

and

Boyd (Laura) and Voskuhl of  
the House

An Act relating to seat belts; amending 47 O.S. 1991,  
Section 11-1112, which relates to child passenger  
restraint system; limiting type of vehicle  
passenger safety device to be used for certain age  
children; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 1991, Section 11-1112, is  
amended to read as follows:

Section 11-1112. A. Every driver when transporting a child  
under four (4) years of age weighing sixty (60) pounds or less in a  
motor vehicle operated on the roadways, streets, or highways of this  
state shall provide for the protection of said child by properly  
using a child passenger restraint system. For purposes of this  
section and Section 11-1113 of this title, "child passenger  
restraint system" means an infant or child passenger restraint  
system that meets the federal standards for crash-tested restraint  
systems as set by the United States Department of Transportation.

B. Children four (4) or five (5) years of age shall be  
protected by use of a child passenger restraint system or a seat  
belt.

C. The provisions of this section shall not apply to:

1. A nonresident driver transporting a child in this state; and
2. The driver of a school bus, taxicab, moped, motorcycle, or  
other motor vehicle not required to be equipped with safety belts  
pursuant to state or federal laws; and
3. The driver of an ambulance or emergency vehicle; and
4. A driver of a vehicle if all of the seat belts in the  
vehicle are in use; and
5. The transportation of children who for medical reasons are  
unable to be placed in such devices.

D. A law enforcement officer is hereby authorized to stop a  
vehicle if it appears that the driver of the vehicle has violated  
the provisions of this section and to give an oral warning to said  
driver. The warning shall advise the driver of the possible danger  
to children resulting from the failure to install or use a child  
passenger restraint system or seat belts in the motor vehicle.

E. A violation of the provisions of this section shall not be  
admissible as evidence in any civil action or proceeding for  
damages.

F. In any action brought by or on behalf of an infant for personal injuries or wrongful death sustained in a motor vehicle collision, the failure of any person to have the infant properly restrained in accordance with the provisions of this section shall not be used in aggravation or mitigation of damages.

G. Any person convicted of violating subsection A or B of this section shall be punished by a fine of Ten Dollars (\$10.00) and shall pay a maximum of Fifteen Dollars (\$15.00) court costs thereof. This fine shall be suspended in the case of the first offense upon proof of purchase or acquisition by loan of a child passenger restraint system. Provided, the Department of Public Safety shall not assess points to the driving record of any licensed or unlicensed person convicted of a violation of this section.

SECTION 2. This act shall become effective July 1, 1995.