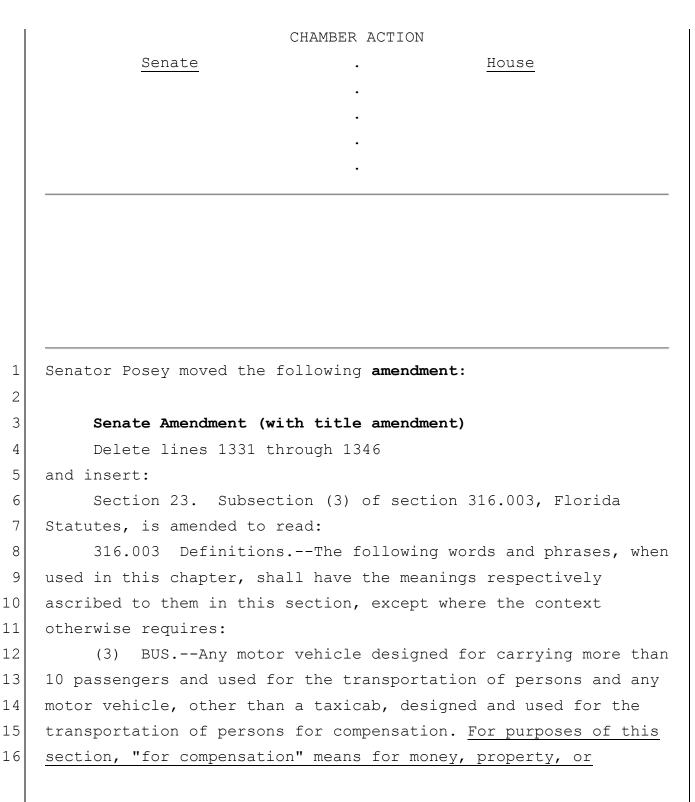
Florida Senate - 2008

Bill No. CS for CS for CS for SB 1978





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anything of value whether paid, received, or realized, directly 17 18 or indirectly. Section 24. Effective January 1, 2010, paragraph (a) of 19 20 subsection (1) and paragraphs (b) and (d) of subsection (2) of 21 section 316.613, Florida Statutes, are amended to read: 22 316.613 Child restraint requirements.--23 (1) (a) Each Every operator of a motor vehicle as defined 24 herein, while transporting a child in a motor vehicle operated on 25 the roadways, streets, or highways of this state, shall, if the 26 child is 7 $\frac{1}{2}$ years of age or younger, provide for protection of 27 the child by properly using a crash-tested, federally approved child restraint device that is appropriate for the height and 28 weight of the child. Such devices may include a vehicle 29 manufacturer's integrated child seat, a separate child safety 30 31 seat, or a child booster seat that displays the child's weight 32 and height specifications for the seat on the attached 33 manufacturer's label as required by Federal Motor Vehicle Safety Standards FMVSS213. The device must comply with standards of the 34 35 United States Department of Transportation and be secured in the 36 vehicle in accordance with instructions of the manufacturer. For 37 children aged through 3 years, such restraint device must be a 38 separate carrier or a vehicle manufacturer's integrated child 39 seat. For children aged 4 through 7 $\frac{5}{5}$ years, a separate carrier, an integrated child seat, or a child booster seat belt may be 40 41 used. The court shall dismiss the charge against a motor vehicle 42 operator for a first violation of this paragraph upon proof of 43 purchase of a federally approved child restraint device.

44 (2) As used in this section, the term "motor vehicle" means45 a motor vehicle as defined in s. 316.003 that is operated on the

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46	roadways, streets, and highways of the state. The term does not
47	include:
48	(b) A bus or a passenger vehicle designed to accommodate 10
49	or more persons and used for the transportation of persons for
50	compensation, other than a bus regularly used to transport
51	children to or from school, as defined in s. 316.615(1)(b), or in
52	conjunction with school activities.
53	(d) A truck having a gross vehicle weight rating of more
54	than 26,000 of net weight of more than 5,000 pounds.
55	Section 25. Effective July 1, 2009, a driver of a motor
56	vehicle who does not violate the then-existing provisions of s.
57	316.613(1)(a), Florida Statutes, but whose conduct would violate
58	that provision, as amended January 1, 2010, may be issued a
59	verbal warning and given educational literature by a law
60	enforcement officer.
61	Section 26. Section 24 of this act does not apply to a
62	person who is transporting a child aged 4 through 7 if the person
63	<u>is:</u>
64	(1) Visiting in this state;
65	(2) Transporting the child gratuitously and in good faith
66	in response to a declared emergency situation or an immediate
67	emergency involving the child; or
68	(3) Acting generally as a Good Samaritan.
69	
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71	======================================
72	And the title is amended as follows:
73	Delete lines 120 through 123
74	and insert:
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75 for commercial vehicles; amending s. 316.003, F.S.; 76 defining "for compensation" for specified purposes; 77 amending s. 316.613, F.S.; providing child-restraint requirements for children ages 4 through 7; redefining the 78 term "motor vehicle" so as to exclude certain vehicles 79 from such child restraint requirements; providing a grace 80 period; providing exceptions to such requirements; 81 amending s. 316.614, F.S.; revising the definition of 82 83 "motor vehicle" for purposes of safety belt usage requirements; amending s. 316.656, F.S.; lowering the 84