

~~as a secondary action;~~ and generally relating to the mandatory use of seat belts and child safety seats in motor vehicles.

BY repealing and reenacting, with amendments,

Article - Transportation

Section 22-412.2 and 22-412.3

Annotated Code of Maryland

(1987 Replacement Volume and 1990 Supplement)

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 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) vehicle, Class E (truck) with a manufacturer's rated capacity of 3/4 ton or less, the gross vehicle weight of which does not exceed 7,000 pounds, or Class M (multipurpose) vehicle registered in this State.

~~(d) Any person transporting a child [under the age of 3] WEIGHING 40 POUNDS OR LESS shall CORRECTLY position and secure the child in a child safety seat.~~

(D) ANY PERSON TRANSPORTING A CHILD UNDER THE AGE OF 4 OR WEIGHING 40 POUNDS OR LESS SHALL POSITION AND SECURE THE CHILD IN A CHILD SAFETY SEAT.

(e) Any SUBJECT TO THE PROVISIONS OF SUBSECTION (D) OF THIS SECTION, ANY person transporting a child [at least 3 years old but under the age of 5] WEIGHING MORE THAN 40 POUNDS AND WHO IS LESS THAN 10 YEARS OF AGE 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.