

**HOUSE CS FOR CS FOR SENATE BILL NO. 72(TRA)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**TWENTY-SIXTH LEGISLATURE - FIRST SESSION**

**BY THE HOUSE TRANSPORTATION COMMITTEE**

**Offered: 3/23/09**

**Referred: State Affairs, Finance**

**Sponsor(s): SENATORS FRENCH, Paskvan**

**REPRESENTATIVE Gruenberg**

**A BILL**

**FOR AN ACT ENTITLED**

1   **"An Act relating to use of child safety seats and seat belts."**

2   **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3    \* **Section 1.** AS 19.10.095 is amended to read:

4               **Sec. 19.10.095. Signs promoting the use of safety belts and child safety**  
5               **devices.** The department may erect and maintain signs encouraging the use of safety  
6               belts **and child safety devices** at the site of a motor vehicle accident where a fatality  
7               occurred as the result of a person's failing to use a safety belt **or child safety device.**  
8               This section does not limit the authority of the department to erect or maintain signs to  
9               protect the public safety and welfare of persons using the highways of the state.

10   \* **Sec. 2.** AS 28.05.095(b) is amended to read:

11               (b) Except as provided in (c) of this section, a driver may not transport a child  
12               under the age of 16 in a motor vehicle unless the driver has provided the required  
13               safety device and properly secured each child as described in this subsection. **A** [IF  
14               THE] child

15                       **(1) less than one year of age or a child one year of age or older who**

weighs less than 20 pounds shall be properly secured in a rear-facing child safety seat that meets or exceeds [IS LESS THAN FOUR YEARS OF AGE, THE CHILD SHALL BE PROPERLY SECURED IN A CHILD SAFETY DEVICE MEETING THE] standards of the United States Department of Transportation and is used in accordance with the manufacturer's instructions;

(2) one or more years of age but less than five years of age who weighs 20 pounds or more shall be properly secured in a child restraint device that meets or exceeds the standards of the United States Department of Transportation and is used in accordance with the manufacturer's instructions;

(3) over four years of age but less than eight years of age who is less than 57 inches in height and weighs 20 or more pounds but less than 80 pounds shall be properly secured in a booster seat that is secured by a seat belt system or by another child passenger restraint system that meets or exceeds the standards of the United States Department of Transportation and is used in accordance with the manufacturer's instructions;

(4) over four years of age who exceeds the height and weight requirements in (3) of this subsection shall be properly secured in a seat belt;

(5) eight years of age [FOR A CHILD SAFETY DEVICE FOR INFANTS. IF THE CHILD IS FOUR] but less than [NOT YET] 16 years of age who does not exceed the height and weight requirements in (3) of this subsection [, THE CHILD] shall be properly secured in a child safety device approved for a child of that [AGE AND] size by the United States Department of Transportation or in a safety belt, whichever is appropriate for the particular child.