
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Sharon F. Lyles.

SB 76 Engrossed DIGEST Tarver
2019 Regular Session

Present law requires that every driver transporting children under the age of 13 in a motor vehicle equipped with safety belts shall have the child properly secured by a specific child restraint system depending on the particular age or weight of the child as follows:

- (1) A child less than one year old or weighing less than 20 pounds shall be in a rear-facing child safety seat.
- (2) A child at least one but less than four years old or weighing at least 20 but less than 40 pounds shall be in a front-facing child safety seat.
- (3) A child at least four but less than six years old or weighing at least 40 but less than 60 pounds shall be in a child booster seat unless there is only a lap belt in the seating position.
- (4) A child at least six years old or weighing more than 60 pounds shall be in a safety belt or booster seat.

Proposed law changes present law to increase the age from under the age of 13 years to under the age of 18 years and requires the child properly to be restrained according to the vehicle and child safety seat manufacturer's instructions as follows:

- (1) A child who is younger than the age of two years shall be restrained in a rear-facing child restraint system that complies with all applicable federal regulations until the child reaches the weight or height limit of the child restraint system as set by the manufacturer.
- (2) A child who is at least two years of age or older and has reached the rear-facing weight or height limits of the child restraint system as set by the manufacturer, shall be restrained in a forward-facing child restraint system with an internal harness until the child reaches the weight or height limit of the child restraint system set by the manufacturer.
- (3) A child who is at least four years of age and has outgrown the forward-facing weight or height limits of the child restraint system as set by the manufacturer shall be restrained in a belt-positioning child booster seat, secured with a vehicle lap-shoulder seat belt, according to the manufacturer's instructions.
- (4) A child who is at least nine years of age or has outgrown the height or weight limits of a child restraint system or belt-positioning child booster seat as set by the manufacturer shall be restrained with the motor vehicle's adult safety belt adjusted and fastened around the

child's body to fit correctly. The adult safety belt fits correctly when the child sits all the way back against the vehicle seat, the child's knees bend over the edge of the vehicle seat, the belt fits snugly across the child's thighs and lower hips, and not the child's abdomen, and when the shoulder strap snugly crosses the center of the child's chest and not the child's neck.

- (5) A child who is younger than 13 years of age shall be transported in the rear seat of a motor vehicle, when available, in a properly used child restraint system, belt-positioning child booster seat, or adult safety belt that complies with all applicable federal regulations.
- (6) A child who because of age or weight can be placed in more than one category shall be placed in the more protective category.

Effective August 1, 2019.

(Amends R.S. 32:295(A))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Transportation, Highways, and Public Works to the original bill

Increases the age a child shall be properly restrained according to the vehicle and child safety seat manufacturers' instructions in an age and size appropriate passenger restraint system from under 13 years to under 18 years, as follows:

- (1) A child younger than two years of age shall be in a rear-facing child safety seat.
- (2) A child at least two years of age or older shall be in a front-facing child safety.
- (3) A child at least four of age shall be in a child booster seat.
- (4) A child at least nine years old shall be in an adult safety belt.
- (5) A child younger than 13 years of age shall be restrained in the back seat of the vehicle, when available.
- (6) A child who because of age or weight can be in more than one category shall be placed in the more protective category.