

By Mr. White of Boston, petition of Richard E. McLaughlin (Registrar of Motor Vehicles) and W. Paul White for legislation to require minor children to wear safety belts while riding as passengers in motor vehicles. Public Safety.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-One.

AN ACT REGARDING CHILD PASSENGER PROTECTION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 90 of the General Laws is hereby amended by adding
2 after Section 7Z the following new section:—

3 7AA. CHILD PASSENGER PROTECTION. No child under
4 the age of four and no child who weighs less than forty pounds shall
5 ride as a passenger in any motor vehicle on a public highway unless
6 he is wearing safety belts which are properly adjusted and fastened,
7 if the seat is so equipped, or unless he is wearing or using a properly
8 adjusted and secured child or infant restraint device approved by
9 the United States Department of Transportation, pursuant to
10 Federal Motor Vehicle Safety Standard #213. The requirement of
11 the preceding sentence shall not apply when the operator is driving
12 a motor vehicle to transport passengers for hire.

13 The provisions of this paragraph shall not apply to any such
14 child who is (1) riding as a passenger in a motor vehicle in which all
15 seating positions equipped with safety belts, child or infant re-
16 straints are occupied by other children who are using said restraints;
17 (2) unable to use safety belts, child or infant restraint for medical
18 reasons; provided, however, that a licensed physician shall certify
19 such condition to be true; and provided further that the operator of
20 the motor vehicle, in which the child shall be a passenger, shall be in
21 possession of such certification; and (3) physically unable to use
22 safety belts, child or infant restraint due to physical emergency.
23 Any operator of a motor vehicle who violates the provisions of this

24 pararaph shall be subject to a fine of not less than five dollars and
25 not more than twenty-five dollars.

26 A violation of this section shall not be considered under any
27 circumstances to be contributory negligence nor shall evidence of
28 such a violation be admissible in any civil action.