

CERTIFICATE

STATE OF WISCONSIN)
) ss.
DEPARTMENT OF TRANSPORTATION)

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, CHARLES H. THOMPSON, Secretary of the Wisconsin Department of Transportation and custodian of the official records, do hereby certify that the rule, relating to **child restraint standards**, was duly approved and adopted by this Department on February 20, 1996.

I further certify that this copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department of Transportation at 4802 Sheboygan Avenue, in the City of Madison, Wisconsin, this 20 day of **February**, 1996.

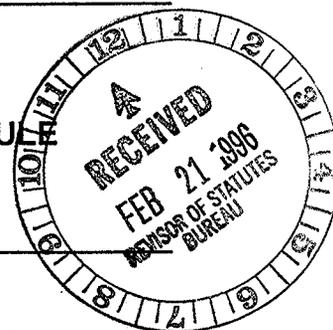
Charles H. Thompson
For CHARLES H. THOMPSON
Secretary



5-1-96

The Wisconsin Department of Transportation adopts an order to repeal TRANS 310.02(4), amend TRANS 310.01(2), 310.03(intro.), 310.04, and 310.05(1)(intro.), relating to child restraint standards.

ORDER ADOPTING RULE



Analysis Prepared by the Wisconsin Department of Transportation

STATUTORY AUTHORITY: s. 347.48(4), Stats.
STATUTES INTERPRETED: s. 347.48(4), Stats.

General Summary of Rule. 1991 Wis. Act 198, relating to requiring the use of safety belts or child safety restraint systems for certain children in motor vehicles, amended s. 347.48(4)(a)2, Stats.; 1991 Wis. Act 39 amended s. 347.48(4)(a)1 and 2, Stats.; and 1985 Wis. Act 182 repealed s. 227.025 and also created s. 227.21, Stats. As a result of these statutory changes, it is necessary to amend ch. Trans 310 to be in compliance with the statutes.

This rule making will amend ss. Trans 310.01(2), 310.03 and 310.04, and to repeal s. Trans 310.02(4), to require that "no person may transport a child who is at least 4 years old but less than 8 years old in a motor vehicle..." (currently the law applies only to children under the age of 4); to eliminate reference to the word "resident" and replacing it with the word "person" where applicable, to repeal the definition of "resident"; and to correct some grammatical inconsistencies.

Fiscal Impact. The Department estimates that there will be no fiscal impact on the liabilities or revenues of any county, city, village, town, school district, technical college district or sewerage district.

Final Regulatory Flexibility Analysis. This rule will have no adverse impact on small businesses.

Copies of Rule. Copies of this rule may be obtained upon request, without cost, by writing to Don Hagen, Office of Transportation Safety, 4802 Sheboygan Avenue, P. O. Box 7910, Room 806, Madison, WI 53707-7910, or by calling (608) 267-7520. Alternate formats of the rule will be provided to individuals at their request.

TEXT OF RULE

Under the authority vested in the state of Wisconsin, department of transportation, by s. 347.48(4), Stats., the department of transportation hereby adopts an order amending a rule interpreting s. 347.48(4), Stats., relating to child restraint standards.

SECTION 1. Trans 310.01(2) is amended to read:

Trans 310.01(2) APPLICABILITY. This chapter applies to the use of safety restraint systems or safety belts by children under the age of 4 8, being transported in a motor vehicle ~~by a resident of the state of Wisconsin.~~ The term motor vehicle includes, but is not limited to, automobiles, station wagons, vans, trucks and motor homes.

SECTION 2. Trans 310.02(4) is repealed.

SECTION 3. Trans 310.03(intro.), 310.04 and 310.05(1)(intro.) are amended to read:

Trans 310.03 ADOPTION OF STANDARDS. (intro.) Pursuant to s. ~~227.025~~ 227.21, Stats., the attorney general and the revisor of statutes have consented to the incorporation by reference of the following standards. Copies of the standards are on file in the offices of the department of transportation, the secretary of state and the revisor of statutes. Copies ~~can~~ may be purchased from the U.S. superintendent of documents, government printing office, Washington, D.C. 20402.

Trans 310.04 PROVISIONS FOR USE. (1) No ~~resident~~ person subject to the provisions of ~~s. 347.48(4)(a)1~~ ss. 347.48(2m)(c) and (4)(a)1, Stats., may transport a child under the age of ~~2~~ 4 in a motor vehicle unless the child is properly restrained by in a child safety restraint system.

(2) No resident person subject to the provisions of ~~s. 347.48(4)(a)2~~ ss. 347.48(2m)(c) and (4)(a)2, Stats., may transport a child who is at least 2 4 years old but less than 4 8 years old in a motor vehicle unless the child is properly restrained in a child safety restraint system or a safety belt.

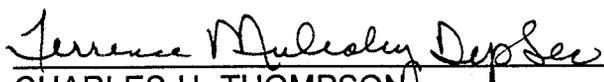
NOTE: A Family Shopping Guide To Infant/Child Automobile Safety Seats is available for distribution at the following locations: Office of Transportation Safety, P.O. Box 7910, Madison, WI 53707; All State Patrol District Headquarters; All Driver Licensing Examination Stations.

Trans 310.05 EXEMPTIONS. (1)(intro.) A child who, because of a medical condition, body size or a physical disability, is incapable of being transported in a child safety restraint system, may be transported without a safety restraint system or safety belt providing:

(END OF RULE TEXT)

Effective Date. This rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22(2), Stats.

Signed at Madison, Wisconsin, this 20 day of February, 1996.



CHARLES H. THOMPSON
Secretary
Wisconsin Department of Transportation



Wisconsin Department of Transportation

Tommy G. Thompson
Governor

Charles H. Thompson
Secretary

OFFICE OF GENERAL COUNSEL
P. O. Box 7910
Madison, WI 53707-7910

February 21, 1996

Mr. Gary Poulson
Deputy Revisor of Statutes
131 West Wilson Street, Suite 800
Madison, Wisconsin 53703



RE: **CLEARINGHOUSE RULE 95-200**

In the Matter of the Adoption of **TRANS 310**, Wisconsin Administrative Code, relating to **child restraint standards**.

Dear Mr. Poulson:

Enclosed for filing, pursuant to s. 227.20, Wis. Stats., is a certified copy of **CR 95-200**, an administrative rule relating to the above-mentioned matter. This rule is submitted by the Wisconsin Department of Transportation.

Sincerely,


Julie A. Johnson
Paralegal

Enclosures

cc: Ann Agnew
Dorothy Kapke
Jim McDonnell
David Manning
Don Hagen