

CHAPTER 353

MOTOR VEHICLES AND TRAFFIC REGULATION

HOUSE BILL 03-1381

BY REPRESENTATIVE(S) Mitchell, Borodkin, Boyd, Brophy, Butcher, Cadman, Carroll, Cloer, Coleman, Crane, Fritz, Garcia, Harvey, Larson, Lee, May M., Merrifield, Spradley, Stafford, Stengel, Tochtrop, Weddig, White, Wiens, and Williams S.; also SENATOR(S) Groff, Andrews, Dyer, Hagedorn, Hanna, Nichol, and Windels.

AN ACT**CONCERNING CHILD RESTRAINT SYSTEMS IN MOTOR VEHICLES.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 42-4-236 (2) (b), Colorado Revised Statutes, as it will become effective August 1, 2003, is amended to read:

42-4-236. Child restraint systems required - definitions - exemptions.

(2) (b) Unless excepted pursuant to subsection (3) of this section, every child, who is at least four years of age ~~but less than sixteen years of age and~~ OR weighs forty pounds or more, being transported in this state in a privately owned noncommercial vehicle or in a vehicle operated by a child care center, shall be properly secured by one of the following safety devices approved for a child of such age or weight by the United States department of transportation, or in a safety belt, whichever is appropriate for the child:

(I) If the child is at least four years of age but less than six years of age and is less than fifty-five inches tall, the child shall be properly restrained in a child booster seat or with a child safety belt-positioning device.

(II) If the child is six years of age or older ~~but less than sixteen years of age and~~ OR is fifty-five inches tall or more, the child shall be properly restrained with the motor vehicle's safety belt properly adjusted and fastened around the child's body.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 3, 2003