

1 A bill to be entitled

2 An act relating to child safety devices in motor
3 vehicles; amending s. 316.613, F.S.; revising child
4 restraint requirements for children who are younger
5 than a specified age; requiring the use of a separate
6 carrier, integrated child seat, or child booster seat
7 for such children; providing exceptions; providing
8 penalties; providing an effective date.
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10 Be It Enacted by the Legislature of the State of Florida:
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12 Section 1. Paragraph (a) of subsection (1) of section
13 316.613, Florida Statutes, is amended to read:

14 316.613 Child restraint requirements.—

15 (1) (a) Every operator of a motor vehicle as defined in
16 this section, while transporting a child in a motor vehicle
17 operated on the roadways, streets, or highways of this state,
18 shall, if the child is 5 years of age or younger, provide for
19 protection of the child by properly using a crash-tested,
20 federally approved child restraint device.

21 1. For children aged through 3 years, such restraint
22 device must be a separate carrier or a vehicle manufacturer's
23 integrated child seat.

24 2. For children aged 4 through 5 years, a separate
25 carrier, an integrated child seat, or a child booster seat ~~belt~~
26 may be used. However, the requirement to use a child restraint

27 device under this subparagraph does not apply when a safety belt
 28 is used as required in s. 316.614(4) (a) and the child:

29 a. Is being transported gratuitously by an operator who is
 30 not a member of the child's immediate family;

31 b. Is being transported in a medical emergency situation
 32 involving the child; or

33 c. Has a medical condition that necessitates an exception
 34 as evidenced by appropriate documentation from a health care
 35 professional.

36 (5) Any person who violates this section commits a moving
 37 violation, punishable as provided in chapter 318 and shall have
 38 3 points assessed against his or her driver license as set forth
 39 in s. 322.27. In lieu of the penalty specified in s. 318.18 and
 40 the assessment of points, a person who violates this section may
 41 elect, with the court's approval, to participate in a child
 42 restraint safety program approved by the chief judge of the
 43 circuit in which the violation occurs, and, upon completing such
 44 program, the penalty specified in chapter 318 and associated
 45 costs may be waived at the court's discretion and the assessment
 46 of points shall be waived. The child restraint safety program
 47 must use a course approved by the Department of Highway Safety
 48 and Motor Vehicles, and the fee for the course must bear a
 49 reasonable relationship to the cost of providing the course.

50 Section 2. This act shall take effect January 1, 2015.