

By: Turner of Tarrant

H.B. No. 955

A BILL TO BE ENTITLED

AN ACT

relating to the creation of an offense for failing to secure certain children in a rear-facing child passenger safety seat system.

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

SECTION 1. Section 545.412, Transportation Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) A person commits an offense if the person operates a passenger vehicle, transports a child who is younger than two years of age, and does not keep the child secured during the operation of the vehicle in a rear-facing child passenger safety seat system according to the instructions of the manufacturer of the safety seat system, unless the child's height or weight exceeds the limits established by the manufacturer of the safety seat system.

SECTION 2. Section 545.4121(b), Transportation Code, is amended to read as follows:

(b) It is a defense to prosecution of an offense to which this section applies that the defendant provides to the court evidence satisfactory to the court that:

(1) at the time of the offense:

(A) the defendant was not arrested or issued a citation for violation of any other offense;

(B) the defendant did not possess a child passenger safety seat system in the vehicle; and

(C) the vehicle the defendant was operating was

1 not involved in an accident; and

2 (2) subsequent to the time of the offense,
3 the defendant obtained an appropriate child passenger safety seat
4 system for each child required to be secured in a child passenger
5 safety seat system under Section 545.412 [~~545.412(a)~~].

6 SECTION 3. Sections 545.413(b) and (b-1), Transportation
7 Code, are amended to read as follows:

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

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

11 (2) allows a child who is younger than 17 years of age
12 and who is not required to be secured in a child passenger safety
13 seat system under Section 545.412 [~~545.412(a)~~] to ride in the
14 vehicle without requiring the child to be secured by a safety belt,
15 provided the child is occupying a seat that is equipped with a
16 safety belt.

17 (b-1) A person commits an offense if the person allows a
18 child who is younger than 17 years of age and who is not required to
19 be secured in a child passenger safety seat system under Section
20 545.412 [~~545.412(a)~~] to ride in a passenger van designed to
21 transport 15 or fewer passengers, including the driver, without
22 securing the child individually by a safety belt, if the child is
23 occupying a seat that is equipped with a safety belt.

24 SECTION 4. This Act takes effect September 1, 2015.