

1 AN ACT concerning transportation.

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 by  
5 changing Section 6 and by adding Section 6a as follows:

6 (625 ILCS 25/6) (from Ch. 95 1/2, par. 1106)

7 Sec. 6. Penalty.

8 (a) A first violation of this Act is a petty offense  
9 punishable by a fine of \$100.

10 (b) Except as provided in subsection (d) of this Section, a  
11 person charged with a violation of Section 4 of this Act shall  
12 not be convicted if the person produces in court satisfactory  
13 evidence ~~not more than \$50 waived upon proof~~ of possession of  
14 an approved child restraint system, as defined under this Act,  
15 and proof of completion of a Child Passenger Safety  
16 Certification (CPSC) instructional course on the installation  
17 of a child restraint system pursuant to Section 6a of this Act.  
18 The chief judge of each circuit may designate an officer of the  
19 court to review the documentation demonstrating that a person  
20 charged with a violation of Section 4 of this Act is in  
21 possession of an approved child restraint system and has  
22 completed a Child Passenger Safety Certification (CPSC)  
23 instructional course.

1        (c) A second or subsequent violation of this Act is a petty  
2 offense punishable by a fine of \$500 ~~not more than \$100.~~

3        (d) Subsection (b) of this Section shall not apply in the  
4 case of a second or subsequent violation of this Act.

5 (Source: P.A. 92-173, eff. 1-1-02.)

6 (625 ILCS 25/6a new)

7        Sec. 6a. Child Passenger Safety Certification (CPSC)  
8 instructional course; child restraint system inspection  
9 procedure.

10        (a) As used in this Section, "technician" means a person  
11 who has successfully completed the U.S. Department of  
12 Transportation National Highway Traffic Safety  
13 Administration's (NHTSA) standardized National Child Passenger  
14 Safety Certification Training Program and who maintains a  
15 current child passenger safety technician or technician  
16 instructor certification through the current certifying body  
17 for the National Child Passenger Safety Training Program as  
18 designated by the NHTSA.

19        (b) A person in violation of Section 4 of this Act may  
20 schedule an inspection with a technician. At the time of  
21 scheduling, the technician shall notify the person that the  
22 child restraint system inspection must be completed prior to  
23 the mandatory court appearance date on the person's citation  
24 for a violation of Section 4 of this Act.

25        (c) Prior to beginning the inspection, the person must

1 present a copy of the citation of a violation of Section 4 of  
2 this Act to the technician.

3 (d) The technician shall be observant for any citations  
4 with the notation "no safety seat" in the notes field and  
5 discuss with the person, for the purpose of determining the  
6 person's need for a child restraint system, the person's  
7 reasons for not transporting the child in a child restraint  
8 system.

9 (e) Upon completion of the CPSC instructional course to the  
10 satisfaction of the technician conducting the inspection, a  
11 letter shall be issued to the person for presentation in court.  
12 The letter shall:

13 (1) be printed on the technician's letterhead;

14 (2) indicate that the person has voluntarily  
15 participated in the CPSC instructional course and received  
16 instruction from a technician regarding the proper use of  
17 the person's child restraint system; and

18 (3) include (i) the date the inspection was completed,  
19 (ii) the citation number presented to the technician under  
20 this Section, (iii) the county in which the citation was  
21 issued, and (iv) the technician's signature and technician  
22 number.

23 (f) Upon completion of the inspection and instruction, the  
24 technician shall issue a copy of the CPSC participation letter  
25 to the person.