

1.1 ..... moves to amend H.F. No. 3436, the delete everything amendment  
1.2 (H3436DE1), as follows:

1.3 Page 20, after line 18, insert:

1.4 "Sec. 33. Minnesota Statutes 2022, section 169.685, is amended by adding a subdivision  
1.5 to read:

1.6 Subd. 3a. **Definitions.** (a) For purposes of this section, the following terms have the  
1.7 meanings given.

1.8 (b) "Booster seat" means a child passenger restraint system that meets applicable federal  
1.9 motor vehicle safety standards and is designed to provide belt-positioning that elevates a  
1.10 child to be properly seated with a safety belt.

1.11 (c) "Child passenger restraint system" means a device that:

1.12 (1) meets applicable federal motor vehicle safety standards of the United States  
1.13 Department of Transportation and complies with any other applicable federal regulations;

1.14 (2) is designed to restrain, seat, or position children; and

1.15 (3) is appropriate to the age of the child being restrained.

1.16 Child passenger restraint system includes a booster seat.

1.17 (d) "Properly restrained" means restrained or secured according to the instructions of  
1.18 both the motor vehicle manufacturer and the child passenger restraint system manufacturer.

1.19 (e) "Secured with a safety belt" means restrained or secured by a seat belt that (1) meets  
1.20 applicable federal motor vehicle safety standards, and (2) is properly adjusted and fastened,  
1.21 including both the shoulder and lap straps when equipped in the vehicle.

2.1 Sec. 34. Minnesota Statutes 2022, section 169.685, subdivision 4, is amended to read:

2.2 Subd. 4. **Admissibility into evidence.** (a) Except as provided in paragraph (b), proof of  
2.3 the use or failure to use seat belts or a child passenger restraint system as described in  
2.4 subdivision ~~5~~ 4a, or proof of the installation or failure of installation of seat belts or a child  
2.5 passenger restraint system as described in subdivision ~~5~~ shall not be 4a is not admissible in  
2.6 evidence in any litigation involving personal injuries or property damage resulting from the  
2.7 use or operation of any motor vehicle.

2.8 (b) Paragraph (a) does not affect the right of a person to bring an action for damages  
2.9 arising out of an incident that involves a defectively designed, manufactured, installed, or  
2.10 operating seat belt or child passenger restraint system. Paragraph (a) does not prohibit the  
2.11 introduction of evidence pertaining to the use of a seat belt or child passenger restraint  
2.12 system in an action described in this paragraph.

2.13 Sec. 35. Minnesota Statutes 2022, section 169.685, is amended by adding a subdivision  
2.14 to read:

2.15 Subd. 4a. **Child passenger restraint systems.** (a) Except as provided in paragraph (c),  
2.16 every driver in this state who transports a child or children under the age of 18 years in a  
2.17 motor vehicle that is in motion or a part of traffic and is required under federal motor vehicle  
2.18 safety standards to be equipped with a safety belt or lower anchors and tethers for children  
2.19 in a passenger seating position must have the child or children secured as follows:

2.20 (1) a child who is younger than two years of age must be properly restrained in a  
2.21 rear-facing child passenger restraint system with an internal harness, until the child reaches  
2.22 the weight or height limit of the child passenger restraint system;

2.23 (2) a child who is at least two years of age and exceeds the rear-facing weight or height  
2.24 limit of the child passenger restraint system must be properly restrained in a forward-facing  
2.25 child passenger restraint system with an internal harness, until the child reaches the weight  
2.26 or height limit of the child passenger restraint system;

2.27 (3) a child who is at least four years of age and exceeds the weight or height limit of the  
2.28 forward-facing child passenger restraint system must be properly restrained in a booster  
2.29 seat and secured with a safety belt;

2.30 (4) a child who is at least nine years of age or exceeds the weight or height limit of the  
2.31 child passenger restraint system or the booster seat must be secured with a safety belt adjusted  
2.32 and fastened around the child's body to fit correctly. The safety belt fits correctly when the  
2.33 child sits all the way back against the vehicle seat, the child's knees bend over the edge of

3.1 the vehicle seat, the lap strap fits snugly across the child's thighs and lower hips and not the  
3.2 child's abdomen, and the shoulder strap snugly crosses the center of the child's chest and  
3.3 not the child's neck;

3.4 (5) a child who is younger than 13 years of age must be transported in the rear seat of a  
3.5 motor vehicle, when available, and must be properly restrained in a child passenger restraint  
3.6 system or booster seat or secured with a safety belt; and

3.7 (6) a child who, because of age or weight, can be placed in more than one category under  
3.8 this paragraph must be placed in the more protective category, where clause (1) provides  
3.9 for the most protective and clause (5) provides for the least protective.

3.10 (b) The driver of a motor vehicle transporting a child who is younger than six years of  
3.11 age or weighs less than 60 pounds must transport the child in a rear seat if:

3.12 (1) the vehicle is equipped with a passenger side air bag supplemental restraint system;

3.13 (2) the air bag system is activated; and

3.14 (3) a rear seat is available.

3.15 (c) When the number of children in the motor vehicle under 13 years of age exceeds the  
3.16 number of age- or size-appropriate child passenger restraint systems and safety belts available  
3.17 in the motor vehicle, the unrestrained children must be seated in a rear seat, if rear seats are  
3.18 available.

3.19 (d) The weight and height limits of a child passenger restraint system under this  
3.20 subdivision are as established by the child passenger restraint system manufacturer.

3.21 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to violations  
3.22 committed on or after that date.

3.23 Sec. 36. Minnesota Statutes 2022, section 169.685, subdivision 5, is amended to read:

3.24 ~~Subd. 5. **Violation; petty misdemeanor.** (a) Every motor vehicle operator, when~~  
3.25 ~~transporting a child who is both under the age of eight and shorter than four feet nine inches~~  
3.26 ~~on the streets and highways of this state in a motor vehicle equipped with factory-installed~~  
3.27 ~~seat belts, shall equip and install for use in the motor vehicle, according to the manufacturer's~~  
3.28 ~~instructions, a child passenger restraint system meeting federal motor vehicle safety standards.~~

3.29 ~~(b) No motor vehicle operator who is operating a motor vehicle on the streets and~~  
3.30 ~~highways of this state may transport a child who is both under the age of eight and shorter~~  
3.31 ~~than four feet nine inches in a seat of a motor vehicle equipped with a factory-installed seat~~  
3.32 ~~belt, unless the child is properly fastened in the child passenger restraint system. Any motor~~

4.1 vehicle operator who violates ~~this subdivision~~ 4a is guilty of a petty misdemeanor and may  
4.2 be sentenced to pay a fine of not more than \$50. The fine may be waived or the amount  
4.3 reduced if the motor vehicle operator produces evidence that within 14 days after the date  
4.4 of the violation a child passenger restraint system meeting federal motor vehicle safety  
4.5 standards was purchased or obtained for the exclusive use of the operator.

4.6 (c) At the time of issuance of a citation under this subdivision, a peace officer may  
4.7 provide to the violator information on obtaining a free or low-cost child passenger restraint  
4.8 system.

4.9 (d) The fines collected for violations of this subdivision must be deposited in the state  
4.10 ~~treasury and credited to a special account to be known as the~~ Minnesota child passenger  
4.11 restraint and education account.

4.12 ~~(e) For the purposes of this section, "child passenger restraint system" means any device~~  
4.13 ~~that meets the standards of the United States Department of Transportation; is designed to~~  
4.14 ~~restrain, seat, or position children; and includes a booster seat.~~

4.15 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to violations  
4.16 committed on or after that date."

4.17 Renumber the sections in sequence and correct internal references