

By: Brown of Brazos

H.B. No. 183

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the prosecution of offenses involving the use of safety  
3 belts and child passenger safety seat 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 eight years of age or  
10 younger [~~than four years of age~~] or who is less than 57 [~~36~~] inches  
11 in height, and does not keep the child secured during the operation  
12 of the vehicle in a child passenger safety seat system according to  
13 the instructions of 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 older than eight [~~at least~~  
20 ~~five~~] years of age but younger than 17 years of age [~~or who is~~  
21 ~~younger than five years of age~~] and who is at least 57 [~~36~~] inches in  
22 height to ride in the vehicle without requiring the child to be  
23 secured by a safety belt, provided the child is occupying a seat  
24 that is equipped with a 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.