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State of Minnesota

HOUSE OF REPRESENTATIVES

THE THE SESSION

H. F. No. 3764

02/24/2020 Authored by Kotyza-Witthuhn, O'Neill, Stephenson, Morrison and Elkins
The bill was read for the first time and referred to the Transportation Finance and Policy Division
03/12/2020 Adoption of Report: Re-referred to the Early Childhood Finance and Policy Division

1.1 A bill for an act

relating to transportation; amending requirements on use of child passenger restraint systems; amending Minnesota Statutes 2018, section 169.685, subdivision 5.

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

- Section 1. Minnesota Statutes 2018, section 169.685, subdivision 5, is amended to read:
 - Subd. 5. **Violation; petty misdemeanor.** (a) Every motor vehicle operator, When transporting a child who is both under the age of eight and shorter than four feet nine inches on the streets and highways of this state in, the operator of a motor vehicle equipped with factory-installed seat belts, shall equip and install for use in the motor vehicle, according to the manufacturer's instructions, must properly fasten the child in a child passenger restraint system meeting federal motor vehicle safety standards.
 - (b) No motor vehicle operator who is operating a motor vehicle on the streets and highways of this state may transport a child who is both under the age of eight and shorter than four feet nine inches in a seat of a motor vehicle equipped with a factory-installed seat belt, unless the child is properly fastened in the child passenger restraint system. When transporting a child who is under the age of two on the streets and highways of this state, the operator of a motor vehicle equipped with factory-installed seat belts must properly fasten the child in a rear-facing child passenger restraint system, unless the child weighs at 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.

Section 1.

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

- (e) (e) At the time of issuance of a citation under this subdivision, a peace officer may provide to the violator information on obtaining a free or low-cost child passenger restraint system.
- (d) (f) The fines collected for violations of this subdivision must be deposited in the state treasury and credited to a special account to be known as the Minnesota child passenger restraint and education account.
- (e) (g) For the purposes of this section, "child passenger restraint system" means any device that meets the standards of the United States Department of Transportation; is designed to restrain, seat, or position children; and includes a booster seat.

Section 1. 2