

HOUSE BILL NO. 308

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE MILLETT

Introduced: 2/12/16

Referred: Labor and Commerce, Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the limitation of liability for the inspection, installation, or**
2 **adjustment of a child safety seat or in providing education regarding the installation or**
3 **adjustment of a child safety seat."**

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

5 *** Section 1.** AS 09.65 is amended by adding a new section to read:

6 **Sec. 09.65.094. Liability for inspection, installation, or adjustment of a**
7 **child safety seat.** (a) Except as provided in (b) of this section, a person other than a
8 manufacturer of child safety seats or an agent or employee of a manufacturer of child
9 safety seats is not liable for civil damages as a result of an act or omission that occurs
10 in the inspection, installation, or adjustment of a child safety seat or in providing
11 education regarding the installation or adjustment of a child safety seat if

12 (1) the person

13 (A) has successfully completed the National Child Passenger
14 Safety Certification Training program and maintains a current child passenger

1 safety technician or technician instructor certification issued under that
2 program;

3 (B) offers or arranges a nonprofit child safety seat educational
4 program, checkup event, or checking station program for the public with
5 instruction by certified child passenger safety technicians or technician
6 instructors; or

7 (C) owns property where a nonprofit child safety seat
8 educational program, checkup event, or checking station program for the
9 public occurs with instruction by certified child passenger safety technicians or
10 technician instructors; and

11 (2) the services are provided

12 (A) without a fee, other than for the reimbursement of actual
13 expenses;

14 (B) in good faith; and

15 (C) within the scope of training for which the person is
16 currently certified.

17 (b) This section does not apply to a civil action

18 (1) for damages resulting from gross negligence or willful or wanton
19 misconduct; or

20 (2) where the inspection, installation, or adjustment of a child safety
21 seat, or education provided regarding the inspection, installation, or adjustment of a
22 child safety seat, is performed in conjunction with the for-profit sale of a child safety
23 seat.

24 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
25 read:

26 APPLICABILITY. AS 09.65.094, enacted by sec. 1 of this Act, applies to causes of
27 action that accrue on or after the effective date of this Act.