

107TH CONGRESS  
1ST SESSION

# S. 980

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

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## IN THE SENATE OF THE UNITED STATES

MAY 26, 2001

Mr. FITZGERALD (for himself and Mr. DORGAN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## 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 the “Child Passenger Pro-  
5 tection Act of 2001”.

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

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

1 Transportation shall initiate a rulemaking proceeding to  
2 establish a safety standard for booster seats used in pas-  
3 senger motor vehicles. The standard shall apply to any  
4 child occupant of a passenger motor vehicle for whom a  
5 booster seat, used in combination with an adult seat belt,  
6 is an appropriate 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 the enactment of this  
6 Act.

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

9 Not later than 60 days after the date of the enact-  
10 ment of this Act, the Secretary of Transportation shall  
11 submit to the Committee on Commerce, Science, and  
12 Transportation of the Senate and the Commerce of the  
13 House of Representatives a report on the current schedule  
14 and status of activities of the Department of Transpor-  
15 tation to develop and certify a dummy that simulates a  
16 10-year old child for use in testing the effectiveness of  
17 child restraints used in passenger motor 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 the enactment of this Act, the Secretary of  
22 Transportation 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)(7) of the Transportation Eq-  
11      uity Act for the 21st Century (23 U.S.C. 405 note)  
12      in 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)(7) 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:

23              “(1) CHILD RESTRAINT LAW.—The term ‘child  
24      restraint law’ means a State law that prescribes a  
25      penalty for operating a passenger motor car (as de-

1 fined in section 30127(a)(3) of this title) in which  
 2 any occupant of the car who is under the age of 16  
 3 years is not properly restrained by a safety belt or  
 4 otherwise properly secured in a child restraint sys-  
 5 tem that meets applicable Federal motor vehicle  
 6 safety standards prescribed by the National High-  
 7 way Traffic Safety Administration.

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

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

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

22 **SEC. 7. DEFINITIONS.**

23 In this Act:

24 (1) CHILD RESTRAINT.—The term “child re-  
 25 straint” means a specially designed seating system

1 (including booster seats and child safety seats) that  
2 meets applicable Federal motor vehicle safety stand-  
3 ards prescribed by the National Highway Traffic  
4 Safety Administration.

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

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

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

13 (A) a “passenger car” as defined in section  
14 30127(a)(3) of title 49, United States Code;  
15 and

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

19 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

20 There is authorized to be appropriated to the Sec-  
21 retary of Transportation such sums as may be necessary  
22 to carry out this Act, including the making of grants  
23 under section 30128 of title 49, United States Code, as  
24 added by section 6.

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