



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2015 Senate Bill 332

Senate Substitute Amendment 1

Memo published: February 8, 2016

Contact: Michael Queensland, Staff Attorney (266-3810)

CURRENT LAW

Under current law, with certain exceptions, no child under the age of eight may be transported in a motor vehicle unless the child is properly restrained in a child safety restraint system or booster seat or by a safety belt. The type of restraint system required depends on the age and size of the child, with more protective systems required for younger or smaller children and less protective systems required for older or larger children.

Specifically, a child who is less than one year old or who weighs less than 20 pounds must be properly restrained in a rear-facing car seat in the back seat of the vehicle if the vehicle is equipped with a back seat. A child who is at least one year old and weighs at least 20 pounds but is less than four years old or weighs less than 40 pounds must be properly restrained in either a rear-facing or forward-facing car seat in the back seat of the vehicle if the vehicle is equipped with a back seat.

SENATE SUBSTITUTE AMENDMENT 1

Senate Substitute Amendment 1 removes weight requirements related to child safety restraint systems for children who are less than four years old. The substitute amendment provides that a child who is less than two years old, regardless of weight, must be restrained in a rear-facing car seat in the back seat of the vehicle if the vehicle is equipped with a back seat. The substitute amendment also provides that a child who is at least two years old but is less than four years old, regardless of weight, must be properly restrained in either a rear-facing or forward-facing car seat in the back seat of the vehicle if the vehicle is equipped with a back seat.

Additionally, the substitute amendment provides that, between December 31, 2015 and January 1, 2017, no forfeiture may be assessed against a violator that transports a child who is between the ages of one and two in a front-facing restraint system.

BILL HISTORY

Senate Substitute Amendment 1 was introduced by Senator Olsen on January 6, 2016. On January 14, 2016, the Senate Committee on Judiciary and Public Safety recommended adoption of the substitute amendment, on a vote of Ayes, 4; Noes, 0. On the same day, the committee recommended passage of the bill, as amended, on a vote of Ayes, 4; Noes, 0.

MQ:jal