



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

Senate Bill 82 (as introduced 1-25-08)  
Sponsor: Senator Michelle A. McManus  
Committee: Transportation

Date Completed: 2-25-08

### **CONTENT**

**The bill would amend the Michigan Vehicle Code to add child restraint system requirements for children at least four years old but under the age of eight and less than four feet, nine inches tall.**

The Code requires a driver and front seat passenger to wear a properly adjusted and fastened safety belt, except that a child who is less than four years of age must be protected as required in Section 710d of the Code.

(Under that section, a driver transporting a child under four years of age in a motor vehicle must properly secure that child in a child restraint system that meets the standards prescribed in 49 CFR 571.213, which specifies requirements for child restraint systems used in motor vehicles and aircraft.)

The bill would add that a child who was four years of age or older but less than eight years old and who was less than four feet, nine inches tall would have to be secured properly in a child restraint system in accordance with the child restraint manufacturer's and vehicle manufacturer's instructions and the standards prescribed in 49 CFR 571.213.

The Code requires each driver of a vehicle transporting a child who is at least four but less than 16 years old to secure the child in a properly adjusted and fastened safety belt. Under the bill, this would apply except as described above for a child over four but under eight years old. Currently, if a vehicle is transporting more children than there are available safety belts available for use, all safety belts are being used, and the driver and all front seat passengers are wearing a safety belt, then the driver is in compliance with this requirement if a child who is at least four but less than 16 years old for whom a safety belt is not available, is not seated in the front seat. Under the bill, this would apply to a child who was at least eight but under 16.

The bill would take effect January 1, 2008.

MCL 257.710e

Legislative Analyst: Curtis Walker

### **FISCAL IMPACT**

The bill could result in additional revenue to the State and local units of government. To the extent that there would be additional violations, the bill would result in additional fine revenue, courts costs, and Justice System Fund Assessments. Fine revenue from civil infractions under the Michigan Vehicle Code would be allocated to public libraries. Fines

resulting from citations for violations of corresponding local ordinances are shared between the local unit of government and the court funding unit.

Fiscal Analyst: Stephanie Yu

S0708\sb82sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.