

WHEREAS, Approximately 20 states have already enacted similar legislation, including most of our neighboring states; and

WHEREAS, It is the purpose of this Act to protect the health and safety of all children in Maryland; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Transportation

22-412.2.

(A) (1) IN THIS SECTION, "CHILD SAFETY SEAT" MEANS A DEVICE THAT IS MANUFACTURED IN ACCORDANCE WITH THE CURRENT 1981 FEDERAL MOTOR VEHICLE SAFETY STANDARDS AND IS USED TO RESTRAIN, SEAT, OR POSITION A CHILD WHO IS TRANSPORTED IN A MOTOR VEHICLE.

(2) "CHILD SAFETY SEAT" DOES NOT MEAN A SEAT BELT OR COMBINATION SEAT BELT-SHOULDER HARNESS.

(B) A CHILD SAFETY SEAT MEETS THE REQUIREMENTS OF THIS SECTION ONLY IF IT IS INSTALLED AND USED IN ACCORDANCE WITH THE DIRECTIONS OF THE MANUFACTURER.

(C) THIS SECTION APPLIES ONLY TO THE TRANSPORTATION OF A CHILD IN A CLASS A (PASSENGER) OR CLASS M (MULTIPURPOSE) VEHICLE REGISTERED IN THIS STATE.

(D) ANY PERSON TRANSPORTING A CHILD UNDER THE AGE OF 3 SHALL POSITION AND SECURE THE CHILD IN A CHILD SAFETY SEAT.

(E) ANY PERSON TRANSPORTING A CHILD AT LEAST 3 YEARS OLD BUT UNDER THE AGE OF 5 SHALL:

(1) POSITION AND SECURE THE CHILD IN A CHILD SAFETY SEAT; OR

(2) SEAT AND SECURE THE CHILD IN A PROPERLY FASTENED SEAT BELT OR COMBINATION SEAT BELT-SHOULDER HARNESS.

(F) IF A PHYSICIAN LICENSED TO PRACTICE MEDICINE IN THIS STATE DETERMINES THROUGH--ACCEPTED--MEDICAL--PROCEDURES AND SO CERTIFIES IN WRITING, THAT USE OF A CHILD SAFETY SEAT BY A PARTICULAR CHILD WOULD BE IMPRACTICAL DUE TO THE CHILD'S WEIGHT, PHYSICAL UNFITNESS, OR OTHER MEDICAL REASON, ~~THE CHILD IS EXEMPT FROM THE PROVISIONS~~ THERE IS NOT A VIOLATION OF THIS SECTION.

(G) A CHILD SAFETY SEAT, SEAT BELT OR COMBINATION SEAT BELT-SHOULDER HARNESS MAY NOT BE USED TO RESTRAIN, SEAT, OR POSITION MORE THAN 1 INDIVIDUAL AT A TIME.