

By: Brown of Brazos

H.B. No. 21

A BILL TO BE ENTITLED

AN ACT

1
2 relating to use of safety belts and child passenger safety seat
3 systems.

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

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

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

14 SECTION 2. Section 545.413(b), Transportation Code, is
15 amended to read as follows:

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

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

19 (2) allows a child who is at least six [~~five~~] years of
20 age but younger than 17 years of age [~~or who is younger than five~~
21 ~~years of age~~] and who is at least 36 inches in height to ride in the
22 vehicle without requiring the child to be secured by a safety belt,
23 provided the child is occupying a seat that is equipped with a
24 safety belt.

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

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

9 SECTION 4. This Act takes effect September 1, 2005.