

Introduced: 3/11/83  
Referred: Health, Education &  
Social Services, Judiciary  
and Finance

1 IN THE HOUSE

BY CLOCKSIN, SZYMANSKI AND KOPONEN

2

HOUSE BILL NO. 262

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

THIRTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6 For an Act entitled: "An Act relating to child safety devices for motor  
7 vehicles; providing for a child safety device loan  
8 program; and providing for an effective date."

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 \* Section 1. AS 28.05 is amended by adding new sections to read:

11 Sec. 28.05.095. CHILD SAFETY DEVICES. (a) A driver may not  
12 transport a child in a motor vehicle other than an emergency vehicle  
13 or a bus unless the driver has provided and properly secured each  
14 child

15 (1) less than four years of age in a child safety device  
16 approved for infants by the United States Department of Transporta-  
17 tion;

18 (2) between four and six years of age in a child safety  
19 device approved for a child of that age and size by the United States  
20 Department of Transportation, or in a seatbelt, as is appropriate for  
21 the particular child.

22 (b) A person convicted of a violation of (a) of this section is  
23 guilty of an infraction.

24 (c) If a person who violates (a) of this section by failing to  
25 provide a child safety device or seatbelt files with the court, within  
26 10 days after the issuance of a citation, proof of purchase or acqui-  
27 sition of an approved child safety device or seatbelt, the court shall  
28 dismiss the citation.

29 (d) Evidence of the conviction of a person for a violation of

1 (a) of this section or evidence of the failure to use a child safety  
2 device or seatbelt as required by (a) of this section may be admitted  
3 in a civil action as evidence of negligence.

4 Sec. 28.05.096. CHILD SAFETY DEVICE LOAN PROGRAM. (a) There is  
5 established a child safety device loan program in the Department of  
6 Public Safety, highway safety planning agency.

7 (b) The director of the highway safety planning agency shall

8 (1) provide to every hospital and birthing center in the  
9 state, subject to the availability of funds, child safety devices to  
10 be loaned to the public at nominal fees;

11 (2) disseminate materials, printed advertisements, and  
12 radio and television messages

13 (A) to educate the public about the risks of injury to  
14 and death of unrestrained infants and children in motor vehicles;

15 (B) to explain to the public the provisions of AS 28.-  
16 05.095.

17 (c) A peace officer who stops a driver for an alleged violation  
18 of AS 28.05.095 shall advise the driver of the loan program.

19 Sec. 28.05.097. SALE OF CHILD SAFETY DEVICES. A person may not  
20 sell, offer for sale, or install in any motor vehicle a child safety  
21 device not conforming to all applicable federal standards for the  
22 device on the date of the sale or installation.

23 \* Sec. 2. This Act takes effect one year after enactment.