

By Senator Flores

37-00580A-14

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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 and less than a specified height;
 6 requiring an operator of a motor vehicle to use a
 7 separate carrier or integrated child seat; subjecting
 8 a violation to 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) and subsection
 13 (5) of section 316.613, Florida Statutes, are amended to read:

14 316.613 Child restraint requirements.—

15 (1) (a) Every operator of a motor vehicle as defined in this
 16 section, while transporting a child in a motor vehicle operated
 17 on the roadways, streets, or highways of this state, shall, if
 18 the child is 7 5 years of age or younger and less than 4 feet 9
 19 inches in height, provide for protection of the child by
 20 properly using a crash-tested, federally approved child
 21 restraint device.

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

25 2. For children aged 4 through 7 5 years and less than 4
 26 feet 9 inches in height, a separate carrier or, an integrated
 27 child seat must, ~~or a seat belt may~~ be used.

28 (5) A ~~Any~~ person who violates this section commits a moving
 29 violation, punishable as provided in chapter 318 and ~~shall have~~

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30 3 points shall be assessed against his or her driver license as
31 set forth in s. 322.27. In lieu of the penalty specified in s.
32 318.18 and the assessment of points, a person who violates this
33 section may elect, with the court's approval, to participate in
34 a child restraint safety program approved by the chief judge of
35 the circuit in which the violation occurs, and, upon completing
36 such program, the penalty specified in chapter 318 and
37 associated costs may be waived at the court's discretion and the
38 assessment of points shall be waived. The child restraint safety
39 program must use a course approved by the Department of Highway
40 Safety and Motor Vehicles, and the fee for the course must bear
41 a reasonable relationship to the cost of providing the course.

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