

House Bill 1091

By: Representatives Parham of the 122nd and Porter of the 143rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 40-8-76 of the Official Code of Georgia Annotated, relating to
2 safety belts required as equipment and safety restraints for children four years of age or
3 younger, so as to change certain provisions relating to child safety restraint requirements; to
4 specify the types of motor vehicles to which child safety restraint requirements are
5 applicable; to provide an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 40-8-76 of the Official Code of Georgia Annotated, relating to safety belts
9 required as equipment and safety restraints for children four years of age or younger, is
10 amended by striking paragraph (1) of subsection (b) and inserting in lieu thereof the
11 following:

12 "(b)(1) ~~On and after July 1, 1984, every~~ Every driver who transports a child four years
13 of age or younger in a ~~passenger automobile, van, or pickup truck~~ passenger car, other
14 than a taxicab as defined by Code Section 33-34-5.1 or a public transit vehicle as defined
15 by Code Section 16-5-20, shall, while such motor vehicle is in motion and operated on
16 a public road, street, or highway of this state, provide for the protection of such child in
17 a child passenger restraining system approved by the United States Department of
18 Transportation under Federal Motor Vehicle Safety Standard 213 ~~in effect on January 1,~~
19 ~~1983.~~ A driver shall not be deemed to be complying with the provisions of this subsection
20 unless the child passenger restraining system is installed and being used in accordance
21 with the manufacturer's directions for such system. The provisions of this subsection
22 shall not apply when the child's parent or guardian obtains a physician's written
23 statement that a physical or medical condition of the child prevents placing or restraining
24 him or her in any such child passenger restraining system."

1 **SECTION 2.**

2 This Act shall become effective upon its approval by the Governor or upon its becoming law
3 without such approval.

4 **SECTION 3.**

5 All laws and parts of laws in conflict with this Act are repealed.