



**House Public Safety and Homeland Security Reported  
Substitute for HB18**

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A BILL  
TO BE ENTITLED  
AN ACT

Relating to motor vehicles; to amend Section 32-5-222, Code of Alabama 1975, to further provide for the requirement to use child passenger restraint systems and seatbelts; and to increase penalties for a violation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 32-5-222, Code of Alabama 1975, is amended to read as follows:

"§32-5-222

(a) Every person transporting a child in a motor vehicle operated on the roadways, streets, or highways of this state shall provide for the protection of the child by properly using an aftermarket or integrated child passenger restraint system meeting applicable federal motor vehicle safety standards and the requirements of subsection (b). This section shall not be interpreted to release in part or in whole the responsibility of an automobile manufacturer to ~~insure~~ensure the safety of children to a level at least equivalent to existing federal safety standards for adults. In no event shall failure to wear a child passenger restraint system be considered as contributory negligence. The term



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29 "motor vehicle" as used in this section shall include a  
30 passenger car, pickup truck, van (seating capacity of 10 or  
31 less), minivan, or sports utility vehicle.

32 (b) The size appropriate restraint system required for  
33 a child in subsection (a) ~~must meet the requirements of~~  
34 ~~Section 32-5B-4 and~~ shall include all of the following:

35 (1) Infant only seats and convertible seats ~~used~~ in the  
36 rear facing position ~~for infants~~ until the child is at least  
37 ~~one year~~ two years of age or ~~20 pounds~~ 35 pounds in weight. In  
38 the event that a child less than two years of age weighs more  
39 than the recommended weight rating for the infant seat, but  
40 less than 35 pounds, a convertible seat must be used.

41 (2) Convertible seats in the forward position or  
42 forward facing seats until the child is at least five years of  
43 age or ~~40 pounds~~ 65 pounds in weight.

44 (3) ~~Booster~~ Belt positioning booster seats until the  
45 child is at least six years of age and can satisfy all of the  
46 following conditions:

47 a. The child is able to sit all the way back against  
48 the vehicle seat.

49 b. The child's knees bend comfortably at the edge of  
50 the seat.

51 c. The seatbelt crosses the child's shoulder between  
52 the neck and arm.

53 d. The lap belt is able to lay flat across the child's  
54 upper thighs.

55 e. The child is able to stay seated as described in  
56 this subdivision for the entire trip.



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57 (4) Seat belts ~~until 15 years of age~~for every other  
58 individual, except as provided under Section 32-5B-4(b).

59 (c) ~~No provision of this~~This section shall not be  
60 construed ~~as creating~~to create any duty, standard of care,  
61 right, or liability between parent and child that is not  
62 recognized under the laws of the State of Alabama ~~as they~~  
63 ~~presently exist, or may, at any time in the future, be~~  
64 ~~constituted by statute or decision.~~

65 ~~(d) Any person violating the provisions of this section~~

66 (d) (1) a. On a first violation, the person may be fined  
67 twenty-five dollars (\$25) ~~for each offense.~~

68 b. On a second violation within a five-year period, the  
69 person shall be fined fifty dollars (\$50).

70 c. On a third violation within a five-year period, the  
71 person shall be fined one hundred dollars (\$100).

72 d. On a four or subsequent violation within a five-year  
73 period, the person shall be fined one hundred fifty dollars  
74 (\$150).

75 (2) ~~The charges~~Upon a first violation only, the charge  
76 may be dismissed by the trial judge hearing the case and no  
77 court costs shall be assessed upon proof of acquisition of an  
78 appropriate child passenger restraint.

79 (e) