



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-0200/1
EVM:amn&ahe

2019 ASSEMBLY BILL 622

November 20, 2019 - Introduced by Representatives TUSLER, C. TAYLOR, BILLINGS, BOWEN, CABRERA, CONSIDINE, CROWLEY, EMERSON, GRUSZYNSKI, HAYWOOD, HEBL, OHNSTAD, SARGENT, SPREITZER, VRUWINK and ZIMMERMAN, cosponsored by Senators BEWLEY, SMITH and L. TAYLOR. Referred to Committee on Transportation.

1 **AN ACT** *to amend* 347.48 (4) (as) 1., 347.48 (4) (as) 2. and 347.48 (4) (as) 3.; and
2 *to create* 347.50 (3) (am) of the statutes; **relating to:** use of child safety
3 restraint systems in motor vehicles and providing a penalty.

Analysis by the Legislative Reference Bureau

This bill requires that children must be secured in a rear-facing car seat until at least age two and modifies several other child safety restraint system requirements.

Under current law, with certain exceptions, no child under the age of eight years may be transported in a motor vehicle unless the child is properly restrained in a child safety restraint system (car seat) or booster seat or by a safety belt (seat belt). The type of restraint system required depends on the age and size of the child, with more protective systems required for younger or smaller children and less protective systems required for older or larger children. A child who is:

1. Less than one year old or who weighs less than 20 pounds must be properly restrained in a rear-facing car seat in the back seat of the vehicle if the vehicle is equipped with a back seat.

2. At least one year old and weighs at least 20 pounds but is less than four years old or weighs less than 40 pounds must be properly restrained in either a rear-facing or forward-facing car seat in the back seat of the vehicle if the vehicle is equipped with a back seat.

3. At least four years old but less than eight years old, weighs between 40 and 80 pounds, and is no more than four feet nine inches tall must be properly restrained

ASSEMBLY BILL 622

in a booster seat or in a rear-facing or forward-facing car seat in the back seat of the vehicle if the vehicle is equipped with a back seat.

4. Under the age of eight and exceeds the weight or height limits specified in item 3, above, must be properly restrained by a seat belt or in a car seat or booster seat as described above.

Under this bill, item 1, above, is modified to cover children until at least age two and to require that such children be properly restrained in a rear-facing child safety restraint system appropriate for the child's weight and height. Item 2, above, is modified to cover all children who are less than four years old or who weigh less than 40 pounds, but that are not subject to item 1. Item 3, above, is modified to cover all children who are not covered by item 1 or 2, but who are less than eight years old or less than 57 inches in height.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 347.48 (4) (as) 1. of the statutes is amended to read:

2 347.48 (4) (as) 1. ~~If the child is less than one year old or weighs less than 20~~
3 ~~pounds~~ Until at least age 2, the child shall be properly restrained in a rear-facing
4 child safety restraint system appropriate for the child's weight and height,
5 positioned at a designated seating position in a back passenger seat of the vehicle if
6 the vehicle is equipped with a back passenger seat.

7 **SECTION 2.** 347.48 (4) (as) 2. of the statutes is amended to read:

8 347.48 (4) (as) 2. Subject to subd. 1., if the child is at least ~~one year~~ 2 years old
9 ~~and weighs at least 20 pounds~~ but is less than 4 years old or weighs less than 40
10 pounds, the child shall be properly restrained as provided in subd. 1. or properly
11 restrained in a forward-facing child safety restraint system, positioned at a
12 designated seating position in a back passenger seat of the vehicle if the vehicle is
13 equipped with a back passenger seat.

14 **SECTION 3.** 347.48 (4) (as) 3. of the statutes is amended to read:

