



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2009 Wisconsin Act 19
[2009 Senate Bill 141]

**Child Safety Alarms for Child Care
Vehicles**

2009 Wisconsin Act 19 requires a child care provider, or contractor of a child care provider, that is the owner or lessee of a child care vehicle to have a child safety alarm installed in the vehicle before it is placed in service. This requirement takes effect three months after the effective date of the act. The term “child care provider” refers to day care centers and providers that are licensed or certified or a day care program that is established or contracted for under s. 120.13 (14), Stats. A “child care vehicle” is a vehicle that has seating capacity of six or more passengers in addition to the driver that is used to transport children to and from the child care provider.

Under the act, a person who is required to have a child safety alarm installed must ensure that the alarm is properly maintained and in good working order each time the child care vehicle is used for transporting children to and from a child care provider.

The act provides that no person may knowingly transport a child, and no child care provider or contractor of a child care provider that is the owner or lessee of a child care vehicle may knowingly permit a child to be transported in a child care vehicle in which an alarm has not been installed, is not properly maintained, or is not in good working order. A person who violates this provision may be fined not more than \$1,000 or imprisoned for not more than one year in the county jail or both.

The act additionally provides that no person may remove, disconnect or tamper with, or otherwise circumvent the operation of a child safety alarm that is installed in a child care vehicle, except to test, repair, or maintain the alarm or to replace or dispose of a malfunctioning alarm. Also, no person may shut off an alarm that is installed in a child care vehicle unless the person first inspects the vehicle to ensure that no child is left unattended in the vehicle. A person who violates this provision is guilty of a Class I felony, punishable by a fine not to exceed \$10,000 or imprisonment not to exceed 3 ½ years or both.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.state.wi.us/>.

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The act requires the Department of Children and Families (DCF) to promulgate rules to implement the provisions of the act. The rules must include a requirement that DCF or a county department of human or social services inspect the child safety alarm of each child care vehicle whenever it inspects a child care provider to ensure that the alarm is in good working order.

The act requires DCF to make information about child safety alarms available to persons who are required to have an alarm installed in a child care vehicle. DCF may make that information available by posting the information on DCF's web site.

Effective Date: Act 19 takes effect on April 1, 2010.

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