SENATE DOCKET, NO. FILED ON: 1/13/2009

**SENATE . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

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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 bill:

An Act relative to child passenger safety.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Susan C. Fargo | Third Middlesex |

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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 2006 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.

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

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

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