide; Finkbeiner; Forner; Fuhrman; Hansen; Heavey; Horn; Johanson; J. Kohl; Orr; Patterson; Quall; Romero; Sheldon; Shin; Wood and Zellinsky.

Staff: Jennifer Joly (786-7305).

Background: Children less than two years of age are required to be restrained in a separate child passenger restraint device. Children that are two years of age through six years of age may be restrained with a properly adjusted and fastened seat belt.

Persons violating the child passenger restraint requirements described above may be issued a notice of traffic infraction under RCW 46.63. If the person to whom the notice of infraction was issued presents proof of acquisition of an approved child passenger restraint system within seven days to the jurisdiction issuing the notice, the jurisdiction shall dismiss the notice of traffic infraction. If the person fails to present proof of acquisition within the time required, he or she is subject to a penalty assessment of not less than \$30.

Summary of Substitute Bill: A child less than three years old is required to be restrained in a child passenger restraint system that is in compliance with United States Department of Transportation standards. The child passenger restraint system must be secured in the vehicle according to instructions from the manufacturer of the child passenger restraint system.

A child who is less than 10 years old but at least three years of age is required to be restrained either in a child passenger restraint system as described above or with a safety belt properly fastened around the child's body.

Language providing for a penalty assessment of not less than \$30 is stricken.

For-hire vehicles; vehicles designed to transport 16 or less passengers including the driver, operated by auto transportation companies as defined in RCW 81.68.010; and vehicles providing customer shuttle service between parking, convention and hotel facilities, and airport terminals are exempt from child passenger restraint requirements.

Substitute Bill Compared to Original Bill: The child safety belt requirement is raised from age six to age 10, thus allowing primary enforcement of seat belt violations involving children up to age 10.

The child passenger restraint system requirement for children between ages three and four is eliminated. The reference to the weight of the child is also eliminated.

An exemption is provided from child passenger restraint requirements for for-hire vehicles; vehicles designed to transport 16 or less passengers including the driver, operated by auto transportation companies as defined in RCW 81.68.010; and vehicles providing customer shuttle service between parking, convention and hotel facilities, and airport terminals.

Fiscal Note: Not requested.

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

Testimony For: Car seats and safety belts prevent injuries and save lives. Recycled car seats are readily available for low income families via special distribution centers.

Testimony Against: None.

Witnesses: Steve Lind, Washington Traffic Safety

Commission; Tim Erickson, Washington State Patrol; Kathryn Kruger, Washington State Safety Restraint Coalition; Kathy Williams, Department of Health; Tim Hoard, Washington Advocates for Highway and Auto Safety; Doug Bohlke, Evergreen State Taxi Association (pro, with amendments); Rick Jensen, Car and Truck Rental and Leasing Association (pro, with amendments); Susie Tracy, Washington State Medical Association and Washington Ambulance Association; and Rob Tee, State Farm Insurance.