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# A BILL FOR AN ACT

RELATING TO CHILD PASSENGER RESTRAINT SYSTEMS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. Section 291-11.5, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3 "(a) Except as otherwise provided in this section, no  
4 person operating a motor vehicle on a public highway in the  
5 State shall transport a child under [~~eight~~] ten years of age  
6 except under the following circumstances:

7 (1) If the child is [~~under~~] two years of age or younger,  
8 the person operating the motor vehicle shall ensure  
9 that the child is properly restrained in a rear-facing  
10 child passenger restraint system that meets federal  
11 motor vehicle safety standards at the time of its  
12 manufacture;

13 (2) If the child is more than two years of age but less  
14 than four years of age, the person operating the motor  
15 vehicle shall ensure that the child is properly  
16 restrained in a child passenger restraint system that



1           meets federal motor vehicle safety standards at the  
2           time of its manufacture; or  
3       ~~[-(2)-]~~ (3) If the child is four years of age or older but  
4           less than ~~[eight]~~ ten years of age, the person  
5           operating the motor vehicle shall ensure that the  
6           child is properly restrained in a child safety seat or  
7           booster seat that meets federal motor vehicle safety  
8           standards at the time of its manufacture; except as  
9           provided in paragraph ~~[-(3)-]~~ (4); and  
10       ~~[-(3)-]~~ (4) If the child is four years of age or older but  
11           less than ~~[eight]~~ ten years of age, the person  
12           operating the motor vehicle shall be exempt from  
13           properly restraining the child in a child safety seat  
14           or booster seat that meets federal motor vehicle  
15           safety standards at the time of manufacture if the  
16           child is restrained by a seat belt assembly and~~[+~~  
17           ~~(A) Over]~~ over four feet and nine inches in height~~[+~~  
18           ~~or~~  
19           ~~(B) Over forty pounds and traveling in a motor~~  
20           ~~vehicle equipped only with lap belts, without~~  
21           ~~shoulder straps, in the back seat]."~~



1 SECTION 2. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4 SECTION 3. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect on July 1, 2022.

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**Report Title:**

Motor Vehicles; Child Passenger Restraint Systems

**Description:**

Requires motor vehicle operators to ensure that children two years of age or younger are properly restrained in rear-facing child passenger restraint systems. Requires the use of child safety seats or booster seats for certain children less than ten years of age. (HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

