



1995 SENATE BILL 79

February 21, 1995 - Introduced by Senators PLEWA, BURKE and CHVALA, cosponsored by Representatives PLACHE, URBAN, RYBA, BOCK, NOTESTEIN, HAHN, BALDUS, BELL, MORRIS-TATUM, ROBSON and HANSON. Referred to Committee on Transportation, Agriculture and Local Affairs.

1 **AN ACT to amend** 347.48 (4) (a) 2. and 347.48 (4) (c); and **to create** 347.48 (4) (e)
2 of the statutes; **relating to:** child safety seats in taxicabs.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, no child under the age of 4 years old may be transported in a motor vehicle unless that child is properly restrained in a child safety restraint system (safety seat), and no child between the ages of 4 and 8 years old may be transported in a motor vehicle unless that child is properly restrained in a safety seat or by a safety belt. These prohibitions against transporting unrestrained children do not apply to taxicabs.

Under this bill, no child under the age of 4 years old may be transported in a taxicab unless that child is properly restrained in a safety seat. Also, the bill prohibits an operator of a taxicab from refusing to transport a child younger than 4 years old solely because that child does not furnish a safety seat. The bill requires an operator of a taxicab business to furnish and install, upon request, a safety seat for each child passenger under 4 years old. An operator of a taxicab or taxicab business who fails to furnish or install the safety seat may be required to forfeit not less than \$10 nor more than \$200.

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

3 **SECTION 1.** 347.48 (4) (a) 2. of the statutes is amended to read:
4 347.48 (4) (a) 2. No person may transport a child who is at least 4 years old but
5 less than 8 years old in a motor vehicle unless the child is properly restrained in a
6 child safety restraint system approved by the department under subd. 1. or in a

1 safety belt approved by the department under sub. (2). In this subdivision, “properly
2 restrained” means fastened in a manner prescribed by the manufacturer of the
3 system which permits the system to act as a body restraint. This subdivision does not
4 apply to taxicabs.

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

6 347.48 (4) (c) This subsection does not apply if the motor vehicle is a motor bus,
7 school bus, ~~taxicab~~, moped, or motorcycle or is not required to be equipped with safety
8 belts under sub. (1) or 49 CFR 571.

9 **SECTION 3.** 347.48 (4) (e) of the statutes is created to read:

10 347.48 (4) (e) An operator of a taxicab or taxicab business may not refuse to
11 transport a child under the age of 4 years old solely because that child does not
12 furnish a child safety restraint system. An operator of a taxicab business shall
13 furnish within a reasonable time a taxicab equipped with a child safety restraint
14 system when necessary to comply with the requirement of par. (a) 1. A taxicab is not
15 required to maintain a child safety restraint system in the taxicab at all times. No
16 additional fee may be charged for the furnishing, installation or use of a child safety
17 restraint system under this paragraph.

18 **SECTION 4. Effective date.**

19 (1) This act takes effect on the first day of the 2nd month beginning after
20 publication.

21 (END)