

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

***** 257.710d.amended THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT
OF THE 2024 REGULAR SESSION SINE DIE *****

257.710d.amended Child restraint system required; position; exceptions; violation as civil infraction; points; abstract; exemption by rules; alternate means of protection.

Sec. 710d. (1) Except as provided in this section, or as otherwise provided by law, a rule promulgated under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, or federal regulation, each driver transporting a child in a motor vehicle shall properly secure that child in a child restraint system that meets the standards prescribed in 49 CFR 571.213.

(2) A driver transporting a child as required under subsection (1) shall position the child in the child restraint system in a rear seat, if the vehicle is equipped with a rear seat. If all available rear seats are occupied by children, then a child may be positioned in the child restraint system in the front seat. A child in a rear-facing child restraint system may be placed in the front seat only if the front passenger air bag is deactivated. In addition, a child must be seated and positioned in a child restraint system as follows:

(a) A child must be restrained in a rear-facing child restraint system until the child meets either of the following conditions:

(i) The child has reached the weight or height limit of the rear-facing child restraint system set by the manufacturer.

(ii) The child is 2 years of age or older.

(b) A child who meets either of the conditions in subdivision (a)(i) or (ii) must be restrained in a forward-facing child restraint system with an internal harness until the child meets either of the following conditions:

(i) The child has reached the weight or height limit of the forward-facing child restraint system set by the manufacturer.

(ii) The child is 5 years of age or older.

(c) A child who meets either of the conditions in subdivision (b)(i) or (ii) must be restrained in a belt-positioning child booster seat secured with a lap-shoulder safety belt until the child meets either of the following conditions:

(i) The child has reached the height of 4 feet 9 inches.

(ii) The child is 8 years of age or older.

(3) If a child is secured in a child restraint system under subsection (2)(a) to (c), the child must be secured in a child restraint system that is appropriate for the child's weight and height and configured according to the child restraint system manufacturer's and vehicle manufacturer's instructions and the standards prescribed in 49 CFR 571.213.

(4) Except as otherwise provided in this subsection, a child who meets either of the conditions in subsection (2)(c)(i) or (ii) but is less than 13 years of age must be restrained with a properly adjusted and fastened safety belt that meets the standards prescribed in 49 CFR 571.209. In addition, the child must be positioned in a rear seat, if the vehicle is equipped with a rear seat. If all available rear seats are occupied by children, then the child may be positioned with a properly adjusted and fastened safety belt in the front seat. A child described in this subsection may be restrained in a belt-positioning child booster seat under subsection (2)(c) until the child has reached the weight or height limit of the child booster seat set by the manufacturer. To maximize safety, the legislature recommends that a child be secured in a child restraint system for as long as the child is within the weight and height limits described in subsection (2)(a)(i), (b)(i), or (c)(i).

(5) A child who is 13 years of age or older but less than 16 years of age must be secured as required in section 710e.

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

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

(8) Points must not be assessed under section 320a for a violation of this section. An abstract required under section 732 must not be submitted to the secretary of state regarding a violation of this section.

(9) The secretary of state may exempt by rules promulgated under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, a class of children from the requirements of this section, if the secretary of state determines that the use of the child restraint system required under subsection (1) is impractical because of physical unfitness, a medical problem, or body size. The secretary of state may specify

alternate means of protection for children exempted under this subsection.

History: Add. 1981, Act 117, Eff. Mar. 31, 1982;—Am. 1990, Act 90, Eff. Mar. 28, 1991;—Am. 1999, Act 29, Eff. Mar. 10, 2000;—Am. 2009, Act 57, Imd. Eff. June 26, 2009;—Am. 2024, Act 21, Eff. (sine die).

Compiler's note: Enacting section 1 of 1999 PA 29, which amended this section, provides:

“Enacting section 1. It is the intent of the legislature that the cost savings realized by insurance companies because of the changes made by this amendatory act shall be passed on to insurance policy holders.”

Popular name: Seat Belt Law