

mandatory use of child safety seats to include certain vehicles whether or not registered in this State; providing that if certain physicians licensed outside of this State make certain certifications relating to a child's physical condition, the failure to use a child safety seat is not a violation under this Act; and generally relating to the mandatory use of child safety seats.

BY repealing and reenacting, with amendments,

Article - Transportation

Section 22-412.2

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 VEHICLE REGISTERED, OR OF A TYPE CAPABLE OF BEING REGISTERED, IN THIS STATE AS A:

(1) Class A (passenger) [vehicle,] VEHICLE;

(2) 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]; ~~AND~~ OR

(3) 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.