

Section 22-412.3

Annotated Code of Maryland

(1987 Replacement Volume and 1991 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 4 or weighing 40 pounds or less shall position and secure the child in a child safety seat.

(e) Subject to the provisions of subsection (d) of this section, any person transporting a child 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.

(f) If a physician licensed to practice medicine in this State determines, 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, 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.

(h) If the number of children subject to the provisions of this section exceeds the number of passenger securing locations available for use by children affected by this section, and all of those securing locations are in use by children, there is not a violation of this section.