

**(CORRECTED COPY)**  
**CHAPTER 50**

**AN ACT** concerning child passenger restraint systems and amending P.L.1983, c.128, P.L.2001, c.244, and P.L.1984, c.179.

**BE IT ENACTED** by the Senate and General Assembly of the State of New Jersey:

1. Section 1 of P.L.1983, c.128 (C.39:3-76.2a) is amended to read as follows:

C.39:3-76.2a Child passenger restraint systems.

1. Every person operating a motor vehicle, other than a school bus, equipped with safety belts or a Lower Anchors and Tethers for Children system (LATCH) who is transporting a child on roadways, streets or highways of this State, shall secure the child in a child passenger restraint system or booster seat, as described in Federal Motor Vehicle Safety Standard Number 213, in a rear seat as follows:

a. A child under the age of two years and weighing less than 30 pounds shall be secured in a rear facing child passenger restraint system, which is equipped with a five-point harness.

b. A child under the age of four years and weighing less than 40 pounds shall be secured:

(1) in a rear facing child passenger restraint system, which is equipped with a five-point harness, until the child outgrows the top height or top weight recommendations made by the manufacturer of the child passenger restraint system, at which point the child shall be secured in a rear seat, in a forward facing child passenger restraint system which is equipped with a five-point harness; or

(2) in a forward facing child passenger restraint system which is equipped with a five-point harness.

c. A child under the age of eight years and less than 57 inches in height shall be secured:

(1) in a forward facing child passenger restraint system which is equipped with a five-point harness, until the child outgrows the top height or top weight recommendations made by the manufacturer of the child passenger restraint system, at which point the child shall be secured in a rear seat, in a booster seat; or

(2) in a booster seat.

d. If there are no rear seats, the child shall be secured in a child passenger restraint system or booster seat in a front seat of a motor vehicle except that no child shall be secured in a rear facing child passenger restraint system in a front seat of any motor vehicle which is equipped with a passenger-side airbag that is not disabled or turned off.

e. In no event shall failure to be secured in a child passenger restraint system or booster seat be considered as contributory negligence, nor shall the failure to be secured in the child passenger restraint system or booster seat be admissible as evidence in the trial of any civil action.

2. Section 3 of P.L.1983, c.128 (C.39:3-76.2c) is amended to read as follows:

C.39:3-76.2c Informational material.

3. The Division of Highway Traffic Safety in the Department of Law and Public Safety shall print materials to adequately inform the public about the types of child passenger restraint systems and booster seats meeting federal motor vehicle safety standards to reflect the provisions of section 1 of P.L.2015, c.50. These materials may be made available to car dealers, parent groups, hospitals, pediatricians and the general public.

3. Section 4 of P.L.1983, c.128 (C.39:3-76.2d) is amended to read as follows:

C.39:3-76.2d Violations, fines.

4. Any person guilty of violating any of the provisions of this act shall be fined not less than \$50 and not more than \$75.

4. Section 2 of P.L.1984, c.179 (C.39:3-76.2f) is amended to read as follows:

C.39:3-76.2f Seat belt usage requirements; driver's responsibility.

2. a. Except as provided in P.L.1983, c.128 (C.39:3-76.2a et al.) for children under eight years of age and less than 57 inches in height, all passengers under eight years of age and at least 57 inches in height, and all passengers who are at least eight years of age but less than 18 years of age, and each driver and front seat passenger of a passenger automobile operated on a street or highway in this State shall wear a properly adjusted and fastened safety seat belt system as defined by Federal Motor Vehicle Safety Standard Number 209.

b. The driver of a passenger automobile shall secure or cause to be secured in a properly adjusted and fastened safety seat belt system, as defined by Federal Motor Vehicle Safety Standard Number 209, any passenger who is at least eight years of age but less than 18 years of age.

c. All rear seat passengers 18 years of age or older of a passenger automobile operated on a street or highway in this State shall wear a properly adjusted and fastened safety seat belt system as defined by Federal Motor Vehicle Safety Standard Number 209.

For the purposes of the "Passenger Automobile Seat Belt Usage Act," the term "passenger automobile" shall include vans, pick-up trucks, and utility vehicles.

5. This act shall take effect on the first day of the fourth month next following enactment.

Approved May 7, 2015.