

ORIGINAL SENATE
FILE NO. 0055

ENROLLED ACT NO. 16, SENATE

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2005 GENERAL SESSION

AN ACT relating to the Child Safety Restraint Act; limiting the definition of "passenger vehicle" as specified; amending the age and eliminating the weight restriction of passengers to whom the act applies; creating additional exceptions as specified; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 31-5-1302(a)(v) and 31-5-1303(a), (b)(intro) and by creating a new paragraph (vii) are amended to read:

31-5-1302. Definitions.

(a) As used in this article:

(v) "Passenger vehicle" means a motor vehicle, ~~excluding emergency and law enforcement vehicles,~~ designed to carry people and that was equipped with safety belts at the time of manufacture, ~~+~~ excluding:

(A) Emergency and law enforcement vehicles;

(B) School buses as defined under W.S. 31-5-102(a)(xliv), including buses registered to a private school or church used to transport children to or from school or church or in connection with school or church activities;

(C) Buses, or other vehicles designed and used for public transportation, whether intrastate or interstate, that were not equipped with safety belts at the time of manufacture.

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31-5-1303. Child safety restraint system; required use; exception.

(a) Except as otherwise provided in subsection (b) of this section, no person shall operate a passenger vehicle in this state unless each child who is a passenger in that vehicle and who ~~is eight (8) years of age or under, and who weighs eighty (80) pounds or less,~~ has not reached his ninth birthday is properly secured in a child safety restraint system in a seat of the vehicle other than the front seat, except if the vehicle is only equipped with one (1) row of seats, or if all safety belts in the rows of seats behind the front seat are in use by other child passengers in the vehicle, the child may be properly secured in a child safety restraint system in the front passenger seat of the vehicle, except that a rear-facing infant seat shall not be placed in front of an active airbag.

(b) Any child who is within the age ~~and weight~~ requirements specified in subsection (a) of this section need not be properly secured in a child safety restraint system if:

(vii) The lap and shoulder belts of the vehicle will fit properly across the collarbone, chest and hips of the child and the belts do not pose a danger to the neck, face or abdominal area of the child in the event of a crash or sudden stop.

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Section 2. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____
DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk