

107TH CONGRESS
2^D SESSION

H. R. 5381

To provide for the improvement of the safety of child restraints in passenger motor vehicles, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 2002

Mr. WALDEN introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for the improvement of the safety of child restraints in passenger motor vehicles, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as “Anton’s Law”.

5 **SEC. 2. IMPROVEMENT OF SAFETY OF CHILD RESTRAINTS**
6 **IN PASSENGER MOTOR VEHICLES.**

7 (a) IN GENERAL.—Not later than 12 months after
8 the date of enactment of this Act, the Secretary of Trans-

1 portation shall initiate a rulemaking proceeding to estab-
2 lish a safety standard for booster seats used in passenger
3 motor vehicles. The standard shall apply to any child occu-
4 pant of a passenger motor vehicle for whom a booster seat,
5 used in combination with an adult seat belt, is an appro-
6 priate form of child restraint.

7 (b) ELEMENTS FOR CONSIDERATION.—In the rule-
8 making proceeding required by subsection (a), the Sec-
9 retary shall—

10 (1) consider whether or not to establish injury
11 performance criteria for children under the safety
12 standard to be established in the rulemaking pro-
13 ceeding;

14 (2) consider whether or not to establish seat
15 belt positioning performance requirements for boost-
16 er seats;

17 (3) consider whether or not to establish a sepa-
18 rate Federal motor vehicle safety standard for boost-
19 er seats or incorporate booster seat requirements
20 into an existing Federal motor vehicle safety stand-
21 ard; and

22 (4) review the definition of the term “booster
23 seat”, as that term is defined in Standard No. 213
24 set forth in section 571.213 of title 49, Code of Fed-

1 eral Regulations, to determine if it is sufficiently
2 comprehensive.

3 (c) COMPLETION.—The Secretary shall complete the
4 rulemaking proceeding required by subsection (a) not later
5 than 24 months after the date of enactment of this Act.

6 **SEC. 3. REPORT ON DEVELOPMENT OF CRASH TEST**
7 **DUMMY SIMULATING A 10-YEAR OLD CHILD.**

8 Not later than 60 days after the date of enactment
9 of this Act, the Secretary of Transportation shall submit
10 to the Committee on Commerce, Science, and Transpor-
11 tation of the Senate and the Committee on Energy and
12 Commerce of the House of Representatives a report on
13 the current schedule and status of activities of the Depart-
14 ment of Transportation to develop and certify a dummy
15 that simulates a 10-year old child for use in testing the
16 effectiveness of child restraints used in passenger motor
17 vehicles.

18 **SEC. 4. REGULATIONS ON MANDATORY USE OF LAP AND**
19 **SHOULDER BELTS.**

20 (a) IN GENERAL.—Not later than 24 months after
21 the date of enactment of this Act, the Secretary of Trans-
22 portation shall complete a rulemaking proceeding to
23 amend Standard No. 208 set forth in section 571.208 of
24 title 49, Code of Federal Regulations, in order to—

1 (1) require each seat belt assembly in the rear
2 seats of a passenger motor vehicle to be a lap and
3 shoulder belt assembly; and

4 (2) apply that requirement to passenger motor
5 vehicles beginning after the production year in which
6 the regulations are prescribed in compliance with the
7 implementation schedule under subsection (b).

8 (b) IMPLEMENTATION SCHEDULE.—The requirement
9 prescribed under subsection (a)(1) may be implemented
10 through a phase-in schedule prescribed by the Secretary
11 which schedule may be similar to the phase-in schedule
12 set forth in paragraph S.14.1.1 of section 571.208 of title
13 49, Code of Federal Regulations, except that the require-
14 ment shall apply to not less than—

15 (1) 50 percent of a manufacturer’s production
16 of passenger motor vehicles for the first production
17 year to which the requirement applies;

18 (2) 80 percent of a manufacturer’s production
19 of passenger motor vehicles for the second produc-
20 tion year to which the requirement applies; and

21 (3) 100 percent of a manufacturer’s production
22 of passenger motor vehicles for the third production
23 year to which the requirement applies.

1 **SEC. 5. TWO-YEAR EXTENSION OF OCCUPANT PROTECTION**
2 **INCENTIVE GRANTS PROGRAM.**

3 Section 2003(b)(7) of the Transportation Equity Act
4 for the 21st Century (23 U.S.C. 405 note; 112 Stat. 328)
5 is amended by striking “and 2001” and inserting
6 “through 2003”.

