

1983 Assembly Bill 726

Date of enactment: April 20, 1984
Date of publication: April 26, 1984

1983 Wisconsin Act 285

AN ACT to amend 347.48 (4) (a); and to create 347.48 (4) (a) 3 of the statutes, relating to child safety restraint systems in motor vehicles.

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

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

347.48 (4) (a) 1. No resident, who is the parent or legal guardian of a child under the age of 2, may transport the child in a motor vehicle ~~owned by the resident~~ unless the child is properly restrained in a child safety restraint system approved by the department or, when present in the vehicle, permit the child to be transported in a motor vehicle unless he or she has provided for the proper restraint of the child. ~~If a resident who is not the parent or legal guardian of the child transports the child in a motor vehicle when the parent or legal guardian of the child is not present, the resident shall properly restrain the child.~~ "Properly restrained" means fastened in a manner prescribed by the manufacturer of the system which permits the system to act as a body restraint but does not include a system in which the only body restraint is a safety belt of the type required under sub. (1). The department shall, by rule, establish standards in compliance with applicable federal standards for approved types of child safety restraint systems for those child restraint systems purchased after November 1, 1982. No resident is required to have more than 3 child safety restraint systems in a vehicle.

2. No resident, who is the parent or legal guardian of a child who is at least 2 years old but less than 4 years old, may transport the child in a motor vehicle ~~owned by the resident~~ unless the child is properly restrained in a child safety restraint system approved by the department under subd. 1. or in a safety belt approved by the department under sub. (2) or, when present in the vehicle, permit the child to be transported in a motor vehicle unless he or she has provided for the proper restraint of the child. ~~If a resident who is not the parent or legal guardian of the child transports the child in a motor vehicle when the parent or legal guardian of the child is not present, the resident shall properly restrain the child.~~ "Properly restrained" means fastened in a manner prescribed by the manufacturer of the system which permits the system to act as a body restraint.

SECTION 2. 347.48 (4) (a) 3 of the statutes is created to read:

347.48 (4) (a) 3. Notwithstanding subds. 1 and 2, a person other than the operator of a motor vehicle transporting a child required to be properly restrained under subd. 1 or 2 may temporarily remove a child from a safety restraint system to attend to the personal needs of the child under all of the following conditions:

- a. When the child safety restraint system is attached to a back passenger seat.

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- b. When the person attending to the child's personal needs is seated in a back passenger seat.
 - c. When the person physically restrains the child while attending to the child's personal needs.
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