

1 AN ACT in relation to child passenger protection.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Child Passenger Protection Act is amended
5 by changing Sections 2, 4a, 4b, and 5 and adding Section 4c
6 as follows:

7 (625 ILCS 25/2) (from Ch. 95 1/2, par. 1102)

8 Sec. 2. Legislative Finding - Purpose. The General
9 Assembly finds that a substantial number of passengers under
10 the age of 6 years riding in motor vehicles, which are most
11 frequently operated by a parent, annually die or sustain
12 serious physical injury as a direct result of not being
13 placed in a child passenger restraint system. The General
14 Assembly further finds that the safety of the motoring public
15 is seriously threatened as indicated by the significant
16 number of traffic accidents annually caused, directly or
17 indirectly, by driver distraction or other impairment of
18 driving ability induced by the movement or actions of
19 unrestrained passengers under the age of 6 years.

20 It is the purpose of this Act to further protect the
21 health, safety and welfare of motor vehicle passengers under
22 the age of 6 years and the motoring public through the proper
23 utilization of approved child restraint systems.

24 It is also the purpose of this Act to protect the health,
25 safety, and welfare of passengers as set forth in Sections 4b
26 and 4c.

27 (Source: P.A. 83-8.)

28 (625 ILCS 25/4a) (from Ch. 95 1/2, par. 1104a)

29 Sec. 4a. Every person, when transporting a child 4 years
30 of age or older but under the age of 6, as provided in

1 Section 4 of this Act, shall be responsible for securing that
2 child in either a child restraint system or seat belts. This
3 Section does not apply if Section 4c is applicable.

4 (Source: P.A. 88-17.)

5 (625 ILCS 25/4b)

6 Sec. 4b. Children 6 years of age or older but under the
7 age of 18; seat belts. Every person under the age of 18
8 years, when transporting a child 6 years of age or older but
9 under the age of 18 years, as provided in Section 4 of this
10 Act, shall be responsible for securing that child in a
11 properly adjusted and fastened seat safety belt. This Section
12 does not apply if Section 4c is applicable.

13 (Source: P.A. 90-369, eff. 1-1-98.)

14 (625 ILCS 25/4c new)

15 Sec. 4c. Child booster seat and lap-and-shoulder belt
16 system. A person who transports, in a non-commercial motor
17 vehicle of the first division, a motor vehicle of the second
18 division with a gross vehicle weight rating of 9,000 pounds
19 or less, or a recreational vehicle, a child who is at least 4
20 but less than 9 years of age, weighs at least 40 pounds or
21 more but not more than 80 pounds, and is less than 58 inches
22 in height must secure the child in a child booster seat and a
23 federally approved lap-and-shoulder belt system. The parent
24 or legal guardian of such a child must provide a child
25 booster seat to any person who transports the child. A person
26 who transports the child of another is not in violation of
27 this Section unless a child booster seat was provided by the
28 parent or legal guardian but was not used to transport the
29 child.

30 As used in this Section, "child booster seat" means a
31 child passenger restraint system that meets the Federal Motor
32 Vehicle Safety Standards set forth in 49 C.F.R. 571.213 that

1 is designed to elevate a child to properly sit in a federally
2 approved lap-and-shoulder belt system.

3 This Section does not apply if the vehicle used to
4 transport the child is not equipped with a federally approved
5 lap-and-shoulder belt system.

6 (625 ILCS 25/5) (from Ch. 95 1/2, par. 1105)

7 Sec. 5. In no event shall a person's failure to secure a
8 child under 6 years of age in an approved child restraint
9 system or properly secure such child, if age 4 or 5, in a
10 seat belt or a person's failure to secure a child as required
11 by Section 4c constitute contributory negligence or be
12 admissible as evidence in the trial of any civil action.

13 (Source: P.A. 86-1241.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.