

107TH CONGRESS
1ST SESSION

S. 956

To amend title 23, United States Code, to promote the use of safety belts and child restraint systems by children, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 24, 2001

Mr. CORZINE introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend title 23, United States Code, to promote the use of safety belts and child restraint systems by children, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Child Passenger Safety
5 Act”.

6 **SEC. 2. USE OF SAFETY BELTS AND CHILD RESTRAINT SYS-**
7 **TEMS BY CHILDREN.**

8 (a) IN GENERAL.—Subchapter I of chapter 1 of title
9 23, United States Code, is amended by adding at the end
10 the following:

1 **“§ 165. Use of safety belts and child restraint systems**
 2 **by children**

3 “(a) DEFINITIONS.—In this section:

4 “(1) CHILD SAFETY RESTRAINT LAW.—The
 5 term ‘child safety restraint law’ means a State law
 6 that prohibits the driver of a passenger motor vehi-
 7 cle from driving the vehicle when there is in the ve-
 8 hicle a child under the age of 16 who does not have
 9 a safety belt properly fastened around the child’s
 10 body, except in a case in which the child is under
 11 the age of 9 and is properly secured in a child safety
 12 seat or other appropriate restraint system in accord-
 13 ance with the instructions of the manufacturer of
 14 the seat or system.

15 “(2) CHILD SAFETY SEAT.—The term ‘child
 16 safety seat’ means a specially designed seating sys-
 17 tem (including a booster seat) that—

18 “(A) meets the Federal motor vehicle safe-
 19 ty standards set forth in section 571.213 of
 20 title 49, Code of Federal Regulations (or a suc-
 21 cessor regulation); and

22 “(B) is permanently affixed to a passenger
 23 motor vehicle or is affixed to a passenger motor
 24 vehicle by a safety belt or a universal attach-
 25 ment system.

1 “(3) MOTOR VEHICLE.—The term ‘motor vehi-
 2 cle’ means a vehicle driven or drawn by mechanical
 3 power and manufactured primarily for use on public
 4 highways, but does not include a vehicle operated
 5 only on a rail.

6 “(4) MULTIPURPOSE PASSENGER VEHICLE.—
 7 The term ‘multipurpose passenger vehicle’ means a
 8 motor vehicle with motive power (except a trailer),
 9 designed to carry not more than 10 individuals, that
 10 is constructed on a truck chassis or with special fea-
 11 tures for occasional off-road operation.

12 “(5) PASSENGER CAR.—The term ‘passenger
 13 car’ means a motor vehicle with motive power (ex-
 14 cept a multipurpose passenger vehicle, motorcycle, or
 15 trailer) designed to carry not more than 10 individ-
 16 uals.

17 “(6) PASSENGER MOTOR VEHICLE.—The term
 18 ‘passenger motor vehicle’ means a passenger car or
 19 a multipurpose passenger vehicle.

20 “(7) SAFETY BELT.—The term ‘safety belt’
 21 means—

22 “(A) with respect to any open-body pas-
 23 senger motor vehicle, including any convertible,
 24 an occupant restraint system consisting of a lap
 25 belt or a lap belt and a detachable shoulder belt

1 meeting applicable Federal motor vehicle safety
2 standards; and

3 “(B) with respect to any other passenger
4 motor vehicle, an occupant restraint system
5 consisting of integrated lap and shoulder belts
6 meeting applicable Federal motor vehicle safety
7 standards.

8 “(b) TRANSFER OF FUNDS.—

9 “(1) FISCAL YEAR 2005.—

10 “(A) IN GENERAL.—On October 1, 2004,
11 if a State has not enacted a child safety re-
12 straint law, the Secretary shall transfer an
13 amount equal to 4 percent of the funds appor-
14 tioned to the State on that date under each of
15 paragraphs (1), (3), and (4) of section 104(b)
16 to the apportionment of the State under section
17 402 to be used to implement a statewide com-
18 prehensive child and other passenger protection
19 education program to promote child and other
20 passenger safety.

