

By Senator Perry

9-01673A-23

20231374\_\_

1                                   A bill to be entitled  
 2       An act relating to child restraint requirements;  
 3       amending s. 316.613, F.S.; revising requirements for  
 4       the use of a crash-tested, federally approved child  
 5       restraint device while transporting a child in a motor  
 6       vehicle; providing an effective date.

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 8 Be It Enacted by the Legislature of the State of Florida:  
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10       Section 1. Paragraph (a) of subsection (1) of section  
 11       316.613, Florida Statutes, is amended to read:

12       316.613 Child restraint requirements.—

13       (1) (a) Every operator of a motor vehicle as defined in this  
 14       section, while transporting a child in a motor vehicle operated  
 15       on the roadways, streets, or highways of this state, must ~~shall~~,  
 16       if the child is 7 ~~5~~ years of age or younger, provide for  
 17       protection of the child by properly using a crash-tested,  
 18       federally approved child restraint device.

19       1. For children aged through 2 ~~3~~ years, such restraint  
 20       device must be a rear-facing five-point harness ~~separate carrier~~  
 21       ~~or a vehicle manufacturer's integrated child seat.~~

22       2. For children aged 3 ~~4~~ through 4 ~~5~~ years, such restraint  
 23       device must be a forward-facing or rear-facing five-point  
 24       harness.

25       3. For children aged 5 through 7 years, such restraint  
 26       device must be a separate carrier, an integrated child seat, or  
 27       a child booster seat that incorporates the use of the motor  
 28       vehicle's safety belt as defined in s. 316.614(3) (b) or must be  
 29       a forward-facing five-point harness ~~may be used~~. However, the

9-01673A-23

20231374\_\_

30 requirement to use a child restraint device under 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 a. Is being transported gratuitously by an operator who is  
34 not a member of the child's immediate family;

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

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

40 Section 2. This act shall take effect July 1, 2023.