
HOUSE BILL 2414

State of Washington

53rd Legislature

1994 Regular Session

By Representatives Brown, R. Fisher, Appelwick, J. Kohl, King and Patterson; by request of Washington Traffic Safety Commission

Read first time 01/14/94. Referred to Committee on Judiciary.

1 AN ACT Relating to child passenger restraint systems; and amending
2 RCW 46.61.687.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 46.61.687 and 1993 c 274 s 1 are each amended to read
5 as follows:

6 (1) Whenever a child who is less than six years of age is being
7 transported in a motor vehicle that is in operation and that is
8 required by RCW 46.37.510 to be equipped with a safety belt system in
9 a passenger seating position, the driver of the vehicle shall keep the
10 child properly restrained as follows:

11 (a) If the child is less than ~~((two))~~ four years of age or under
12 forty pounds in weight, the child shall be properly restrained in a
13 child restraint system that complies with standards of the United
14 States department of transportation and that is secured in the vehicle
15 in accordance with instructions of the manufacturer of the child
16 restraint system;

17 (b) If the child is less than six but at least ~~((two))~~ four years
18 of age and at least forty pounds in weight, the child shall be

1 restrained either as specified in (a) of this subsection or with a
2 safety belt properly adjusted and fastened around the child's body.

3 (2) A person violating subsection (1) of this section may be issued
4 a notice of traffic infraction under chapter 46.63 RCW. If the person
5 to whom the notice was issued presents proof of acquisition of an
6 approved child passenger restraint system within seven days to the
7 jurisdiction issuing the notice, the jurisdiction shall dismiss the
8 notice of traffic infraction. (~~(If the person fails to present proof
9 of acquisition within the time required, he or she is subject to a
10 penalty assessment of not less than thirty dollars.)~~)

11 (3) Failure to comply with the requirements of this section shall
12 not constitute negligence by a parent or legal guardian; nor shall
13 failure to use a child restraint system be admissible as evidence of
14 negligence in any civil action.

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