

ASSEMBLY, No. 531

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman ANGELICA M. JIMENEZ

District 32 (Bergen and Hudson)

SYNOPSIS

Prohibits transport of certain child passengers in front seat of motor vehicle.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning transportation of child passengers and
2 amending P.L.1983, c.128.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 1 of P.L.1983, c.128 (C.39:3-76.2a) is amended to
8 read as follows:

9 1. Every person operating a motor vehicle, other than a school
10 bus, equipped with safety belts or a Lower Anchors and Tethers for
11 Children system (LATCH) who is transporting a child on roadways,
12 streets or highways of this State, shall secure the child in a child
13 passenger restraint system or booster seat, as described in Federal
14 Motor Vehicle Safety Standard Number 213, in a rear seat as
15 follows:

16 a. A child under the age of two years and weighing less than 30
17 pounds shall be secured in a rear facing child passenger restraint
18 system in the rear seat, which is equipped with a five-point harness.

19 b. A child under the age of four years and weighing less than
20 40 pounds shall be secured**【**:

21 (1)**【** in a rear seat in a rear facing child passenger restraint
22 system, which is equipped with a five-point harness, until the child
23 outgrows the top height or top weight recommendations made by
24 the manufacturer of the child passenger restraint system, at which
25 point the child shall be secured in a rear seat, in a forward facing
26 child passenger restraint system which is equipped with a five-point
27 harness**【**; or

28 (2) in a forward facing child passenger restraint system which is
29 equipped with a five-point harness**【**.

30 c. A child under the age of eight years and less than 57 inches
31 in height shall be secured**【**:

32 (1)**【** in the rear seat in a forward facing child passenger restraint
33 system which is equipped with a five-point harness, until the child
34 outgrows the top height or top weight recommendations made by
35 the manufacturer of the child passenger restraint system, at which
36 point the child shall be secured **【**in a rear seat, in a booster seat; or

37 (2)**【** in a booster seat.

38 d. **【**If there are no rear seats, the child shall be secured in a
39 child passenger restraint system or booster seat in a front seat of a
40 motor vehicle except that no child shall be secured in a rear facing
41 child passenger restraint system in a front seat of any motor vehicle
42 which is equipped with a passenger-side airbag that is not disabled
43 or turned off**【** A child under the age of eight years and less than 57
44 inches in height shall not be transported in the front seat of a motor
45 vehicle.

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 e. In no event shall failure to be secured in a child passenger
2 restraint system or booster seat be considered as contributory
3 negligence, nor shall the failure to be secured in the child passenger
4 restraint system or booster seat be admissible as evidence in the
5 trial of any civil action.
6 (cf: P.L.2015, c.50, s.1)

7
8 2. This act shall take effect immediately.
9

10
11 STATEMENT
12

13 This bill prohibits certain child passengers from being
14 transported in the front seat of a motor vehicle.

15 There are a number of safety requirements under current law
16 concerning the transportation of child passengers in a motor
17 vehicle. These restrictions vary depending on the age, height, and
18 weight of the child. However, all children are required to be
19 secured in the rear seat of a vehicle unless there are no rear seats, in
20 which case the child is to be secured in a child passenger restraint
21 system or booster seat in a front seat of a motor vehicle. No child is
22 to be secured in a rear facing child passenger restraint system in a
23 front seat of any motor vehicle which is equipped with a passenger-
24 side airbag that is not disabled or turned off.

25 This bill amends current law to prohibit any child who is under
26 the age of eight years and less than 57 inches in height from being
27 transported in the front seat of a motor vehicle.