

passenger safety technicians and sponsoring organizations.

BY adding to

Article - Courts and Judicial Proceedings

Section 5-640

Annotated Code of Maryland

(1998 Replacement Volume and 2000 Supplement)

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

Article - Courts and Judicial Proceedings

5-640.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "CHILD PASSENGER SAFETY TECHNICIAN" MEANS AN INDIVIDUAL WHO ~~HAS BEEN CERTIFIED~~ HOLDS A CURRENT CERTIFICATION AS A CHILD PASSENGER SAFETY TECHNICIAN OR TECHNICIAN INSTRUCTOR BY THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, THE AMERICAN AUTOMOBILE ASSOCIATION, OR OTHER ENTITY DESIGNATED BY THE NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION.

(3) "CHILD SAFETY SEAT" HAS THE MEANING STATED IN § 22-412.2 OF THE TRANSPORTATION ARTICLE.

(4) "SPONSORING ORGANIZATION" MEANS A PERSON THAT:

(I) EMPLOYS A CHILD PASSENGER SAFETY TECHNICIAN;

(II) OFFERS OR ARRANGES FREE CHILD SAFETY SEAT CHECKUP EVENTS OR FITTING STATION PROGRAMS FOR THE GENERAL PUBLIC; OR

(III) OWNS PROPERTY ON WHICH A FREE CHILD SAFETY SEAT CHECKUP EVENT OR FITTING STATION PROGRAM FOR THE GENERAL PUBLIC TAKES PLACE.

(B) A CHILD PASSENGER SAFETY TECHNICIAN OR SPONSORING ORGANIZATION IS NOT CIVILLY LIABLE FOR AN ACT OR OMISSION THAT OCCURS SOLELY IN THE INSPECTION ~~OR~~, INSTALLATION, OR ADJUSTMENT OF A CHILD SAFETY SEAT IN A MOTOR VEHICLE, OR IN GIVING ADVICE OR ASSISTANCE REGARDING THE INSTALLATION OR ADJUSTMENT OF A CHILD SAFETY SEAT, IF:

(1) THE CHILD PASSENGER SAFETY TECHNICIAN ACTS IN GOOD FAITH AND WITHIN THE SCOPE OF THE TRAINING FOR WHICH THE TECHNICIAN IS CURRENTLY CERTIFIED;

(2) THE ACT OR OMISSION DOES NOT CONSTITUTE GROSS NEGLIGENCE OR WILLFUL OR WANTON MISCONDUCT; ~~AND~~