

By: Goolsby

H.B. No. 300

A BILL TO BE ENTITLED

AN ACT

relating to use of safety belts and child passenger safety seat systems.

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

SECTION 1. Section 545.412(a), Transportation Code, as amended by Chapters 618 and 910, Acts of the 77th Legislature, Regular Session, 2001, is reenacted and amended to read as follows:

(a) A person commits an offense if the person operates a passenger vehicle, transports a child who is younger than four ~~five~~ years of age or ~~and~~ less than 36 inches in height, and does not keep the child secured during the operation of the vehicle in a child passenger safety seat system according to the instructions of the manufacturer of the safety seat system.

SECTION 2. Sections 545.413(a) and (b), Transportation Code, are amended to read as follows:

(a) A person commits an offense if the person:

(1) is at least 15 years of age;

(2) is riding in ~~the front seat of~~ a passenger vehicle while the vehicle is being operated;

(3) is occupying a seat that is equipped with a safety belt; and

(4) is not secured by a safety belt.

(b) A person commits an offense if the person:

(1) operates a passenger vehicle that is equipped with

1 safety belts; and

2 (2) allows a child who is at least four [~~five~~] years of  
3 age but younger than 17 years of age [~~or who is younger than five~~  
4 ~~years of age~~] and who is at least 36 inches in height to ride in the  
5 vehicle without requiring the child to be secured by a safety belt,  
6 provided the child is occupying a seat that is equipped with a  
7 safety belt.

8 SECTION 3. (a) The change in law made by this Act applies  
9 only to an offense committed on or after the effective date of this  
10 Act. For the purposes of this section, an offense is committed  
11 before the effective date of this Act if any element of the offense  
12 occurs before that date.

13 (b) An offense committed before the effective date of this  
14 Act is governed by the law in effect when the offense was committed,  
15 and the former law is continued in effect for that purpose.

16 SECTION 4. This Act takes effect September 1, 2003.