

1 AN ACT in relation to vehicles.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Child Passenger Protection Act is amended  
5 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  
23 the age of 8 6 years and the motoring public through the  
24 proper utilization of approved child restraint systems.

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

26 (625 ILCS 25/4) (from Ch. 95 1/2, par. 1104)

27 Sec. 4. When any person is transporting a child in this  
28 State under the age of 8 4 years in a non-commercial motor  
29 vehicle of the first division, a motor vehicle of the second  
30 division with a gross vehicle weight rating of 9,000 pounds

1 or less, or a recreational vehicle on the roadways, streets  
2 or highways of this State, such person shall be responsible  
3 for providing for the protection of such child by properly  
4 securing him or her in an appropriate a child restraint  
5 system. The parent or legal guardian of a child under the age  
6 of 8 4 years shall provide a child restraint system to any  
7 person who transports his or her child. Any person who  
8 transports the child of another shall not be in violation of  
9 this Section unless a child restraint system was provided by  
10 the parent or legal guardian but not used to transport the  
11 child.

12 For purposes of this Section and Section 4b 4a, "child  
13 restraint system" means any device which meets the standards  
14 of the United States Department of Transportation designed to  
15 restrain, seat or position children, which also includes a  
16 booster seat.

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

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

22 (625 ILCS 25/4a) (from Ch. 95 1/2, par. 1104a)

23 Sec. 4a. Every person, when transporting a child 8 4  
24 years of age or older but under the age of 16, as provided in  
25 Section 4 of this Act, shall be responsible for properly  
26 securing that child in ~~either-a-child-restraint-system-or~~  
27 seat belts.

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

29 (625 ILCS 25/4b)

30 Sec. 4b. Children 8 6 years of age or older but under  
31 the age of 18; seat belts. Every person under the age of 18  
32 years, when transporting a child 8 6 years of age or older

1 but under the age of 18 years, as provided in Section 4 of  
 2 this Act, shall be responsible for securing that child in a  
 3 properly adjusted and fastened seat safety belt or an  
 4 appropriate child restraint system.

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

6 (625 ILCS 25/5) (from Ch. 95 1/2, par. 1105)

7 Sec. 5. In no event shall a person's failure to secure a  
 8 child under 8 6 years of age in an approved child restraint  
 9 system ~~or properly secure such child~~<sub>7</sub> ~~if age 4 or 5~~<sub>7</sub> ~~in a~~  
 10 ~~seat belt~~ constitute contributory negligence or be admissible  
 11 as evidence in the trial of any civil action.

12 (Source: P.A. 86-1241.)