

1 A bill to be entitled
2 An act relating to child restraint requirements;
3 amending s. 316.613, F.S.; requiring certain children
4 to be restrained in a child booster seat; providing
5 exceptions; providing penalties; providing an
6 effective date.

7
8 Be It Enacted by the Legislature of the State of Florida:

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10 **Section 1. Subsection (1) of section 316.613, Florida**
11 **Statutes, is amended, and subsection (5) of that section is**
12 **reenacted, to read:**

13 316.613 Child restraint requirements.—

14 (1)(a) Every operator of a motor vehicle as defined in
15 this section, while transporting a child in a motor vehicle
16 operated on the roadways, streets, or highways of this state,
17 shall, if the child is 8 ~~5~~ years of age or younger, provide for
18 protection of the child by properly using a crash-tested,
19 federally approved child restraint device.

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

23 2. For children aged 4 through 5 years, a separate
24 carrier, an integrated child seat, or a child booster seat may
25 be used.

26 3. For children aged 6 through 8 years, such restraint
27 device must be a child booster seat. This subparagraph does not
28 apply to a child over 4 feet 9 inches in height.

29 (b) ~~However,~~ The requirement to use a child restraint
30 device under subparagraph (a)2. or subparagraph (a)3. ~~this~~
31 ~~subparagraph~~ does not apply when a safety belt is used as
32 required in s. 316.614(4) (a) and the child:

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

35 2.b. Is being transported in a medical emergency situation
36 involving the child; or

37 3.c. Has a medical condition that necessitates an
38 exception as evidenced by appropriate documentation from a
39 health care professional.

40 (c) ~~(b)~~ The department shall provide notice of the
41 requirement for child restraint devices, which notice shall
42 accompany the delivery of each motor vehicle license tag.

43 (5) Any person who violates this section commits a moving
44 violation, punishable as provided in chapter 318 and shall have
45 3 points assessed against his or her driver license as set forth
46 in s. 322.27. In lieu of the penalty specified in s. 318.18 and
47 the assessment of points, a person who violates this section may
48 elect, with the court's approval, to participate in a child
49 restraint safety program approved by the chief judge of the
50 circuit in which the violation occurs, and, upon completing such

51 program, the penalty specified in chapter 318 and associated
52 costs may be waived at the court's discretion and the assessment
53 of points shall be waived. The child restraint safety program
54 must use a course approved by the Department of Highway Safety
55 and Motor Vehicles, and the fee for the course must bear a
56 reasonable relationship to the cost of providing the course.

57 **Section 2.** This act shall take effect July 1, 2026.