

SENATE BILL NO. 76

BY SENATORS TARVER, ALARIO, ALLAIN, BARROW, BISHOP, BOUDREAUX, CARTER, COLOMB, CORTEZ, GATTI, JOHNS, MARTINY, GARY SMITH, THOMPSON AND WARD AND REPRESENTATIVES ADAMS, BRASS, TERRY BROWN, CARPENTER, GISCLAIR, TERRY LANDRY, LARVADAIN, PIERRE, POPE AND WHITE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

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 ~~thirteen~~ **eighteen** years in a motor vehicle ~~which is~~ **that 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 secured **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~~

1 belt system that allows sufficient space for installation. The child restraint system
2 required for a child younger than six years of age or weighing sixty pounds or less
3 is, in descending order of protectiveness, as follows:

4 (a) A child who is younger than ~~one year of age or weighs less than twenty~~
5 pounds **the age of two years** shall be restrained in a rear-facing child safety seat
6 **restraint system that complies with all applicable federal regulations until the**
7 **child reaches the weight or height limit of the child restraint system as set by the**
8 **manufacturer.**

9 (b)(2) A child who is at least ~~one year of age but younger than four years of~~
10 age or who weighs at least twenty pounds but less than forty pounds **two years of**
11 **age or older and has reached the rear-facing weight or height limits of the child**
12 **restraint system as set by the manufacturer,** shall be restrained in a forward-
13 facing child safety seat **restraint system with an internal harness until the child**
14 **reaches the weight or height limit of the child restraint system set by the**
15 **manufacturer.**

16 (c)(3) A child who is at least four years of age but younger than six years of
17 age or [†] who weighs at least forty pounds but not more than sixty pounds **and has**
18 **outgrown the forward-facing weight or height limits of the child restraint**
19 **system as set by the manufacturer** shall be restrained in a **belt-positioning** child
20 booster seat, **secured with a vehicle lap-shoulder seat belt, according to the**
21 **manufacturer's instructions.** The requirements of this Subparagraph shall not apply
22 in any seating position where there is only a lap belt available and the child weighs
23 more than forty pounds.

24 (2)(4) A child who is at least six **nine** years of age or weighs more than sixty
25 pounds **has outgrown the height or weight limits of a child restraint system or**
26 **belt-positioning child booster seat as set by the manufacturer** shall be restrained
27 with the motor vehicle's **adult** safety belt adjusted and fastened around the child's
28 body or in an appropriately fitting child booster seat in accordance with the
29 instructions of the manufacturer of the safety belt or child booster seat. **to fit**
30 **correctly. The adult safety belt fits correctly when the child sits all the way back**

