

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1798 Session of
2015

INTRODUCED BY D. MILLER, ENGLISH, ROZZI, KINSEY, WARD, DRISCOLL,
READSHAW, SCHLOSSBERG, MILLARD, THOMAS, D. COSTA, COHEN AND
DeLUCA, JANUARY 22, 2016

REFERRED TO COMMITTEE ON TRANSPORTATION, JANUARY 22, 2016

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, in child passenger protection, further providing
3 for restraint systems.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 4581(a) of Title 75 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 4581. Restraint systems.

9 (a) Occupant protection.--

10 (1) Any person who is operating a passenger car, [Class
11 I truck, Class II truck,] truck, truck tractor, classic motor
12 vehicle, antique motor vehicle or motor home and who
13 transports a child under four years of age anywhere in the
14 motor vehicle, including the cargo area, shall fasten such
15 child securely in a child passenger restraint system, as
16 defined in subsection (d). This subsection shall apply to all
17 persons while they are operators of motor vehicles where a
18 seating position is available which is equipped with a seat

1 safety belt or other means to secure the systems or where the
2 seating position was originally equipped with seat safety
3 belts.

4 (1.1) Any person who is operating a passenger car,
5 [Class I truck, Class II truck,] truck, truck tractor,
6 classic motor vehicle, antique motor vehicle or motor home
7 and who transports a child four years of age or older but
8 under eight years of age anywhere in the motor vehicle,
9 including the cargo area, shall fasten such child securely in
10 a fastened safety seat belt system and in an appropriately
11 fitting child booster seat, as defined in subsection (d).
12 This paragraph shall apply to all persons while they are
13 operators of motor vehicles where a seating position is
14 available which is equipped with a seat safety belt or other
15 means to secure the systems or where the seating position was
16 originally equipped with seat safety belts.

17 (2) (i) The driver of a passenger car, [Class I truck,
18 Class II truck] truck, truck tractor or motor home
19 operated in this Commonwealth shall secure or cause to be
20 secured in a properly adjusted and fastened safety seat
21 belt system on the driver, if under 18 years of age, and
22 every vehicle occupant eight years of age or older but
23 under 18 years of age.

24 (ii) Except for children under 18 years of age and
25 except as provided in paragraphs (1) and (1.1) and
26 subparagraph (i), each driver and front seat occupant of
27 a passenger car, [Class I truck, Class II truck,] truck,
28 truck tractor, classic motor vehicle, antique motor
29 vehicle or motor home operated in this Commonwealth shall
30 wear a properly adjusted and fastened safety seat belt

1 system.

2 (iii) This paragraph shall not apply to:

3 (A) A driver or front seat occupant of any
4 vehicle manufactured before July 1, 1966.

5 (B) A driver or front seat occupant who
6 possesses a written verification from a physician
7 that he is unable to wear a safety seat belt system
8 for physical or medical reasons, or from a
9 psychiatrist or other specialist qualified to make an
10 informed judgment that he is unable to wear a safety
11 seat belt system for psychological reasons.

12 (C) A rural letter carrier while operating any
13 motor vehicle during the performance of his duties as
14 a United States postal service rural letter carrier
15 only between the first and last delivery points.

16 (D) A driver who makes frequent stops and is
17 traveling less than 15 miles per hour for the purpose
18 of delivering goods or services while in the
19 performance of his duties and only between the first
20 and last delivery points.

21 (iv) A violation of this paragraph shall not be
22 subject to the assessment of any points under section
23 1535 (relating to schedule of convictions and points).

24 (3) Notwithstanding the provisions of section 1503(c)
25 (2.1) (relating to persons ineligible for licensing; license
26 issuance to minors; junior driver's license), a driver who is
27 under 18 years of age may not operate a motor vehicle in
28 which the number of passengers exceeds the number of
29 available safety seat belts in the vehicle.

30 * * *

1 Section 2. This act shall take effect in 60 days.