

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 3161

STATE OF NEW JERSEY

DATED: SEPTEMBER 18, 2014

The Senate Law and Public Safety Committee reports favorably Assembly Bill No. 3161 (1R).

Assembly Bill No. 3161 (1R) revises State law governing the use of child passenger restraint systems and booster seats to implement National Highway Traffic and Safety Administration (NHTSA) car seat safety recommendations.

Under current law, every person operating a motor vehicle, other than a school bus, equipped with safety belts who is transporting a child under the age of eight years who weighs less than 80 pounds is required to secure the child in a child passenger restraint system or booster seat.

The bill specifies that when being transported in a motor vehicle, children are to be secured as follows:

(1) children under two years old who weigh less than 30 pounds are to be secured in a rear facing child passenger restraint system equipped with a five-point harness;

(2) children under four years old who weigh less than 40 pounds are to be secured in a rear facing child passenger restraint system, equipped with a five-point harness until they outgrow the height or weight limitation imposed by the manufacturer of the restraint system, or in a forward facing child passenger restraint system equipped with a five-point harness;

(3) children under eight years old who are less than 57 inches in height are to be secured in a forward facing passenger restraint system which is equipped with a five-point harness, until they outgrows the height or weight limitation imposed by the manufacturer of the restraint system, or in a rear seat, in a booster seat.

If a motor vehicle does not have rear seats, current law requires a child to be secured in a child passenger restraint system. But if the vehicle without rear seat is equipped with a passenger-side airbag, the bill prohibits a child from being secured in a rear facing restraint system in the front seat unless the airbag is disabled or turned off.

The bill also requires the Division of Highway Traffic Safety in the Department of Law and Public Safety to print and distribute materials advising the public as to the changes in the law. Finally, the bill

upgrades the penalty amount to reflect the current penalty assessed for a violation and removes the provision that a fine must be suspended by the court if the motor vehicle operator was using a child passenger restraint system not in current compliance with the law, but which was previously compliant.

As reported by the committee, this bill is identical to Senate Bill No. 2026, as amended and reported by the committee on this same date.