
Judiciary Committee

SSB 5085

Title: An act relating to child passenger restraint systems.

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

Sponsors: Senators Weinstein, Haugen, Jacobsen and Kline.

Brief Summary of Substitute Bill

- Makes nationally certified child passenger safety technicians immune from civil liability for inspecting, adjusting, or providing educational services on child passenger restraint systems when the technician acts in good faith and without compensation, unless the act or omission constitutes gross negligence or willful or wanton misconduct.

Hearing Date:

Staff: Trudes Tango Hutcheson (786-7384).

Background:

A child less than 6 years old and/or 60 pounds traveling in a motor vehicle must be placed in a child restraint system that complies with federal standards and is installed according to the manufacturer's instructions. The laws specify the types of child seats required according to the child's age and weight. Failure to comply with the child restraint laws does not constitute negligence by the parent or legal guardian and is not admissible as evidence of negligence in any civil action.

The National Standardized Child Passenger Safety Training Program (CPS), developed by the National Highway Traffic Safety Administration, offers training for individuals to become certified CPS technicians and instructors, who may then educate the public and assist with selection, installation, and use of child safety seats. To become certified, the person must successfully complete a 32-hour training program. The certification is valid for two years, with re-certification available by completing an exam and demonstrating five child seat installations.

Summary of Substitute Bill:

A person who has a current national certification as a CPS technician and who in good faith and without compensation provides inspection, adjustment, or educational services on child passenger restraint systems is not liable for civil damages resulting from any act or omission unless such acts or omissions constitute gross negligence or willful or wanton misconduct.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.