

105TH CONGRESS  
1ST SESSION

# H. R. 3071

To amend title 23, United States Code, to provide for the enactment of State laws prohibiting children under 13 years of age from riding in the front seats of motor vehicles.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 13, 1997

Mr. PALLONE (for himself, Ms. JACKSON-LEE of Texas, Ms. MILLENDER-McDONALD, Ms. NORTON, and Mr. PASCARELL) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend title 23, United States Code, to provide for the enactment of State laws prohibiting children under 13 years of age from riding in the front seats of motor vehicles.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PROHIBITION ON CHILDREN RIDING IN THE**  
4 **FRONT SEATS OF MOTOR VEHICLES.**

5 (a) IN GENERAL.—Chapter 1 of title 23, United  
6 States Code, is amended by adding at the end the follow-  
7 ing:

1 **“§ 161. Prohibition on children riding in the front**  
2 **seats of motor vehicles**

3 “(a) WITHHOLDING OF APPORTIONMENTS FOR NON-  
4 COMPLIANCE.—

5 “(1) FISCAL YEAR 2001.—The Secretary shall  
6 withhold 5 percent of the amount required to be ap-  
7 portioned to any State under each of paragraphs  
8 (1), (3), and (5)(B) of section 104(b) on October 1,  
9 2000, if the State does not meet the requirement of  
10 paragraph (3) on that date.

11 “(2) THEREAFTER.—The Secretary shall with-  
12 hold 10 percent (including any amounts withheld  
13 under paragraph (1)) of the amount required to be  
14 apportioned to any State under each of paragraphs  
15 (1), (3), and (5)(B) of section 104(b) on October 1,  
16 2000, and on October 1 of each fiscal year there-  
17 after, if the State does not meet the requirement of  
18 paragraph (3) on that date.

19 “(3) REQUIREMENT.—A State meets the re-  
20 quirement of this paragraph if the State has enacted  
21 and is enforcing a law that makes unlawful through-  
22 out the State the operation of a motor vehicle if a  
23 child under 13 years of age is riding in the front  
24 seat of the motor vehicle.

25 “(b) PERIOD OF AVAILABILITY; EFFECT OF COMPLI-  
26 ANCE AND NONCOMPLIANCE.—

1           “(1) PERIOD OF AVAILABILITY OF WITHHELD  
2 FUNDS.—

3           “(A) FUNDS WITHHELD ON OR BEFORE  
4 SEPTEMBER 30, 2002.—Any funds withheld  
5 under subsection (a) from apportionment to any  
6 State on or before September 30, 2002, shall  
7 remain available until the end of the third fiscal  
8 year following the fiscal year for which the  
9 funds are authorized to be appropriated.

10           “(B) FUNDS WITHHELD AFTER SEPTEMBER  
11 BER 30, 2002.—No funds withheld under this  
12 section from apportionment to any State after  
13 September 30, 2002, shall be available for ap-  
14 portionment to the State.

15           “(2) APPORTIONMENT OF WITHHELD FUNDS  
16 AFTER COMPLIANCE.—If, before the last day of the  
17 period for which funds withheld under subsection (a)  
18 from apportionment are to remain available for ap-  
19 portionment to a State under paragraph (1), the  
20 State meets the requirement of subsection (a)(3),  
21 the Secretary shall, on the first day on which the  
22 State meets the requirement, apportion to the State  
23 the funds withheld under subsection (a) that remain  
24 available for apportionment to the State.

1           “(3) PERIOD OF AVAILABILITY OF SUBSE-  
2           QUENTLY APPORTIONED FUNDS.—Any funds appor-  
3           tioned pursuant to paragraph (2) shall remain avail-  
4           able for expenditure until the end of the third fiscal  
5           year following the fiscal year in which the funds are  
6           so apportioned. Sums not obligated at the end of  
7           that period shall lapse.

8           “(4) EFFECT OF NONCOMPLIANCE.—If, at the  
9           end of the period for which funds withheld under  
10          subsection (a) from apportionment are available for  
11          apportionment to a State under paragraph (1), the  
12          State does not meet the requirement of subsection  
13          (a)(3), the funds shall lapse.

14          “(c) MOTOR VEHICLE DEFINED.—The term ‘motor  
15          vehicle’ means any vehicle driven or drawn by mechanical  
16          power manufactured primarily for use on public highways,  
17          except any vehicle operated exclusively on a rail or rails.”.

18          (b) CONFORMING AMENDMENT.—The table of sec-  
19          tions at the beginning of such chapter is amended by add-  
20          ing at the end the following:

“162. Prohibition on children riding in the front seats of motor vehicles.”.

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