



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

Senate Bill 1041 (as reported without amendment)  
Sponsor: Senator Patricia L. Birkholz  
Committee: Transportation

## **CONTENT**

The bill would amend the Michigan Vehicle Code to do the following:

- Provide that safety belt and restraint requirements would not apply to a person who was unable to wear a child restraint system for physical or medical reasons.
- Allow children under 13 to sit in the front seat only under specific circumstances, and establish additional restraint and seating conditions for children younger than 16.
- Eliminate provisions under which a driver is in compliance with safety belt requirements if there are more passengers in a vehicle than there are safety belts available for use.

Under the bill, a driver could permit a child who was 12 or younger to sit in the front seat only if 1) the vehicle lacked a rear seat; 2) the rear seats were side-facing jump seats or rear-facing seats; 3) the child restraint system appropriate to the age and weight of the child could not be installed properly in the rear seat; 4) all rear seat positions were occupied by children under 12; 5) the driver had medical verification from a physician that the child was unable to ride in a rear seat; or 6) the child was restrained properly as described below.

Except as otherwise provided above, a driver would have to require that each passenger be restrained and seated properly as follows:

- A child over 12 but under 16 would have to be secured in a properly adjusted and fastened safety belt and could be seated in either the front or a rear seat.
- A child between eight and 12 would have to be seated in a rear seat and be properly restrained in a safety belt or an age- and weight-appropriate child restraint system.
- A child age four or more but under eight would have to be seated in a rear seat and be properly restrained in an age- and weight-appropriate child restraint system.
- A child under four would have to be seated in a rear seat and secured in a child restraint system.

MCL 257.710e

Legislative Analyst: Julie Koval

## **FISCAL IMPACT**

The bill could result in additional revenue to the State and local units of government. To the extent that there would be increased violations, the bill would result in additional fine revenue, courts costs, and Justice System Fund Assessments. Fine revenue from civil infractions under the Michigan Vehicle Code is allocated to public libraries. Fines resulting from citations for violations of corresponding local ordinances are shared between the local unit of government and the court funding unit.

Date Completed: 2-22-06

Fiscal Analyst: Stephanie Yu

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Bill Analysis @ [www.senate.michigan.gov](http://www.senate.michigan.gov)

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