

SENATE, No. 3122

STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED OCTOBER 18, 2018

Sponsored by:

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

SYNOPSIS

Prohibits sale of infant walkers.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 2/8/2019)

1 AN ACT prohibiting the sale of infant walkers and supplementing
2 Title 2A of the New Jersey Statutes.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. a. A person shall not sell or offer for sale in this State an
8 infant walker.

9 b. For the purposes of this section, "infant walker" shall mean a
10 device used to assist babies with their mobility before they are
11 walking and refers to a mobile unit with wheels or casters on the
12 bottom that enables a baby to move on a horizontal surface when
13 propelled by the baby sitting or standing within the walker, but shall
14 not include a stroller, carriage, crib, high chair, or bassinet.

15 c. A law enforcement officer may confiscate an infant walker
16 that is sold or offered for sale in violation of this section.

17
18 2. a. A person violating the provisions of section 1 of
19 P.L. , c. (C.) (pending before the Legislature as this bill)
20 shall be liable, in addition to the liability for any civil damages for
21 any injury to a plaintiff resulting from the sale or offering for sale
22 of an infant walker, for a civil penalty of:

23 (1) not more than \$10,000 for the first offense; and

24 (2) not more than \$20,000 for the second and each subsequent
25 offense.

26 b. The penalty prescribed by this section shall be collected and
27 enforced by summary proceedings under the "Penalty Enforcement
28 Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.).

29
30 3. This act shall take effect immediately

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33 STATEMENT

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35 This bill prohibits the sale of infant walkers, also referred to as
36 baby walkers, in this State.

37 Infant walkers have long been recognized as a danger to babies,
38 and continue to pose a risk to them today. According to the
39 American Academy of Pediatrics Committee on Injury, from 1990
40 to 2014 more than 230,000 children under 15 months old were
41 treated in United States hospital emergency departments for skull
42 fractures, concussions, broken bones, and other injuries related to
43 infant walkers, and the American Academy of Pediatrics has called
44 for a ban on the sale and use of infant walkers.

45 Publicity about the dangers of infant walkers caused a reduction
46 in their use and voluntary implementation of increased safety
47 standards by manufacturers. As a result, there was a substantial
48 decrease in injuries to babies, from approximately 20,650 injuries in

1 1990 to 3,201 injuries in 2003. In 2010 the United States Consumer
2 Product Safety Commission strengthened safety requirements on the
3 manufacturing and testing of infant walkers. Following
4 implementation of these requirements, injuries dropped an
5 additional 23 percent. A recent study, however, found there are still
6 approximately 2,000 children being treated for infant walker-related
7 injuries each year.

8 This bill prohibits a person from selling or offering an infant
9 walker for sale in this State. The term “infant walker” is defined
10 under the bill to mean a device used to assist babies with their
11 mobility before they are walking and refers to a mobile unit with
12 wheels or casters on the bottom that enables a baby to move on a
13 horizontal surface when propelled by the baby sitting or standing
14 within the walker, but does not include a stroller, carriage, crib,
15 high chair, or bassinet.

16 A person who violates the provisions of the bill is subject to a
17 civil penalty of not more than \$10,000 for the first offense, and not
18 more than \$20,000 for the second and each subsequent offense.
19 The liability for this civil penalty would be in addition to any
20 liability for any civil damages for an injury to a plaintiff in a civil
21 action resulting from the sale or offering for sale of an infant
22 walker. Additionally, a law enforcement officer may confiscate an
23 infant walker that is sold or offered for sale in violation of the bill.
24 The civil penalty prescribed by the bill is to be collected and
25 enforced by summary proceedings under the “Penalty Enforcement
26 Law of 1999,” P.L.1999, c.274 (C.2A:58-10 et seq.).