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576-02500A-14

Proposed Committee Substitute by the Committee on Appropriations  
(Appropriations Subcommittee on Transportation, Tourism, and  
Economic Development)

A bill to be entitled

An act relating to child safety devices in motor  
vehicles; amending s. 316.613, F.S.; revising child  
restraint requirements for children who are younger  
than a specified age; requiring an operator of a motor  
vehicle to use a separate carrier, integrated child  
seat, or child booster seat; providing exceptions;  
subjecting a violation to penalties; providing an  
effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (1) and subsection  
(5) 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 in this  
section, while transporting a child in a motor vehicle operated  
on the roadways, streets, or highways of this state, shall, if  
the child is 6 ~~5~~ years of age or younger, provide for protection  
of the child by properly using a crash-tested, federally  
approved child restraint device.

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

2. For children aged 4 through 6 ~~5~~ years, a separate  
carrier, an integrated child seat, or a child booster seat ~~belt~~



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27 may be used. However, the requirement to use a child restraint  
28 device under this subparagraph does not apply when a safety belt  
29 is used as required in s. 316.614(4)(a) and the child:

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

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

34 c. Has a medical condition which necessitates an exception  
35 as evidenced by appropriate documentation from a health  
36 professional.

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

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