NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 03-1144

BY REPRESENTATIVE(S) Frangas, Garcia, Hodge, Jahn, Lundberg, Marshall, Merrifield, Ragsdale, Salazar, Veiga, and Williams S.;
also SENATOR(S) Johnson S., Groff, Hanna, Sandoval, and Tapia.

CONCERNING THE EXEMPTION OF TWO-POINT-LAP-BELT-ONLY SYSTEMS FROM CERTAIN CHILD RESTRAINT SYSTEM REQUIREMENTS.

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

SECTION 1. 42-4-236 (2) (b) (I), Colorado Revised Statutes, is amended, and the said 42-4-236 (2) (b) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, 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 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

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

appropriate for the child:

(I) EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH (I.5) OF THIS PARAGRAPH (b), 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.

(I.5) 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, AND IF THE CHILD IS BEING TRANSPORTED IN A VEHICLE EQUIPPED WITH ONLY A TWO-POINT-LAP-BELT-ONLY SYSTEM AVAILABLE FOR THE CHILD, THE CHILD SHALL BE PROPERLY RESTRAINED WITH A LAP BELT.

SECTION 2. Effective date - applicability. This act shall take effect August 1, 2003, and shall apply to violations committed on or after said date.

SECTION 3. 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.

Lola Spradley	John Andrews
SPEAKER OF THE HOUSE OF REPRESENTATIVES	PRESIDENT OF THE SENATE

Judith Rodrigue	Mona Heustis
CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES	SECRETARY OF THE SENATE

APPROVED_____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO