

# Union Calendar No. 454

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5504

[Report No. 107-726]

To provide for the improvement of the safety of child restraints in passenger motor vehicles, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 1, 2002

Mr. SHIMKUS (for himself, Mr. TAUZIN, Mr. WALDEN, Mr. PICKERING, Mr. TERRY, Mrs. BONO, and Mr. BARTON of Texas) introduced the following bill; which was referred to the Committee on Energy and Commerce

OCTOBER 7, 2002

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on October 1, 2002]

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## A BILL

To provide for the improvement of the safety of child restraints in passenger motor vehicles, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as “Anton’s Law”.*

3 **SEC. 2. FINDINGS.**

4 *Congress finds the following:*

5 *(1) It is the policy of the Department of Trans-*  
6 *portation that all child occupants of motor vehicles,*  
7 *regardless of seating position, be appropriately re-*  
8 *strained in order to reduce the incidence of injuries*  
9 *and fatalities resulting from motor vehicle crashes on*  
10 *the streets, roads, and highways.*

11 *(2) Research has shown that very few children*  
12 *between the ages of 4 to 8 years old are in the appro-*  
13 *priate restraint for their age when riding in pas-*  
14 *senger motor vehicles.*

15 *(3) Children who have outgrown their child safe-*  
16 *ty seats should ride in a belt-positioning booster seat*  
17 *until an adult seat belt fits properly.*

18 *(4) Children who were properly restrained when*  
19 *riding in passenger motor vehicles suffered less severe*  
20 *injuries from accidents than children not properly re-*  
21 *strained.*

22 **SEC. 3. IMPROVEMENT OF SAFETY OF CHILD RESTRAINTS**  
23 **IN PASSENGER MOTOR VEHICLES.**

24 *(a) IN GENERAL.—The Secretary of Transportation*  
25 *(hereafter referred to as the “Secretary”) shall initiate a*  
26 *rulemaking proceeding to establish performance require-*

1 *ments for child restraints, including booster seats, for the*  
2 *restraint of children weighing more than 50 pounds.*

3 *(b) ELEMENTS FOR CONSIDERATION.—In the rule-*  
4 *making proceeding required by subsection (a), the Secretary*  
5 *shall—*

6 *(1) consider whether to include injury perform-*  
7 *ance criteria for child restraints, including booster*  
8 *seats and other products for use in passenger motor*  
9 *vehicles for the restraint of children weighing more*  
10 *than 50 pounds, under the requirements established in*  
11 *the rulemaking proceeding;*

12 *(2) consider whether to establish performance re-*  
13 *quirements for seat belt fit when used with booster*  
14 *seats and other belt guidance devices;*

15 *(3) consider whether to address situations where*  
16 *children weighing more than 50 pounds only have ac-*  
17 *cess to seating positions with lap belts, such as allow-*  
18 *ing tethered child restraints for such children; and*

19 *(4) review the definition of the term “booster*  
20 *seat” in Federal motor vehicle safety standard No.*  
21 *213 under section 571.213 of title 49, Code of Federal*  
22 *Regulation, to determine if it is sufficiently com-*  
23 *prehensive.*

1           (c) *COMPLETION.*—*The Secretary shall complete the*  
2 *rulemaking proceeding required by subsection (a) not later*  
3 *than 30 months after the date of the enactment of this Act.*

4 **SEC. 4. DEVELOPMENT OF ANTHROPOMORPHIC TEST DE-**  
5 **VICE SIMULATING A 10-YEAR OLD CHILD.**

6           (a) *DEVELOPMENT AND EVALUATION.*—*Not later than*  
7 *24 months after the date of the enactment of this Act, the*  
8 *Secretary shall develop and evaluate an anthropomorphic*  
9 *test device that simulates a 10-year old child for use in test-*  
10 *ing child restraints used in passenger motor vehicles.*

11          (b) *ADOPTION BY RULEMAKING.*—*Within 1 year fol-*  
12 *lowing the development and evaluation carried out under*  
13 *subsection (a), the Secretary shall initiate a rulemaking*  
14 *proceeding for the adoption of an anthropomorphic test de-*  
15 *vice as developed under subsection (a).*

