

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Highway safety-belts and child restraints.

Sponsored by: Joint Transportation, Highways & Military
Affairs Interim Committee

A BILL

for

1 AN ACT relating to safety belt and child safety restraint
2 usage; requiring rear-facing infant and child safety
3 restraints until the age of two (2); repealing the
4 prohibition on halting a motor vehicle solely for a safety
5 belt violation; and providing for an effective date.

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7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 31-5-1303(a) is amended to read:

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11 **31-5-1303. Child safety restraint system; required**
12 **use; exception.**

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2 (a) Except as otherwise provided in subsection (b) of
3 this section, no person shall operate a passenger vehicle
4 in this state unless each child who is a passenger in that
5 vehicle and who has not reached his ninth birthday is
6 properly secured in a child safety restraint system in a
7 seat of the vehicle other than the front seat, except if
8 the vehicle is only equipped with one (1) row of seats, or
9 if all safety belts in the rows of seats behind the front
10 seat are in use by other child passengers in the vehicle,
11 the child may be properly secured in a child safety
12 restraint system in the front passenger seat of the
13 vehicle, except that a rear-facing infant seat or child
14 safety restraint system shall not be placed in front of an
15 active airbag. For each child who has not reached his
16 second birthday, the infant or child safety restraint
17 system required by this subsection shall be a rear-facing
18 infant or child safety restraint seat.

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21 STAFF COMMENT
22 Should the Committee choose to increase fines for
23 noncompliance as discussed at the May meeting, the
24 following statutes would be amended in the bill:

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26 31-5-1304. Penalty.

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(a) Any person who violates this article shall be issued a citation and fined not more than ~~fifty dollars (\$50.00)~~ xxx dollars (\$xxx.00) for the first offense, provided that the fine shall be waived by the court upon receipt of proof by the court that the offender, after the offense occurred, has purchased, leased or otherwise acquired a child safety restraint system which meets the requirements of this article. For a second or subsequent violation of this article, the offender shall be fined not more than ~~one hundred dollars (\$100.00)~~ yyy dollars (\$yyy.00).

31-5-1402. Safety belts required to be used; exceptions; reduction in fine.

(e) All citations for violations of the motor vehicle laws of this state and for violations of traffic ordinances or traffic regulations of a local authority shall contain a notation by the issuing officer indicating whether the driver and passengers complied with this section. Compliance with this section shall entitle a licensee to a ten dollar (\$10.00) reduction in the fine otherwise imposed by any court having jurisdiction over the alleged offense. The driver who violates this section may be issued a citation and may be subject to a fine of not more than ~~twenty five dollars (\$25.00)~~ one hundred dollars (\$100.00) for the driver and a fine of not more than two hundred dollars (\$200.00) for each passenger under twelve (12) years of age allowed to violate this section. Any passenger who violates this section may be issued a citation and may be subject to a fine of not more than ~~ten dollars (\$10.00)~~ one hundred dollars (\$100.00). Any person who violates this section shall be required to complete a safe and defensive driving education course pursuant to department rules.

Section 2. W.S. 31-5-1402(d) is repealed.

STAFF COMMENT

W.S. 31-5-1402(d) reads:

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