

107TH CONGRESS
1ST SESSION

H. R. 597

To amend title 23, United States Code, relating to the use of safety belts and child restraint systems by children, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2001

Mr. PALLONE introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 23, United States Code, relating to the use of safety belts and child restraint systems by children, 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,*

3 **SECTION 1. USE OF SAFETY BELTS AND CHILD RESTRAINT**
4 **SYSTEMS BY CHILDREN.**

5 (a) IN GENERAL.—Subchapter I of chapter 1 of title
6 23, United States Code, is amended by adding at the end
7 the following:

1 **“§ 165. Use of safety belts and child restraint systems**
2 **by children**

3 “(a) DEFINITIONS.—In this section, the following
4 definitions apply:

5 “(1) CHILD SAFETY RESTRAINT LAW.—The
6 term ‘child safety restraint law’ means a State law
7 that prohibits the driver of a passenger motor vehi-
8 cle from driving the vehicle whenever there is in the
9 vehicle a child under the age of 16 who does not
10 have a safety belt properly fastened about the child’s
11 body, except if the child is under the age of 9 and
12 is properly secured in a child safety seat or other ap-
13 propriate restraint system in accordance with the in-
14 structions of the manufacturer of such seat or sys-
15 tem.

16 “(2) CHILD SAFETY SEAT.—The term ‘child
17 safety seat’ means a specially designed seating sys-
18 tem (including booster and child safety seats) which
19 meets the Federal motor vehicle safety standards set
20 forth in section 571.213 of title 49 of the Code of
21 Federal Regulations, as such section may be amend-
22 ed from time to time, and which is either perma-
23 nently affixed to a passenger motor vehicle or is af-
24 fixed to a passenger motor vehicle by a safety belt
25 or a universal attachment system.

1 “(3) MOTOR VEHICLE.—The term ‘motor vehi-
2 cle’ means a vehicle driven or drawn by mechanical
3 power and manufactured primarily for use on public
4 streets, roads, and highways, but does not include a
5 vehicle operated only on a rail line.

6 “(4) MULTIPURPOSE PASSENGER VEHICLE.—
7 The term ‘multipurpose passenger vehicle’ means a
8 motor vehicle with motive power (except a trailer),
9 designed to carry not more than 10 individuals, that
10 is constructed either on a truck chassis or with spe-
11 cial features for occasional off-road operation.

12 “(5) PASSENGER CAR.—The term ‘passenger
13 car’ means a motor vehicle with motive power (ex-
14 cept a multipurpose passenger vehicle, motorcycle, or
15 trailer) designed to carry not more than 10 individ-
16 uals.

17 “(6) PASSENGER MOTOR VEHICLE.—The term
18 ‘passenger motor vehicle’ means a passenger car or
19 a multipurpose passenger vehicle.

20 “(7) SAFETY BELT.—The term ‘safety belt’
21 means—

22 “(A) with respect to open-body passenger
23 motor vehicles, including convertibles, an occu-
24 pant restraint system consisting of a lap belt or
25 a lap belt and a detachable shoulder belt meet-

1 ing applicable Federal motor vehicle safety
2 standards; and

3 “(B) with respect to other passenger motor
4 vehicles, an occupant restraint system con-
5 sisting of integrated lap and shoulder belts
6 meeting applicable Federal motor vehicle stand-
7 ards.

8 “(b) TRANSFER OF FUNDS.—

9 “(1) FISCAL YEAR 2005.—On October 1, 2004,
10 if a State has not enacted a child safety restraint
11 law, the Secretary shall transfer an amount equal to
12 4 percent of the funds apportioned to the State on
13 that date under each of paragraphs (1), (3), and (4)
14 of section 104(b) to the apportionment of the State
15 under section 402 to be used to implement a state-
16 wide comprehensive child and other passenger pro-
17 tection education program to promote child and
18 other passenger safety, including education pro-
19 grams about proper seating positions for children in
20 air bag equipped motor vehicles and instruction that
21 increases the proper use of child restraint systems.

22 “(2) FISCAL YEAR 2006.—On October 1, 2005,
23 if a State has not enacted a child safety restraint
24 law, the Secretary shall transfer an amount equal to
25 6 percent of the funds apportioned to the State on

1 that date under each of paragraphs (1), (3), and (4)
2 of section 104(b) to the apportionment of the State
3 under section 402 to be used as described in para-
4 graph (1) of this subsection.

5 “(3) FISCAL YEAR 2007.—On October 1, 2006,
6 if a State has not enacted a child safety restraint
7 law, the Secretary shall transfer an amount equal to
8 8 percent of the funds apportioned to the State on
9 that date under each of paragraphs (1), (3), and (4)
10 of section 104(b) to the apportionment of the State
11 under section 402 to be used as described in para-
12 graph (1) of this subsection.

13 “(4) FISCAL YEAR 2008 AND THEREAFTER.—On
14 October 1, 2007, and each October 1 thereafter, if
15 a State has not enacted a child safety restraint law,
16 the Secretary shall transfer an amount equal to 10
17 percent of the funds apportioned to the State on
18 that date under each of paragraphs (1), (3), and (4)
19 of section 104(b) to the apportionment of the State
20 under section 402 to be used as described in para-
21 graph (1) of this subsection.

22 “(c) FEDERAL SHARE.—The Federal share of the
23 cost of a project carried out with funds transferred under
24 subsection (b) shall be 100 percent.

1 “(d) DERIVATION OF AMOUNT TO BE TRANS-
2 FERRED.—The amount to be transferred under subsection
3 (b)(1), (b)(2), (b)(3), or (b)(4) may be derived from 1 or
4 more of the following:

5 “(1) The apportionment of the State under sec-
6 tion 104(b)(1).

7 “(2) The apportionment of the State under sec-
8 tion 104(b)(3).

9 “(3) The apportionment of the State under sec-
10 tion 104(b)(4).

11 “(f) TRANSFER OF OBLIGATION AUTHORITY.—

12 “(1) IN GENERAL.—If the Secretary transfers
13 under this section any funds to the apportionment of
14 a State under section 402 for a fiscal year, the Sec-
15 retary shall transfer an amount, determined under
16 paragraph (2), of obligation authority distributed for
17 the fiscal year to the State for Federal-aid highways
18 and highway safety construction programs for car-
19 rying out projects under section 402.

20 “(2) AMOUNT.—The amount of obligation au-
21 thority referred to in paragraph (1) shall be deter-
22 mined by multiplying—

23 “(A) the amount of funds transferred
24 under this section to the apportionment of the
25 State under section 402 for the fiscal year; by

1 “(B) the ratio that—

2 “(i) the amount of obligation author-
3 ity distributed for the fiscal year to the
4 State for Federal-aid highways and high-
5 way safety construction programs; bears to

6 “(ii) the total of the sums apportioned
7 to the State for Federal-aid highways and
8 highway safety construction programs (ex-
9 cluding sums not subject to any obligation
10 limitation) for the fiscal year.

11 “(g) LIMITATION ON APPLICABILITY OF OBLIGATION
12 LIMITATION.—Notwithstanding any other provision of
13 law, no limitation on the total of obligations for highway
14 safety programs under section 402 shall apply to funds
15 transferred under this section to the apportionment of a
16 State under such section.”.

17 (b) CONFORMING AMENDMENT.—The analysis for
18 such subchapter is amended by adding at the end the fol-
19 lowing:

“165. Use of safety belts and child restraint systems by children.”.

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