

HOUSE BILL No. 1036

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-19-10-8; IC 9-19-11-2; IC 9-19-11-3.

Synopsis: Safety measures for child passengers. Provides that a person must be at least 16 years of age to be charged with failure to wear a safety belt in the front seat of a passenger automobile. Makes it a Class C infraction for a person to operate a motor vehicle in which there is: (1) a child less than four years of age (under current law, three years of age) who is not properly fastened into a child passenger restraint system, unless it is determined that the child will not fit in a child passenger restraint system; or (2) a child who is at least four years of age but less than 12 years of age (under current law, three or four years of age) who is not properly fastened into a child restraint system or safety belt.

Effective: July 1, 1998.

Kruzan

January 6, 1998, read first time and referred to Committee on Public Safety.



Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-19-10-8 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 8. (a) A person who:
3 **(1) is at least sixteen (16) years of age; and**
4 **(2) violates section 2 of this chapter;**
5 commits a Class D infraction.
6 (b) The bureau may not assess points under the point system for Class
7 D infractions under this section.
8 SECTION 2. IC 9-19-11-2 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 2. A person who operates
10 a motor vehicle in which there is a child less than ~~three (3)~~ **four (4)** years
11 of age who is not properly fastened and restrained by a child passenger
12 restraint system commits a Class C infraction, **unless it is reasonably**
13 **determined that the child will not fit in a child passenger restraint**
14 **system.**
15 SECTION 3. IC 9-19-11-3 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 3. A person who operates
17 a motor vehicle in which there is a child ~~who is three (3) or four (4) years~~



1 of age who is not properly fastened and restrained by:
2 (1) a child passenger restraint system; or
3 (2) a seat belt;
4 commits a ~~Class E~~ infraction: commits a **Class C** infraction if:
5 (1) the child is:
6 (A) at least four (4) years of age but less than twelve (12)
7 years of age; or
8 (B) less than four (4) years of age and it is reasonably
9 determined that the child will not fit in a child restraint
10 system; and
11 (2) the child is not properly fastened and restrained by:
12 (A) a child passenger restraint system; or
13 (B) a seat belt.

