SENATE BILL 176

R62lr0029 (PRE-FILED) By: Chair, Judicial Proceedings Committee (By Request - Departmental -**Transportation**) Requested: October 5, 2021 Introduced and read first time: January 12, 2022 Assigned to: Judicial Proceedings Committee Report: Favorable with amendments Senate action: Adopted Read second time: February 8, 2022 CHAPTER AN ACT concerning Vehicle Laws - Rear-Facing Child Safety Seats - Requirement FOR the purpose of requiring a person transporting a child under a certain age in a motor vehicle to secure the child in a rear-facing child safety seat that complies with certain regulations until the child reaches the weight or height limit specified by the manufacturer of the child safety seat; and generally relating to rear-facing child safety seats. BY repealing and reenacting, with amendments, Article – Transportation Section 22-412.2 Annotated Code of Maryland (2020 Replacement Volume and 2021 Supplement) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows: Article - Transportation 22-412.2. (a) In this section the following words have the meanings indicated. (1)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

1

2

3

4

5

6 7

8

9

10 11

12

13

14

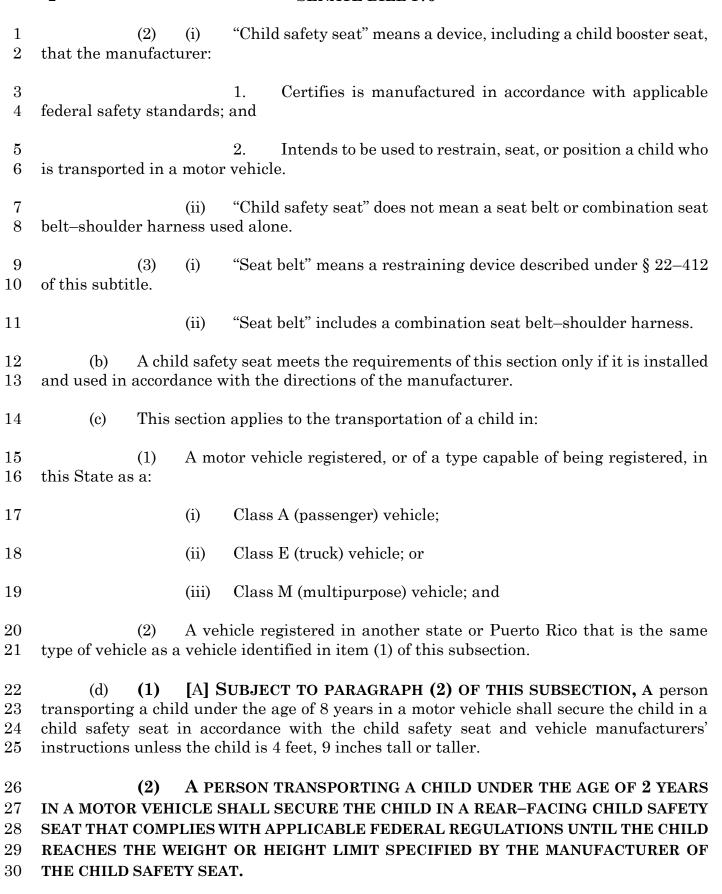
15

16

17

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.





1 Subject to subsection (d) of this section, a person may not transport a child 2 under the age of 16 years unless the child is secured in: 3 A child safety seat in accordance with the child safety seat and vehicle 4 manufacturers' instructions; or 5 (2)A seat belt. 6 Notwithstanding subsection (d) of this section, if a physician, who is licensed 7 to practice medicine in the state in which the vehicle transporting the child is registered, 8 certifies in writing that use of a child safety seat by a particular child would be impractical 9 due to the child's weight, height, physical unfitness, or other medical reason, there is not a 10 violation of this section. 11 A child safety seat or seat belt may not be used to restrain, seat, or position 12 more than one individual at a time. 13 (h) A violation of this section is not contributory negligence and may not be 14 admitted as evidence in the trial of any civil action. 15 A violation of this section is not considered a moving violation for purposes of (i) § 16–402 of this article. 16 17 (i) The failure to provide a child safety seat or seat belt for more than one child 18 in the same vehicle at the same time, as required by this section, shall be treated as a single 19 violation. 20 (k) (1) (I)Any EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS 21**PARAGRAPH, ANY** person convicted of a violation of this section is subject to a fine of \$50. 22 (II)A PERSON WHO VIOLATES SUBSECTION (D)(2) OF THIS 23SECTION BY SECURING A CHILD UNDER THE AGE OF 2 YEARS IN A CHILD SAFETY 24SEAT THAT IS NOT REAR-FACING IS SUBJECT TO A WRITTEN WARNING FOR A FIRST 25**VIOLATION.** A judge may waive the A fine UNDER PARAGRAPH (1)(I) OF THIS 26 (2)27 **SUBSECTION** if the person charged with A violation of this section: 28(i) Did not possess a child safety seat at the time of the violation; 29 Acquires a child safety seat prior to the hearing date; and (ii) Provides proof of acquisition to the court. 30 (iii)

	President of the Senate.									<u> </u>					
													G	overn	or.
App	roved	:													
Octo	SE ober 1			. AN	D BI	TT.	FURT	HER	ENA	CTED,	That	this	Act	shall	take eff
	ion th	roug	sh ed	ucati	onal a	ınd p	romot	tional	effort	s.					
shal	ll join	tly i	mple	ment	the	$\operatorname{Chil} \mathfrak{c}$	l Safe	ty Se	at Pro	ogram	and fo	ster	com	olianc	e with t

Speaker of the House of Delegates.