

By the Committee on Transportation; and Senator Flores

596-02213-14

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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; requiring an operator of a motor
6 vehicle to use a separate carrier, integrated child
7 seat, or child booster seat; providing an exception;
8 subjecting a violation to penalties; providing an
9 effective date.

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

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13 Section 1. Paragraph (a) of subsection (1) and subsection
14 (5) of section 316.613, Florida Statutes, are amended to read:

15 316.613 Child restraint requirements.—

16 (1)(a) Every operator of a motor vehicle as defined in this
17 section, while transporting a child in a motor vehicle operated
18 on the roadways, streets, or highways of this state, shall, if
19 the child is 6 ~~5~~ years of age or younger, provide for protection
20 of the child by properly using a crash-tested, federally
21 approved child 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 6 ~~5~~ years, a separate
26 carrier, an integrated child seat, or a child booster seat ~~belt~~
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 motor vehicle

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30 operator is not a member of the child's immediate family and is
31 transporting the child gratuitously or in case of an emergency.

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

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