

**SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION**

S.F. No. 3760

(SENATE AUTHORS: CWODZINSKI)

DATE	D-PG	OFFICIAL STATUS
02/27/2020	5039	Introduction and first reading Referred to Transportation Finance and Policy

1.1 A bill for an act

1.2 relating to transportation; amending requirements on use of child passenger restraint

1.3 systems; amending Minnesota Statutes 2018, section 169.685, subdivision 5.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2018, section 169.685, subdivision 5, is amended to read:

1.6 Subd. 5. **Violation; petty misdemeanor.** ~~(a) Every motor vehicle operator, When~~

1.7 ~~transporting a child who is both under the age of eight and shorter than four feet nine inches~~

1.8 ~~on the streets and highways of this state in, the operator of a motor vehicle equipped with~~

1.9 ~~factory-installed seat belts, shall equip and install for use in the motor vehicle, according~~

1.10 ~~to the manufacturer's instructions, must properly fasten the child in a child passenger restraint~~

1.11 ~~system meeting federal motor vehicle safety standards.~~

1.12 ~~(b) No motor vehicle operator who is operating a motor vehicle on the streets and~~

1.13 ~~highways of this state may transport a child who is both under the age of eight and shorter~~

1.14 ~~than four feet nine inches in a seat of a motor vehicle equipped with a factory-installed seat~~

1.15 ~~belt, unless the child is properly fastened in the child passenger restraint system. When~~

1.16 ~~transporting a child who is under the age of two on the streets and highways of this state,~~

1.17 ~~the operator of a motor vehicle equipped with factory-installed seat belts must properly~~

1.18 ~~fasten the child in a rear-facing child passenger restraint system, unless the child weighs at~~

1.19 ~~least 30 pounds.~~

1.20 (c) A child passenger restraint system required under this section must be installed in

1.21 the motor vehicle according to the manufacturer's instructions.

2.1 (d) Any motor vehicle operator who violates this subdivision is guilty of a petty
2.2 misdemeanor and may be sentenced to pay a fine of not more than \$50. The fine may be
2.3 waived or the amount reduced if the motor vehicle operator produces evidence that within
2.4 14 days after the date of the violation a child passenger restraint system meeting federal
2.5 motor vehicle safety standards was purchased or obtained for the exclusive use of the
2.6 operator.

2.7 ~~(e)~~ (e) At the time of issuance of a citation under this subdivision, a peace officer may
2.8 provide to the violator information on obtaining a free or low-cost child passenger restraint
2.9 system.

2.10 ~~(d)~~ (f) The fines collected for violations of this subdivision must be deposited in the
2.11 state treasury and credited to a special account to be known as the Minnesota child passenger
2.12 restraint and education account.

2.13 ~~(e)~~ (g) For the purposes of this section, "child passenger restraint system" means any
2.14 device that meets the standards of the United States Department of Transportation; is designed
2.15 to restrain, seat, or position children; and includes a booster seat.