

A bill for an act

relating to transportation; exempting certain school buses from child passenger restraint requirements; amending Minnesota Statutes 2008, section 169.685, subdivision 6.

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

Section 1. Minnesota Statutes 2008, section 169.685, subdivision 6, is amended to read:

Subd. 6. **Exceptions.** (a) This section does not apply to:

(1) a person transporting a child in an emergency medical vehicle while in the performance of official duties and when the physical or medical needs of the child make the use of a child passenger restraint system unreasonable or when a child passenger restraint system is not available;

(2) a peace officer transporting a child while in the performance of official duties and when a child passenger restraint system is not available, provided that a seat belt must be substituted; ~~and~~

(3) a person while operating a motor vehicle for hire, including a taxi, airport limousine, and bus, but excluding a rented, leased, or borrowed motor vehicle;

(4) a person while operating a school bus; and

(5) a person while operating a type III vehicle described in section 169.011, subdivision 71, paragraph (h), if the vehicle meets the seating and crash protection requirements of Federal Motor Vehicle Safety Standard 222, Code of Federal Regulations, title 49, part 571.

(b) A child passenger restraint system is not required for a child who cannot, in the judgment of a licensed physician, be safely transported in a child passenger restraint system because of a medical condition, body size, or physical disability. A motor vehicle

2.1 operator claiming exemption for a child under this paragraph must possess a typewritten
2.2 statement from the physician stating that the child cannot be safely transported in a child
2.3 passenger restraint system. The statement must give the name and birth date of the child,
2.4 be dated within the previous six months, and be made on the physician's letterhead or
2.5 contain the physician's name, address, and telephone number. A person charged with
2.6 violating subdivision 5 may not be convicted if the person produces the physician's
2.7 statement in court or in the office of the arresting officer.

2.8 (c) A person offering a motor vehicle for rent or lease shall provide a child passenger
2.9 restraint device to a customer renting or leasing the motor vehicle who requests the device.
2.10 A reasonable rent or fee may be charged for use of the child passenger restraint device.

2.11 **EFFECTIVE DATE.** This section is effective the day following final enactment.