21 “(B) ELEMENTS OF PROGRAM.—An edu-
22 cation program under subparagraph (A) shall
23 include—

1 “(i) instruction concerning proper
2 seating positions for children in airbag-
3 equipped motor vehicles; and

4 “(ii) instruction designed to increase
5 the proper use of child restraint systems.

6 “(2) FISCAL YEAR 2006.—On October 1, 2005,
7 if a State has not enacted a child safety restraint
8 law, the Secretary shall transfer an amount equal to
9 6 percent of the funds apportioned to the State on
10 that date under each of paragraphs (1), (3), and (4)
11 of section 104(b) to the apportionment of the State
12 under section 402 to be used as described in para-
13 graph (1).

14 “(3) FISCAL YEAR 2007.—On October 1, 2006,
15 if a State has not enacted a child safety restraint
16 law, the Secretary shall transfer an amount equal to
17 8 percent of the funds apportioned to the State on
18 that date under each of paragraphs (1), (3), and (4)
19 of section 104(b) to the apportionment of the State
20 under section 402 to be used as described in para-
21 graph (1).

22 “(4) FISCAL YEAR 2008 AND THEREAFTER.—On
23 October 1, 2007, and each October 1 thereafter, if
24 a State has not enacted a child safety restraint law,
25 the Secretary shall transfer an amount equal to 10

1 percent of the funds apportioned to the State on
 2 that date under each of paragraphs (1), (3), and (4)
 3 of section 104(b) to the apportionment of the State
 4 under section 402 to be used as described in para-
 5 graph (1).

6 “(c) FEDERAL SHARE.—The Federal share of the
 7 cost of a project carried out with funds transferred under
 8 subsection (b) shall be 100 percent.

9 “(d) DERIVATION OF AMOUNT TO BE TRANS-
 10 FERRED.—An amount to be transferred under subsection
 11 (b) may be derived from 1 or more of the following:

12 “(1) The apportionment of the State under sec-
 13 tion 104(b)(1).

14 “(2) The apportionment of the State under sec-
 15 tion 104(b)(3).

16 “(3) The apportionment of the State under sec-
 17 tion 104(b)(4).

18 “(e) TRANSFER OF OBLIGATION AUTHORITY.—

19 “(1) IN GENERAL.—If the Secretary transfers
 20 under subsection (b) any funds to the apportionment
 21 of a State under section 402 for a fiscal year, the
 22 Secretary shall transfer an amount, determined
 23 under paragraph (2), of obligation authority distrib-
 24 uted for the fiscal year to the State for Federal-aid

1 highways and highway safety construction programs
 2 for carrying out projects under section 402.

3 “(2) AMOUNT.—The amount of obligation au-
 4 thority referred to in paragraph (1) shall be deter-
 5 mined by multiplying—

6 “(A) the amount of funds transferred
 7 under subsection (b) to the apportionment of
 8 the State under section 402 for the fiscal year;
 9 by

10 “(B) the ratio that—

11 “(i) the amount of obligation author-
 12 ity distributed for the fiscal year to the
 13 State for Federal-aid highways and high-
 14 way safety construction programs; bears to

15 “(ii) the total of the sums apportioned
 16 to the State for Federal-aid highways and
 17 highway safety construction programs (ex-
 18 cluding sums not subject to any obligation
 19 limitation) for the fiscal year.

20 “(f) LIMITATION ON APPLICABILITY OF OBLIGATION
 21 LIMITATION.—Notwithstanding any other provision of
 22 law, no limitation on the total of obligations for highway
 23 safety programs under section 402 shall apply to funds
 24 transferred under this section to the apportionment of a
 25 State under section 402.”.

1 (b) CONFORMING AMENDMENT.—The analysis for
2 subchapter I of chapter 1 of title 23, United States Code,
3 is amended by adding at the end the following:

“165. Use of safety belts and child restraint systems by children.”.