16 **SEC. 5. REQUIREMENTS FOR INSTALLATION OF LAP AND**  
17 **SHOULDER BELTS.**

18          (a) *IN GENERAL.*—*Not later than 24 months after the*  
19 *date of the enactment of this Act, the Secretary shall com-*  
20 *plete a rulemaking proceeding to amend Federal motor ve-*  
21 *hicle safety standard No. 208 under section 571.208 of title*  
22 *49, Code of Federal Regulations, relating to occupant crash*  
23 *protection, in order to—*

24                 (1) *require a lap and shoulder belt assembly for*  
25                 *each rear designated seating position in a passenger*

1        *motor vehicle with a gross vehicle weight rating of*  
2        *10,000 pounds or less, except that if the Secretary de-*  
3        *termines that installation of a lap and shoulder belt*  
4        *assembly is not practicable for a particular des-*  
5        *ignated seating position in a particular type of pas-*  
6        *senger motor vehicle, the Secretary may exclude the*  
7        *designated seating position from the requirement; and*

8                *(2) apply that requirement to passenger motor*  
9        *vehicles in phases in accordance with subsection (b).*

10        *(b) IMPLEMENTATION SCHEDULE.—The requirement*  
11        *prescribed under subsection (a)(1) shall be implemented in*  
12        *phases on a production year basis beginning with the pro-*  
13        *duction year that begins not later than 12 months after the*  
14        *end of the year in which the regulations are prescribed*  
15        *under subsection (a). The final rule shall apply to all pas-*  
16        *senger motor vehicles with a gross vehicle weight rating of*  
17        *10,000 pounds or less that are manufactured in the third*  
18        *production year of the implementation phase-in under the*  
19        *schedule.*

20        **SEC. 6. EVALUATION OF INTEGRATED CHILD SAFETY SYS-**  
21                **TEMS.**

22                *(a) EVALUATION.—Not later than 180 days after the*  
23        *date of enactment of this Act, the Secretary shall initiate*  
24        *an evaluation of integrated or built-in child restraints and*  
25        *booster seats. The evaluation should include—*

1           (1) *the safety of the child restraint and correct-*  
2           *ness of fit for the child;*

3           (2) *the availability of testing data on the system*  
4           *and vehicle in which the child restraint will be used;*

5           (3) *the compatibility of the child restraint with*  
6           *different makes and models;*

7           (4) *the cost-effectiveness of mass production of*  
8           *the child restraint for consumers;*

9           (5) *the ease of use and relative availability of the*  
10          *child restraint to children riding in motor vehicles;*  
11          *and*

12          (6) *the benefits of built-in seats for improving*  
13          *compliance with State child occupant restraint laws.*

14          (b) *REPORT.*—*Not later than 12 months after the date*  
15          *of enactment of this Act, the Secretary shall transmit to*  
16          *the Committee on Energy and Commerce of the House of*  
17          *Representatives and the Committee on Commerce, Science,*  
18          *and Transportation of the Senate a report of this evalua-*  
19          *tion.*

20          **SEC. 7. DEFINITIONS.**

21          *As used in this Act, the following definitions apply:*

22               (1) *CHILD RESTRAINT.*—*The term “child re-*  
23               *straint” means any product designed to provide re-*  
24               *straint to a child (including booster seats and other*  
25               *products used with a lap and shoulder belt assembly)*

1        *that meets applicable Federal motor vehicle safety*  
2        *standards prescribed by the National Highway Traf-*  
3        *fic Safety Administration.*

4            (2) *PRODUCTION YEAR.*—*The term “production*  
5        *year” means the 12-month period between September*  
6        *1 of a year and August 31 of the following year.*

7            (3) *PASSENGER MOTOR VEHICLE.*—*The term*  
8        *“passenger motor vehicle” has the meaning given that*  
9        *term in section 405(f)(5) of title 23, United States*  
10       *Code.*

11 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

12        (a) *IN GENERAL.*—*There are authorized to be appro-*  
13       *priated \$5,000,000 to the Secretary of Transportation for—*

14            (1) *the evaluation required by Section 6 of this*  
15        *Act; and*

16            (2) *research of the nature and causes of injury*  
17        *to children involved in motor vehicle crashes.*

18        (b) *LIMITATION.*—*Funds appropriated under sub-*  
19       *section (a) shall not be available for the general administra-*  
20       *tive expenses of the Secretary.*

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