

7631

I N S E N A T E

May 11, 2016

Introduced by Sen. ROBACH -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to requiring a child under the age of two or weighing thirty pounds or less to be secured in a rear-facing child restraint system

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 1 of section 1229-c of the vehicle and traffic
2 law is amended by adding a new paragraph (a-1) to read as follows:
3 (A-1) ALL BACK SEAT PASSENGERS SUBJECT TO PARAGRAPH (A) OF THIS SUBDI-
4 VISION, UNDER THE AGE OF TWO OR WEIGHING THIRTY POUNDS OR LESS SHALL BE
5 SECURED IN A REAR-FACING CHILD RESTRAINT SYSTEM;
6 S 2. Subdivision 2 of section 1229-c of the vehicle and traffic law,
7 as amended by chapter 18 of the laws of 2005, paragraph (c) as amended
8 by chapter 405 of the laws of 2009, is amended to read as follows:
9 2. No person shall operate a motor vehicle unless all front seat
10 passengers (a) under the age of sixteen are restrained by a safety belt;
11 or (b) if they are under the age of four, by a specially designed seat
12 which is either permanently affixed or affixed to such vehicle by a
13 safety belt as required by subdivision one of this section, or in the
14 event that the weight of such passenger under the age of four exceeds
15 forty pounds, such passenger may be restrained (i) in an appropriate
16 child restraint system as defined in subdivision four of this section
17 used with combination lap safety and shoulder harness belts or (ii) by a
18 lap safety belt in the event such vehicle is not equipped with combina-
19 tion lap safety and shoulder harness belts or all the combination lap
20 safety and shoulder harness belts are being used to properly restrain
21 other passengers who are under the age of sixteen; or (c) if they are
22 age four or older but under age eight, (i) are restrained in an appro-
23 priate child restraint system as defined in subdivision four of this
24 section used with combination lap safety and shoulder harness belts or
25 (ii) are restrained in a lap safety belt in the event such vehicle is
26 not equipped with combination lap safety and shoulder harness belts or
27 all the combination lap safety and shoulder harness belts are being used

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

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1 to properly restrain other passengers who are under the age of sixteen;
2 OR (D) IF THEY ARE UNDER THE AGE OF TWO OR WEIGHING THIRTY POUNDS OR
3 LESS SHALL BE SECURED IN A REAR-FACING CHILD RESTRAINT SYSTEM.
4 S 3. This act shall take effect immediately.