SENATE DOCKET, NO. 1611 FILED ON: 1/21/2011

SENATE . . . . . No. 1738

The Commonwealth of Massachusetts

PRESENTED BY:

Susan C. Fargo

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to child passenger safety.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Susan C. Fargo	☐ *[District]* ☐
Jennifer E. Benson	*37th Middlesex*
Denise Provost	*27th Middlesex*

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SENATE . . . . . No. 1738

By Ms. Fargo, a petition (accompanied by bill, Senate, No. 1738) of Susan C. Fargo, Jennifer E. Benson and Denise Provost for legislation relative to child passenger safety. Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *1911* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to child passenger safety.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 7AA of chapter 90 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out the second sentence of the third paragraph, the words "An operator of a motor vehicle who violates the provisions of this section shall be subject to a fine of not more than twenty-five dollars; provided, however, that said twenty-five dollar fine shall not apply to an operator of a motor vehicle licensed as a taxi cab not equipped with a child passenger restraint device." and inserting in place thereof the following sentence:- An operator of a motor vehicle shall be subject to a fine of 100 dollars for each child under the age of 16 who is a passenger in said motor vehicle in violation of the child restraint or seat belt requirements as set forth in the preceding paragraphs; provided, however, that said fine shall not apply to an operator of a motor vehicle, which is a bus or licensed taxi cab not equipped with a child passenger restraint device or equipped from the manufacturer with a passenger seat belt.

SECTION 2. Section 7AA of chapter 90 of the General Laws, as so appearing, is hereby further amended by inserting after the words "issue such certificate" as appearing at the end of the third clause in the third paragraph, the following words:-

; or (4) a passenger in a parked vehicle.

SECTION 3. Section 13A of Chapter 90 of the General Laws, as so appearing, is hereby amended by striking out in clause (a) of the first paragraph, the word "twelve" and inserting in place thereof the following word:- sixteen.

19 SECTION 4. Section 13A of Chapter 90 of the General Laws, as so appearing, is hereby
20 further amended by striking out the second sentence of the second paragraph, the words "Any
21 operator of a motor vehicle shall be subject to an additional fine of twenty-five dollars for each
22 person under the age of sixteen and no younger than twelve who is a passenger in said motor
23 vehicle and not wearing a seat belt.".

24 SECTION 5. Section 13A of Chapter 90 of the General Laws, as so appearing, is hereby
25 further

26 amended by inserting at the end of the last paragraph the following paragraph:- The
27 provisions of this section shall not apply when said motor vehicle is parked.