

BILL ANALYSIS

Senate Research Center
85R2068 JAM-D

S.B. 278
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Transportation
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

According to the 2015 Child Fatality Review by the Texas Department of State Health Services, motor vehicle deaths are the leading cause of accidental death for children. What's more, the American Academy of Pediatrics (AAP) advises that children in rear-facing car safety seats are five times safer than their forward-facing counterparts. The AAP advises parents to keep children in their rear-facing car safety seats until they are two years of age or until they reach the highest weight or height allowed by the manufacturer of the car safety seat.

Current Texas law does not specify a clear requirement for whether children should be restrained in a rear-facing or front-facing car seat; this ambiguity results in unstandardized practice throughout the state. S.B. 278 would require that car seats be rear-facing for children until they reach two years of age, weigh more than 40 pounds, or are taller than 40 inches.

As proposed, S.B. 278 amends current law relating to the creation of an offense for failing to secure certain children in a rear-facing child passenger safety seat system.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 545.412, Transportation Code, by adding Subsection (a-1), as follows:

(a-1) Provides that 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 passenger safety seat system unless the child is taller than three feet, four inches or weighs more than 40 pounds.

SECTION 2. Amends Section 545.4121(b), Transportation Code, as follows:

(b)(1) Makes no change to this subdivision.

(2) Changes a reference to Section 545.412(a) to Section 545.412.

SECTION 3. Amends Sections 545.413(b) and (b-1), Transportation Code, to change references to Section 545.412(a) to Section 545.412.

SECTION 4. Effective date: September 1, 2017.