

SENATE NO. 1385

AN ACT RELATIVE TO ENSURING CHILD PASSENGER SAFETY

*Be it enacted by the Senate and House of Representatives in General Court assembled,
And by the authority of the same, as follows:*

1 SECTION 1. Section 7AA of chapter 90 of the General Laws, as appearing in the 2004 Official
2 Edition, is hereby amended by striking out the second paragraph and inserting in place thereof
3 the following paragraph:-

4 No child who is five years of age or older, but not older than the age at which such child may
5 first obtain a valid junior operator's license under section 8 of this chapter, shall ride as a
6 passenger in a motor vehicle on any way unless such child is wearing a safety belt which is
7 properly adjusted and fastened according to the manufacturer's instructions.

8 SECTION 2. Said section 7AA of said chapter 90, as so appearing, is hereby further amended
9 by striking out the second sentence of the third paragraph and inserting in its place the following
10 sentence:-

11 An operator of a motor vehicle shall be subject to a fine of not more than fifty dollars for each
12 child who is not fastened and secured by a child passenger restraint or who is not wearing a
13 safety belt in accordance with the provisions this section; provided, however, that said fifty
14 dollar fine shall not apply to an operator of a motor vehicle licensed as a taxi cab not equipped
15 with a child passenger restraint device.

16 SECTION 3. Section 13A of said chapter 90, as appearing in the 2004 Official Edition, is
17 hereby amended by striking out subsection (a) of the first paragraph thereof and inserting in its
18 place the following subsection:

19 (a) any child less than the age at which a valid junior operator's license may first be obtained
20 who is subject to the provisions of section seven AA;

21 SECTION 4. Said section 13A of said chapter 90, as so appearing, is hereby further amended
22 by striking out the first sentence of the second paragraph and inserting in its place the following
23 paragraph:-

24 Any person over the age at which a valid junior operator's license may first be obtained who
25 operates a motor vehicle without a safety belt, and any person over the age at which a valid
26 junior operator's license may first be obtained who rides as a passenger in a motor vehicle
27 without wearing a safety belt in violation of this section, shall be subject to a fine of twenty-five
28 dollars.

29 SECTION 5. Said section 13A of said chapter 90, as so appearing, is hereby further amended
30 by striking out the second sentence of the second paragraph.