

1 AN ACT to amend the Child Passenger Protection Act by
2 changing Sections 4a and 5 and adding Section 4c.

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

5 Section 5. The Child Passenger Protection Act is amended
6 by changing Sections 4a and 5 and adding Section 4c as
7 follows:

8 (625 ILCS 25/4a) (from Ch. 95 1/2, par. 1104a)

9 Sec. 4a. Every person, when transporting a child 4 years
10 of age or older but under the age of 6, as provided in
11 Section 4 of this Act, shall be responsible for securing that
12 child in either a child restraint system or seat belts. This
13 Section does not apply if Section 4c is applicable.

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

15 (625 ILCS 25/4c new)

16 Sec. 4c. Children 4 years of age and older weighing 40
17 pounds or more but not more than 80 pounds. Every person,
18 when transporting a child 4 years of age or older weighing 40
19 pounds or more but not more than 80 pounds, as provided in
20 Section 4 of this Act, is responsible for securing that child
21 in a child booster seat and a federally approved
22 lap-and-shoulder belt system. The parent or legal guardian of
23 a child 4 years of age or older weighing 40 pounds or more
24 but not more than 80 pounds must provide a child booster seat
25 to any person who transports his or her child. Any person who
26 transports the child of another is not in violation of this
27 Section unless a child booster seat was provided by the
28 parent or legal guardian but not used to transport the child.

29 As used in this Section, "child booster seat" means a
30 child passenger restraint system that meets the Federal Motor

1 Vehicle Safety Standards set forth in 49 C.F.R. 571.213 that
2 is designed to elevate a child to properly sit in a federally
3 approved lap-and-shoulder belt system.

4 This Section does not apply if the vehicle used to
5 transport the child is not equipped with a federally approved
6 lap-and-shoulder belt system.

7 (625 ILCS 25/5) (from Ch. 95 1/2, par. 1105)

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

13 A person's failure to secure a child 4 years of age or
14 older in a child booster seat and a federally approved
15 lap-and-shoulder belt system, as provided in Section 4c of
16 this Act, does not constitute contributory negligence and is
17 not admissible as evidence in the trial of any civil action.

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