

House Bill 248

By: Representatives Powell of the 23<sup>rd</sup> and Parham of the 122<sup>nd</sup>

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 under four years of age  
3 in certain vehicles, so as to change certain provisions relating to seat belt or safety restraint  
4 use for children; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

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

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

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**SECTION 2.**

2 All laws and parts of laws in conflict with this Act are repealed.