

Amend **HB 183** by striking below the enabling clause and substituting the following:

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 five [~~four~~] years of age and [~~or~~] 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. Section 545.412(e), Transportation Code, is amended to read as follows:

(e) This section does not apply to a person:

(1) operating a vehicle transporting passengers for hire, including third party transport service providers when transporting clients pursuant to a contract to provide nonemergency Medicaid transportation; or

(2) transporting a child in a vehicle in which all seating positions equipped with child passenger safety seat systems or safety belts are occupied.

SECTION 3. Section 545.413(b), Transportation Code, is amended to read as follows:

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

(1) operates a passenger vehicle that is equipped with safety belts; and

(2) allows a child who is [~~at least five years of age but~~] younger than 17 years of age [~~or who is younger than five years of age~~] and who is not required to be secured in a child passenger safety seat system under Section 545.412(a) [at least 36 inches in height] to ride in the vehicle without requiring the child to be secured by a safety belt, provided the child is occupying a seat that is equipped with a safety belt.

SECTION 4. (a) The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. For the purposes of this section, an offense is committed before the effective date of this Act if any element of the offense

occurs before that date.

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

SECTION 5. This Act takes effect September 1, 2005.