7 **SEC. 6. INCENTIVE GRANTS FOR USE OF SAFETY BELTS**
8 **AND CHILD RESTRAINT SYSTEMS BY CHIL-**
9 **DREN.**

10 (a) IN GENERAL.—Subchapter II of chapter 301 of
11 title 49, United States Code, is amended by adding at the
12 end the following:

13 **“§ 30128. Grant program for improving child occu-**
14 **pant safety programs**

15 “(a) AUTHORITY TO MAKE GRANTS.—

16 “(1) IN GENERAL.—The Secretary of Transpor-
17 tation may make grants under this section as fol-
18 lows:

19 “(A) A basic grant to any State that en-
20 acts a child restraint law by October 1, 2003.

21 “(B) A supplemental grant to any State
22 described by subparagraph (A) if the child re-
23 straint law concerned is an enhanced child re-
24 straint law.

25 “(2) LIMITATION ON NUMBER OF GRANTS IN
26 ANY STATE FISCAL YEAR.—Not more than one grant

1 may be made to a State under this section in any
2 given fiscal year of the State.

3 “(3) COMMENCEMENT.—The authority of the
4 Secretary to make grants under this section shall
5 commence on October 1, 2003.

6 “(b) AMOUNT OF GRANTS.—

7 “(1) BASIC GRANT.—The amount of a basic
8 grant made to a State under this section shall be
9 equal to two times the amount received by the State
10 under section 2003(b) of the Transportation Equity
11 Act for the 21st Century (23 U.S.C. 405 note) in
12 fiscal year 2003.

13 “(2) SUPPLEMENTAL GRANT.—The amount of
14 any supplemental grant made to a State under this
15 section shall be equal to three times the amount re-
16 ceived by the State under section 2003(b) of that
17 Act in fiscal year 2003.

18 “(c) USE OF GRANT FUNDS.—A State shall use any
19 amount received by the State under this section only to
20 enhance the safety of child occupants of passenger motor
21 vehicles.

22 “(d) DEFINITIONS.—In this section, the following
23 definitions apply:

24 “(1) CHILD RESTRAINT LAW.—The term ‘child
25 restraint law’ means a State law that prescribes a

1 penalty for operating a passenger car (as defined in
2 section 30127(a)(3)) in which any occupant of the
3 car who is under the age of 16 years is not properly
4 restrained by a safety belt or otherwise properly se-
5 cured in a child restraint system that meets applica-
6 ble Federal motor vehicle safety standards pre-
7 scribed by the National Highway Traffic Safety Ad-
8 ministration.

9 “(2) ENHANCED CHILD RESTRAINT LAW.—The
10 term ‘enhanced child restraint law’ means a child re-
11 straint law that prescribes a separate or additional
12 penalty for operating a passenger car unless all of
13 the vehicle occupants for whom a booster seat, used
14 in combination with an adult seat belt, is an appro-
15 priate form of child restraint, are properly using a
16 child restraint system that meets applicable Federal
17 motor vehicle safety standards prescribed by the Na-
18 tional Highway Traffic Safety Administration.”.

19 (b) CLERICAL AMENDMENT.—The table of sections
20 at the beginning of that chapter is amended by inserting
21 after the item relating to section 30127 the following new
22 item:

“30128. Grant program for improving child occupant safety programs.”.

23 **SEC. 7. DEFINITIONS.**

24 In this Act, the following definitions apply:

1 (1) CHILD RESTRAINT.—The term “child re-
2 straint” means a specially designed seating system
3 (including booster seats and child safety seats) that
4 meets applicable Federal motor vehicle safety stand-
5 ards prescribed by the National Highway Traffic
6 Safety Administration.

7 (2) MANUFACTURER.—The term “manufac-
8 turer” has the meaning given that term by section
9 30102(a)(5) of title 49, United States Code.

10 (3) MOTOR VEHICLE.—The term “motor vehi-
11 cle” has the meaning given that term by section
12 30102(a)(6) of title 49, United States Code.

13 (4) PASSENGER MOTOR VEHICLE.—The term
14 “passenger motor vehicle” means—

15 (A) a “passenger car” as defined in section
16 30127(a)(3) of title 49, United States Code;
17 and

18 (B) a “multipurpose passenger vehicle” as
19 defined in section 30127(a)(2) of title 49,
20 United States Code.

21 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

22 There is authorized to be appropriated to the Sec-
23 retary of Transportation such sums as may be necessary
24 to carry out this Act, including the making of grants

1 under section 30128 of title 49, United States Code, as
2 added by section 6 of this Act.

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