

1 AMENDMENT TO SENATE BILL 52

2 AMENDMENT NO. _____. Amend Senate Bill 52 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Child Passenger Protection Act is
5 amended by changing Sections 2, 4, 4a, 4b, and 5 as follows:

6 (625 ILCS 25/2) (from Ch. 95 1/2, par. 1102)

7 Sec. 2. Legislative Finding - Purpose. The General
8 Assembly finds that a substantial number of passengers under
9 the age of 8 6 years riding in motor vehicles, which are most
10 frequently operated by a parent, annually die or sustain
11 serious physical injury as a direct result of not being
12 placed in an appropriate a child passenger restraint system.
13 Motor vehicle crashes are the leading cause of death for
14 children of every age from 4 to 14 years old. The General
15 Assembly further finds that the safety of the motoring public
16 is seriously threatened as indicated by the significant
17 number of traffic accidents annually caused, directly or
18 indirectly, by driver distraction or other impairment of
19 driving ability induced by the movement or actions of
20 unrestrained passengers under the age of 8 6 years.

21 It is the purpose of this Act to further protect the
22 health, safety and welfare of motor vehicle passengers under

1 the age of 8 6 years and the motoring public through the
2 proper utilization of approved child restraint systems.

3 (Source: P.A. 83-8.)

4 (625 ILCS 25/4) (from Ch. 95 1/2, par. 1104)

5 Sec. 4. When any person is transporting a child in this
6 State under the age of 8 4 years in a non-commercial motor
7 vehicle of the first division, a motor vehicle of the second
8 division with a gross vehicle weight rating of 9,000 pounds
9 or less, or a recreational vehicle on the roadways, streets
10 or highways of this State, such person shall be responsible
11 for providing for the protection of such child by properly
12 securing him or her in an appropriate a child restraint
13 system. The parent or legal guardian of a child under the age
14 of 8 4 years shall provide a child restraint system to any
15 person who transports his or her child. Any person who
16 transports the child of another shall not be in violation of
17 this Section unless a child restraint system was provided by
18 the parent or legal guardian but not used to transport the
19 child.

20 For purposes of this Section and Section 4b 4a, "child
21 restraint system" means any device which meets the standards
22 of the United States Department of Transportation designed to
23 restrain, seat or position children, which also includes a
24 booster seat.

25 A child weighing more than 40 pounds may be transported
26 in the back seat of a motor vehicle while wearing only a lap
27 belt if the back seat of the motor vehicle is not equipped
28 with a combination lap and shoulder belt.

29 (Source: P.A. 88-17.)

30 (625 ILCS 25/4a) (from Ch. 95 1/2, par. 1104a)

31 Sec. 4a. Every person, when transporting a child 8 4
32 years of age or older but under the age of 16, as provided in

1 Section 4 of this Act, shall be responsible for properly
2 securing that child in either-a--child--restraint--system--or
3 seat belts.

4 (Source: P.A. 92-171, eff. 1-1-02.)

5 (625 ILCS 25/4b)

6 Sec. 4b. Children 8 6 years of age or older but under
7 the age of 18; seat belts. Every person under the age of 18
8 years, when transporting a child 8 6 years of age or older
9 but under the age of 18 years, as provided in Section 4 of
10 this Act, shall be responsible for securing that child in a
11 properly adjusted and fastened seat safety belt or an
12 appropriate child restraint system.

13 (Source: P.A. 90-369, eff. 1-1-98.)

14 (625 ILCS 25/5) (from Ch. 95 1/2, par. 1105)

15 Sec. 5. In no event shall a person's failure to secure a
16 child under 8 6 years of age in an approved child restraint
17 system ~~or--properly--secure--such-child,~~₇ ~~if-age-4-or-5,~~₇ ~~in-a~~
18 ~~seat-belt~~ constitute contributory negligence or be admissible
19 as evidence in the trial of any civil action.

20 (Source: P.A. 86-1241.)".