

SUBSTITUTE FOR
HOUSE BILL NO. 4450

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:

1 Sec. 710d. (1) Except as provided in this section, or as
2 otherwise provided by law, a rule promulgated ~~pursuant to~~ **UNDER** 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) SHALL**
10 **POSITION THE CHILD IN THE CHILD RESTRAINT SYSTEM IN A REAR SEAT, IF**
11 **THE VEHICLE IS EQUIPPED WITH A REAR SEAT. IF ALL AVAILABLE REAR**

1 SEATS ARE OCCUPIED BY CHILDREN LESS THAN 4 YEARS OF AGE, THEN A
2 CHILD LESS THAN 4 YEARS OF AGE MAY BE POSITIONED IN THE CHILD
3 RESTRAINT SYSTEM IN THE FRONT SEAT. A CHILD IN A REAR-FACING CHILD
4 RESTRAINT SYSTEM MAY BE PLACED IN THE FRONT SEAT ONLY IF THE FRONT
5 PASSENGER AIR BAG IS DEACTIVATED.

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

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

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

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