

Boettger, Miller, Hammond

SSB 3046  
Judiciary

Succeeded By  
HF 2265

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY  
CHAIRPERSON MADDOX)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to child restraint systems and imposing  
2 penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 321.445, subsection 2, unnumbered  
2 paragraph 1, Code Supplement 2001, is amended to read as  
3 follows:

4 The driver and front seat occupants of a type of motor  
5 vehicle which is subject to registration in Iowa, except a  
6 motorcycle or a motorized bicycle, shall each wear a properly  
7 adjusted and fastened safety belt or safety harness any time  
8 the vehicle is in forward motion on a street or highway in  
9 this state except that a child under ~~six~~ sixteen years of age  
10 shall be secured as required under section 321.446.

11 Sec. 2. Section 321.446, subsections 1, 2, and 4, Code  
12 Supplement 2001, are amended to read as follows:

13 1. a. A child under one year of age and weighing less  
14 than twenty pounds who is being transported in a motor vehicle  
15 subject to registration, except a school bus or motorcycle,  
16 shall be secured in a rear-facing child restraint system that  
17 meets federal motor vehicle safety standards, and the system  
18 shall be used in accordance with the manufacturer's  
19 instructions.

20 b. A child under three eight years of age who does not  
21 meet the description in paragraph "a" and who is being  
22 transported in a motor vehicle subject to registration, except  
23 a school bus or motorcycle, shall be secured during transit by  
24 a child restraint system which that meets federal motor  
25 vehicle safety standards, and the system shall be used in  
26 accordance with the manufacturer's instructions. However, a  
27 child under eight years of age who weighs more than forty  
28 pounds may be transported in the backseat of a vehicle while  
29 wearing only a lap safety belt if the backseat of the vehicle  
30 is not equipped with a combination lap and shoulder safety  
31 belt.

32 2. A child at least three eight years of age but under ~~six~~  
33 sixteen years of age who is being transported in a motor  
34 vehicle subject to registration, except a school bus or  
35 motorcycle, shall be secured during transit by either a child

1 restraint system that meets federal motor vehicle safety  
2 standards and is used in accordance with the manufacturer's  
3 instructions, or by a safety belt or safety harness of a type  
4 approved under section 321.445.

5 4. The An operator who violates subsection 1 or 2 is  
6 guilty of a simple misdemeanor and subject ~~only~~ to the penalty  
7 provisions of section 805.8A, subsection 14, paragraph "c".

8 Sec. 3. Section 321.446, Code Supplement 2001, is amended  
9 by adding the following new subsections:

10 NEW SUBSECTION. 7. The department, in cooperation with  
11 the departments of public safety, public health, and  
12 education, shall provide leadership and coordination of  
13 education to foster compliance with the requirements of this  
14 section concerning the appropriate use of child restraint  
15 systems, safety belts, and safety harnesses.

16 NEW SUBSECTION. 8. For purposes of this section, "child  
17 restraint system" means a specially designed seating system,  
18 including a belt-positioning seat or a booster seat, that  
19 meets federal motor vehicle safety standards set forth in 49  
20 C.F.R. § 571.213.

21 EXPLANATION

22 This bill amends Code section 321.445 concerning safety  
23 belts and harnesses to provide that persons under 16 years of  
24 age must be secured during transit in a child restraint device  
25 as required under Code section 321.446.

26 The bill also amends Code section 321.446 to provide that a  
27 child under one year of age who weighs less than 20 pounds  
28 must be secured in a rear-facing child restraint system that  
29 meets federal motor vehicle safety standards while being  
30 transported in a motor vehicle except a school bus or  
31 motorcycle.

32 The bill also amends Code section 321.446 to provide that a  
33 child under eight years of age who is not under one year of  
34 age and less than 20 pounds must be secured by a child  
35 restraint system while being transported in a motor vehicle

1 that is not a school bus or motorcycle. It provides that a  
2 child under eight years of age who weighs more than 40 pounds  
3 may be transported in the backseat of a vehicle wearing only a  
4 lap safety belt if the backseat of the vehicle is not equipped  
5 with a lap and shoulder safety belt.

