

Legislative Analysis



CHILD RESTRAINT SEATS: PLACE IN REAR SEAT & ELIMINATE NURSING EXCEPTION

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House Bill 4450

Sponsor: Rep. Larry DeShazor

Committee: Transportation

Complete to 3-25-09

A SUMMARY OF HOUSE BILL 4450 AS INTRODUCED 2-24-09

Currently under the Michigan Vehicle Code, generally speaking, drivers and front-seat passengers in vehicles must wear a safety belt, and all children under four must ride in a child restraint system. Also, a child who is four years of age or older but less than eight, and who is less than four feet nine inches tall must be properly secured in a child restraint system.

House Bill 4450 would require that the child restraint system for a child under four years of age be positioned in a rear seat of the vehicle, if the vehicle has a rear seat. The bill also would eliminate the current exemption for a child being nursed.

MCL 257.710d

FISCAL IMPACT:

Under current law, the fine for improper child restraint violation is no greater than \$10. The driver would also be assessed court costs of \$35-\$53 and a Justice System Assessment of \$40. Because the fine revenue for civil infraction traffic violations go to county treasurers for local libraries, the fine of up to \$10 per offense would generate additional revenue for those libraries. In addition, the assessed court costs of \$35 to \$53 per offense would generate additional revenue for the governmental unit that funds the local court. Each infraction would also be assessed a \$40 Justice System Assessment which would be deposited into the state Justice System Fund (JSF). The JSF supports various justice-related endeavors in the judicial branch, the Department of State Police, and the Department of Corrections.

While the bill's provisions may increase the number of child restraint violations, the amount of revenue increase that would be generated is indeterminate.

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