

1 \_\_\_\_\_ BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING CHILD SAFETY RESTRAINT SYSTEM LAWS;  
5 REQUIRING THE USE OF A CHILD SAFETY RESTRAINT SYSTEM FOR CHILDREN UNDER CERTAIN AGE  
6 THRESHOLDS; PROVIDING EXEMPTIONS FOR CERTAIN VEHICLES AND CIRCUMSTANCES FROM  
7 CHILD SAFETY RESTRAINT SYSTEM LAWS; PROVIDING DEFINITIONS; AND AMENDING SECTIONS 61-  
8 9-419, 61-9-420, AND 61-9-421, MCA."

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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11  
12 **Section 1.** Section 61-9-419, MCA, is amended to read:

13 **"61-9-419. ~~"Properly restrained" defined~~ Definitions.** (1) As used in 61-9-420 through 61-9-423  
14 and this section, unless the context requires otherwise, the following definitions apply:

15 (a) "Booster seat" means a child safety restraint system that meets applicable federal motor  
16 vehicle safety standards and is designed to provide belt-positioning that elevates a child to be properly seated  
17 with a safety belt.

18 (b) "Child safety restraint system" means a device that:

19 (i) meets applicable federal motor vehicle safety standards; and

20 (ii) is appropriate to the age of the child being restrained, as provided in 61-9-420.

21 (c) (i) "properly restrained" "Properly restrained" means fastened in a manner prescribed by the  
22 manufacturer of the child safety restraint system that permits the child safety restraint system to act as a body  
23 restraint, but.

24 (ii) The term does not mean a system in which the only body restraint is a safety belt of the type  
25 required by 61-9-409.

26 (d) "Secured with a safety belt" means restrained or secured by a seat belt that:

27 (i) meets applicable federal motor vehicle safety standards; and

28 (ii) is properly adjusted and fastened, including both the shoulder and lap straps, when equipped

1 in the vehicle."

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3 **Section 2.** Section 61-9-420, MCA, is amended to read:

4 **"61-9-420. Child safety restraint systems -- standards -- exemptions.** (1) ~~Each motor vehicle~~  
5 ~~passenger who is under 6 years of age and weighs less than 60 pounds must be transported and properly~~  
6 ~~restrained in a child safety restraint. The child safety restraint must be appropriate for the height and weight of~~  
7 ~~the child as indicated by manufacturer standards. A motor vehicle passenger who is under 2 years of age must~~  
8 ~~be properly restrained in a rear-facing child safety restraint system that complies with federal motor vehicle~~  
9 ~~safety standards.~~

10 (2) A motor vehicle passenger who is between 2 years of age and up to 4 years of age must be  
11 properly restrained in a rear-facing or forward-facing child safety restraint system with an internal harness that  
12 complies with federal motor vehicle safety standards.

13 (3) A motor vehicle passenger who is between 4 years of age and up to 8 years of age must be  
14 properly restrained in a forward-facing child safety restraint system with an internal harness or a child booster  
15 seat that is secured with a vehicle lap-shoulder seat belt, whichever is applicable, that complies with federal  
16 motor vehicle safety standards.

17 (4) A motor vehicle passenger who is at least 9 years of age or has outgrown the height or weight  
18 limits of a child booster seat as set by the manufacturer, whichever comes first, must be properly restrained  
19 with a motor vehicle adult safety belt.

20 (5) A child safety restraint system pursuant to 61-9-419 through 61-9-423 must be installed,  
21 adjusted, and used according to the manufacturer instructions.

22 (2) ~~— The department shall by rule establish standards in compliance with 61-9-419 through 61-9-~~  
23 ~~423 and applicable federal standards for approved types of child safety restraint systems.~~

24 (3) (6) The department may by rule exempt (6) from the requirements of subsection (1) this section a  
25 child who because of a physical or medical condition or body size cannot be placed in a child safety restraint  
26 system."

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28 **Section 3.** Section 61-9-421, MCA, is amended to read:

