

## **BILL ANALYSIS**

H.B. 183  
By: Brown, Fred  
Transportation  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The Texas Trauma Registry confirmed that 1,507 children between the ages of 4 and 8 were hospitalized due to motor vehicle crashes from 2000-2002. Among these 1,507 children only 3.5% were in a safety seat. Motor vehicle crashes are the leading cause of injury related death for children. Children within this age group often are too big for a "car seat" and too small for an adult seat belt. These children (often referred to as the "forgotten child") are at a higher risk for injury if they are not properly secured within a vehicle safety system. According to the Texas Department of Public Safety from 1999 to 2001, there were 36,026 children between the ages of 4 and 8 injured and 188 children killed in car crashes. From 2002 to 2004 there were 220 children within this age group killed in car crashes.

HB 183 provides that a person commits an offense if the person operates a passenger car or light truck and transports a child who is 8 years of age or younger or is less than 57 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. The bill also provides that a person commits an offense if the person allows a child who is older than 8 years of age but younger than 17 years of age and is at least 57 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.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

SECTION 1. Section 545.412(a), of the Transportation Code is amended by changing the age requirements in which it is an offense to operate a passenger vehicle and transport a child who is not kept secured during the operation of the vehicle in a child passenger safety seat system, from pertaining to a child who is younger than four years of age or less than 36 inches in height, to read as a child who is eight years of age or younger or who is less than 57 inches in height.

SECTION 2. Section 545.413(b), of the Transportation Code is amended by changing the age requirements in which it is an offense to operate a passenger vehicle and allows a child to ride in the vehicle while not secured by a safety belt, from pertaining to a child who is at least five years of age but younger than 17 years of age and at least 36 inches in height, to read as a child who is older than eight years of age but younger than 17 years of age and who is at least 57 inches in height.

SECTION 3. States the change in law applies only to an offense committed on or after the effective date of this Act. An offense committed before the date of this Act is governed by the law in effect at that time.

SECTION 4. Effective date: September 1, 2005.

### **EFFECTIVE DATE**

September 1, 2005.

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