AN ACT to amend 347.48 (4) (a) 1 and 2 of the statutes, relating to: requiring the use of safety belts or child safety restraint systems for certain children 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) 1. and 2. of the statutes, as affected by 1991 Wisconsin Act 39, are amended to read:

347.48 (4) (a) 1. No person, who is the parent or legal guardian of a child under the age of 2, may transport the child in a motor vehicle 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 person 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 person shall properly restrain the child.

In this subdivision, “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 person is required to have more than 3 child safety restraint systems in a vehicle.

2. No person, who is the parent or legal guardian of a child who is at least 2 but less than 4 years old, may transport the child in a motor vehicle 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 person 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 person shall properly restrain the child. In this subdivision, “properly restrained” means fastened in a manner prescribed by the manufacturer of the system which permits the system to act as a body restraint.