To amend and reenact R.S. 32:295(A), relative to child passenger restraint systems; to increase the age a child shall be restrained in a rear-facing child safety seat; to increase the age a child shall be restrained in a forward-facing child safety seat; to increase the age a child shall be restrained in a child booster seat; to increase the age a child shall be restrained in an adult safety belt; to require that a child under a certain age is restrained in the rear seat of a motor vehicle; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:295(A) is hereby amended and reenacted to read as follows:

§295. Child passenger restraint system

A. Except as provided in Subsections C, D, and E of this Section, every driver in this state who transports a child or children under the age of eighteen years in a motor vehicle which is in motion and is required by federal safety standards to be equipped with safety belts a safety belt system or lower anchors and tethers for children in a passenger seating position, shall have the child properly restrained according to the vehicle and child safety seat manufacturer's instructions, as follows:

(1) A child younger than six years of age or weighing sixty pounds or less shall be restrained in a child restraint system as provided for in this Subsection that complies with standards of the United States Department of Transportation and is secured in the vehicle in accordance with the instructions of the manufacturer of the child restraint system and the passenger seating position is equipped with a safety belt system.
belt system that allows sufficient space for installation. The child restraint system required for a child younger than six years of age or weighing sixty pounds or less is, in descending order of protectiveness, as follows:

(a) A child who is younger than one year of age or weighs less than twenty pounds shall be restrained in a rear-facing child safety seat 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.

(b) (2) A child who is at least one year of age but younger than four years of age or who weighs at least twenty pounds but less than forty pounds shall be restrained in a forward-facing child safety seat restraint system with an internal harness until the child reaches the weight or height limit of the child restraint system as set by the manufacturer.

(c) (3) A child who is at least four years of age but younger than six years of age or who weighs at least forty pounds but not more than sixty pounds 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. The requirements of this Subparagraph shall not apply in any seating position where there is only a lap belt available and the child weighs more than forty pounds.

(2)(4) A child who is at least six nine years of age or weighs more than sixty pounds 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 or in an appropriately fitting child booster seat in accordance with the instructions of the manufacturer of the safety belt or child booster seat 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 thirteen 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.

(3)(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.

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____________