

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 1264, Page 3, Section 307.178, Line 56,
2 by inserting after all of said line the following:

3
4 "307.179. 1. As used in this section, the following terms shall mean:

5 (1) "Child booster seat", a seating system which meets the Federal Motor Vehicle Safety
6 Standards set forth in 49 C.F.R. 571.213, as amended, that is designed to elevate a child to properly
7 sit in a federally approved safety belt system;

8 (2) "Child passenger restraint system", a seating system which meets the Federal Motor
9 Vehicle Safety Standards set forth in 49 C.F.R. 571.213, as amended, and which is either
10 permanently affixed to a motor vehicle or is affixed to such vehicle by a safety belt or a universal
11 attachment system;

12 (3) "Driver", a person who is in actual physical control of a motor vehicle.

13 2. Every driver transporting a child under the age of sixteen years shall be responsible,
14 when transporting such child in a motor vehicle operated by that driver on the streets or highways of
15 this state, for providing for the protection of such child as follows:

16 (1) Children less than two years of age shall be secured in a child passenger restraint system
17 appropriate for that child and shall be rear-facing in such system until the child reaches two years of
18 age or until the child reaches the weight or height limit of the rear-facing child passenger restraint
19 system as allowed by the manufacturer of the child passenger restraint system;

20 (2) Children less than four years of age, regardless of weight, shall be secured in a child
21 passenger restraint system appropriate for that child;

22 [~~2~~] (3) Children weighing less than forty pounds, regardless of age, shall be secured in a
23 child passenger restraint system appropriate for that child;

24 [~~3~~] (4) Children at least four years of age but less than eight years of age, who also weigh
25 at least forty pounds but less than eighty pounds, and who are also less than four feet, nine inches
26 tall, shall be secured in a child passenger restraint system or booster seat appropriate for that child;

27 [~~4~~] (5) Children at least eighty pounds or children more than four feet, nine inches in
28 height shall be secured by a vehicle safety belt or booster seat appropriate for that child;

29 [~~5~~] (6) A child who otherwise would be required to be secured in a booster seat may be
30 transported in the back seat of a motor vehicle while wearing only a lap belt if the back seat of the
31 motor vehicle is not equipped with a combination lap and shoulder belt for booster seat installation;

32 [~~6~~] (7) When transporting children in the immediate family when there are more children
33 than there are seating positions in the enclosed area of a motor vehicle, the children who are not able
34 to be restrained by a child safety restraint device appropriate for the child shall sit in the area behind
35 the front seat of the motor vehicle unless the motor vehicle is designed only for a front seat area.

36 The driver transporting children referred to in this subsection is not in violation of this section.

Action Taken _____ Date _____

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2 This subsection shall only apply to the use of a child passenger restraint system or vehicle safety
3 belt for children less than sixteen years of age being transported in a motor vehicle.

4 3. Any driver who violates subdivision (1), (2), [~~3~~], or 4 of subsection 2 of this section
5 is guilty of an infraction and, upon conviction, may be punished by a fine of not more than fifty
6 dollars and court costs. Any driver who violates subdivision [~~(4)~~] (5) of subsection 2 of this section
7 shall be subject to the penalty in subsection 5 of section 307.178. If a driver receives a citation for
8 violating subdivision (1), (2), [~~3~~], or (4) of subsection 2 of this section, the charges shall be
9 dismissed or withdrawn if the driver prior to or at his or her hearing provides evidence of
10 acquisition of a child passenger restraint system or child booster seat which is satisfactory to the
11 court or the party responsible for prosecuting the driver's citation.

12 4. The provisions of this section shall not apply to any public carrier for hire. The
13 provisions of this section shall not apply to students four years of age or older who are passengers
14 on a school bus designed for carrying eleven passengers or more and which is manufactured or
15 equipped pursuant to Missouri Minimum Standards for School Buses as school buses are defined in
16 section 301.010.

17 5. The highways and transportation commission shall initiate and develop a program of
18 public information to develop understanding of, and ensure compliance with, the provisions of this
19 section."; and

20
21 Further amend said bill by amending the title, enacting clause, and intersectional references
22 accordingly.