

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 748
SENATE BILL 1467

AN ACT TO STRENGTHEN THE REQUIREMENTS TO HAVE A CHILD IN A
RESTRAINT SYSTEM WHILE OPERATING A MOTOR VEHICLE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-137.1 reads as rewritten:

"§ 20-137.1. Child restraint systems required.

(a) Every driver who is transporting a child of less than ~~six~~12 years of age shall have the child properly secured in a child passenger restraint system (car safety seat) which ~~met applicable~~meets federal standards applicable at the time of its manufacture. The requirements of this section may be met when the child is ~~three~~four years of age or older by securing the child in a seat safety belt.

(b) The provisions of this section shall not apply: ~~(i) to vehicles registered in another state or jurisdiction;~~ ~~(ii)~~(i) to ambulances or other emergency vehicles; ~~(iii)~~(ii) when the child's personal needs are being attended to; ~~(iv)~~(iii) if all seating positions equipped with child passenger restraint systems or seat belts are occupied; or ~~(v)~~(iv) to vehicles which are not required by federal law or regulation to be equipped with seat belts.

(c) Any person convicted of violating this section may be punished by a fine not to exceed twenty-five dollars (\$25.00). No driver charged under this section for failure to have a child under ~~three~~four years of age properly secured in a restraint system shall be convicted if he produces at the time of his trial proof satisfactory to the court that he has subsequently acquired an approved child passenger restraint system.

(d) No driver license points or insurance points shall be assessed for a violation of this section; nor shall a violation constitute negligence **per se** or contributory negligence **per se** nor shall it be evidence of negligence or contributory negligence."

Sec. 2. This act becomes effective July 1, 1995.

In the General Assembly read three times and ratified this the 15th day of July, 1994.

Marc Basnight
President Pro Tempore of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives