

Bill No. SB 2048

Barcode 051300

CHAMBER ACTION

Senate

House

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The Committee on Criminal Justice (Aronberg) recommended the following **substitute for amendment** (880440):

Senate Amendment (with title amendment)

On page 1, line 12, through
page 2, line 6, delete those lines

and insert: subsection (1) and paragraph (b) of subsection (2) of section 316.613, Florida Statutes, are amended to read:

316.613 Child restraint requirements.--

(1)(a) Every operator of a motor vehicle as defined herein, while transporting a child in a motor vehicle operated on the roadways, streets, or highways of this state, shall, if the child is 7 5 years of age or younger, provide for protection of the child by properly using a crash-tested, federally approved child restraint device that is appropriate for the height and weight of the child. Such devices may include a vehicle manufacturer's integrated child seat, a separate child safety seat, or a child booster seat that displays the child's weight and height specifications for the seat on the attached manufacturer's label as required by

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1 Federal Motor Vehicle Safety Standards FMVSS213. The device
 2 must comply with standards of the United State Department of
 3 Transportation and be secured in the vehicle in accordance
 4 with instructions of the manufacturer. For children aged
 5 through 3 years, such restraint device must be a separate
 6 carrier or a vehicle manufacturer's integrated child seat. For
 7 children aged 4 through 7 5 years, a separate carrier, an
 8 integrated child seat, or a child booster seat ~~belt~~ may be
 9 used. The court shall dismiss the charge against a motor
 10 vehicle operator for a first violation of this paragraph upon
 11 proof of purchase of a federally approved child restraint
 12 device.

13 (2) As used in this section, the term "motor vehicle"
 14 means a motor vehicle as defined in s. 316.003 that is
 15 operated on the roadways, streets, and highways of the state.
 16 The term does not include:

17 (b) A bus or a passenger vehicle designed to
 18 accommodate 10 or more persons used for the commercial
 19 transportation of persons ~~for compensation~~, other than a bus
 20 or vehicle primarily ~~regularly~~ used to transport children to
 21 or from school, as defined in s. 316.615(1)(b), or primarily
 22 used in conjunction with school activities.

23
 24
 25 ===== T I T L E A M E N D M E N T =====

26 And the title is amended as follows:

27 On page 1, line 5, following the semicolon
 28
 29 insert:
 30 providing an exemption for certain specified
 31 motor vehicles;