

By: Representative Ward

To: Transportation

HOUSE BILL NO. 979

1 AN ACT TO AMEND SECTION 63-7-301, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE EVERY PERSON TRANSPORTING A CHILD THAT IS AT LEAST FOUR
3 YEARS OF AGE BUT LESS THAN EIGHT YEARS OF AGE AND THAT MEASURES
4 LESS THAN FIVE FEET IN HEIGHT, IN A PASSENGER MOTOR VEHICLE, SHALL
5 PROVIDE PROTECTION FOR THE CHILD BY USING A BELT POSITIONING
6 BOOSTER SEAT SYSTEM; AND FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 **SECTION 1.** Section 63-7-301, Mississippi Code of 1972, is
9 amended as follows:

10 63-7-301. (1) Every person transporting a child under the
11 age of four (4) years in a passenger motor vehicle, and operated
12 on a public roadway, street or highway within this state, shall
13 provide for the protection of the child by properly using a child
14 passenger restraint device or system meeting applicable federal
15 motor vehicle safety standards.

16 (2) Every person transporting a child that is at least four
17 (4) years of age but less than eight (8) years of age and that
18 measures less than five (5) feet in height, in a passenger motor
19 vehicle, and operated on a public roadway, street or highway
20 within this state, shall provide for the protection of the child
21 by properly using a belt positioning booster seat system meeting
22 applicable federal motor vehicle safety standards.

23 (3) The term "passenger motor vehicle" as used in Sections
24 63-7-301 through 63-7-311 has the same meaning as defined in
25 Section 63-2-1(2). Sections 63-7-301 through 63-7-311 do not
26 apply to the vehicles described in Section 63-2-1(3).

27 (4) Failure to provide and use a child passenger restraint
28 device or system shall not be considered contributory or
29 comparative negligence.

30 **SECTION 2.** This act shall take effect and be in force from
31 and after July 1, 2005.