

# SENATE BILL No. 882

December 9, 2003, Introduced by Senator HAMMERSTROM and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 710d (MCL 257.710d), as amended by 1999 PA 29.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

SENATE BILL No. 882

1       Sec. 710d. (1) Except as provided in this section, or as  
2 otherwise provided by law, a rule promulgated pursuant to the  
3 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to  
4 24.328, or federal regulation, each driver transporting a child  
5 less than 4 years of age in a motor vehicle shall properly secure  
6 that child in a child restraint system that meets the standards  
7 prescribed in 49 ~~C.F.R.~~ **CFR** 571.213.

8       (2) ~~This section does not apply to any child being nursed~~ **A**  
9 driver transporting a child as required under subsection (1)  
10 shall position the child in the child restraint system in a seat

Senate Bill No. 882 as amended February 12, 2004

1 located behind the driver, <<other than in a jump seat of a pickup,>> if  
the vehicle is equipped with such a  
2 seat. <<A child may be positioned in a child restraint system in a front  
seat if all rear seating positions are occupied by children in child  
restraint systems.>>

3 (3) This section does not apply if the motor vehicle being  
4 driven is a bus, school bus, taxicab, moped, motorcycle, or other  
5 motor vehicle not required to be equipped with safety belts under  
6 federal law or regulations.

7 (4) A person who violates this section is responsible for a  
8 civil infraction.

9 (5) Points shall not be assessed under section 320a for a  
10 violation of this section. An abstract required under section  
11 732 shall not be submitted to the secretary of state regarding a  
12 violation of this section.

13 (6) The secretary of state may exempt by rules promulgated  
14 pursuant to the administrative procedures act of 1969, 1969 PA  
15 306, MCL 24.201 to 24.328, a class of children from the  
16 requirements of this section, if the secretary of state  
17 determines that the use of the child restraint system required  
18 under subsection (1) is impractical because of physical  
19 unfitness, a medical problem, or body size. The secretary of  
20 state may specify alternate means of protection for children  
21 exempted under this subsection.