

# SENATE BILL No. 1135

November 6, 2014, Introduced by Senators PROOS, HANSEN, EMMONS, ANANICH and PAPPAGEORGE and referred to the Committee on Families, Seniors and Human Services.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 710d (MCL 257.710d), as amended by 2009 PA 57.

**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 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 CFR 571.213.

8           (2) A driver transporting a child as required under subsection  
9 (1) shall position the child in the child restraint system ~~in a~~  
10 ~~rear seat, if the vehicle is equipped with a rear seat. If all~~  
11 ~~available rear seats are occupied by children less than 4 years of~~

1 ~~age, then a child less than 4 years of age may be positioned in the~~  
2 ~~child restraint system in the front seat. A child in a rear facing~~  
3 ~~child restraint system may be placed in the front seat only if the~~  
4 ~~front passenger air bag is deactivated.~~ **AS FOLLOWS:**

5 (A) IF THE CHILD WEIGHS NOT MORE THAN 30 POUNDS, IN A REAR-  
6 FACING CHILD SEAT.

7 (B) IF THE CHILD WEIGHS NOT LESS THAN 30 POUNDS BUT LESS THAN  
8 50 POUNDS, IN A FORWARD-FACING CHILD SEAT.

9 (C) IF THE CHILD IS NOT MORE THAN 57 INCHES TALL, IN A BOOSTER  
10 SEAT.

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

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

17 (5) Points shall not be assessed under section 320a for a  
18 violation of this section. An abstract required under section 732  
19 shall not be submitted to the secretary of state regarding a  
20 violation of this section.

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

1 children exempted under this subsection.