6 The bill also amends Code section 321.446 to provide that a  
7 child at least eight years of age but under 16 years of age  
8 who is being transported in a motor vehicle subject to  
9 registration, except a school bus or motorcycle, must be  
10 secured by either a child restraint system that meets federal  
11 motor vehicle safety standards or by a safety belt or harness  
12 approved under Code section 321.445.

13 The bill defines "child restraint system" as a specially  
14 designed seating system, including a belt-positioning seat or  
15 a booster seat that meets federal motor vehicle safety  
16 standards set forth in 49 C.F.R. § 571.213.

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FILED FEB 21 2002

SENATE FILE 2265  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3046)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

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SENATE FILE 2265

S-5112

1 Amend Senate File 2265 as follows:  
2 1. Page 1, lines 27 and 28, by striking the words  
3 "weighs more than forty pounds" and inserting the  
4 following: "is taller than fifty-seven inches".

By THOMAS FIEGEN  
ROBERT E. DVORSKY  
JOHNIE HAMMOND

S-5112 FILED MARCH 5, 2002

SF 2265

1 Section 1. Section 321.445, subsection 2, unnumbered  
2 paragraph 1, Code Supplement 2001, is amended to read as  
3 follows:

4 The driver and front seat occupants of a type of motor  
5 vehicle which is subject to registration in Iowa, except a  
6 motorcycle or a motorized bicycle, shall each wear a properly  
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9 this state except that a child under ~~six~~ sixteen years of age  
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14 than twenty pounds who is being transported in a motor vehicle  
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16 shall be secured in a rear-facing child restraint system that  
17 meets federal motor vehicle safety standards, and the system  
18 shall be used in accordance with the manufacturer's  
19 instructions.

20 b. A child under three eight years of age who does not  
21 meet the description in paragraph "a" and who is being  
22 transported in a motor vehicle subject to registration, except  
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28 pounds may be transported in the backseat of a vehicle while  
29 wearing only a lap safety belt if the backseat of the vehicle  
30 is not equipped with a combination lap and shoulder safety  
31 belt.

32 2. A child at least three eight years of age but under ~~six~~  
33 sixteen years of age who is being transported in a motor  
34 vehicle subject to registration, except a school bus or  
35 motorcycle, shall be secured during transit by either a child

1 restraint system that meets federal motor vehicle safety  
2 standards and is used in accordance with the manufacturer's  
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17 restraint system" means a specially designed seating system,  
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## SENATE FILE 2265

S-5245

1 Amend Senate File 2265 as follows:  
2 1. Page 1, line 5, by striking the word "which"  
3 and inserting the following: "~~which~~ that".  
4 2. Page 1, line 9, by striking the word "sixteen"  
5 and inserting the following: "fourteen".  
6 3. Page 1, line 13, by striking the word "and"  
7 and inserting the following: "or".  
8 4. Page 1, line 20 by striking the word "eight"  
9 and inserting the following: "six".  
10 5. Page 1, by striking lines 26 through 31 and  
11 inserting the following: "accordance with the  
12 manufacturer's instructions."  
13 6. Page 1, line 32, by striking the word "eight"  
14 and inserting the following: "six".  
15 7. Page 1, line 33, by striking the word  
16 "sixteen" and inserting the following: "fourteen".  
17 8. Page 1, line 35, by striking the word "either"  
18 and inserting the following: "~~either~~".  
19 9. Page 2, line 9, by striking the word  
20 "subsections" and inserting the following:  
21 "subsection".  
22 10. Page 2, by striking lines 10 through 15.  
23 11. Page 2, line 16, by striking the figure "8."  
24 and inserting the following: "7."  
25 12. Title page, by striking lines 1 and 2, and  
26 inserting the following: "An Act relating to  
27 requirements for securing children transported in  
28 certain motor vehicles and making a penalty  
29 applicable."

By MAGGIE TINSMAN

S-5245 FILED MARCH 25, 2002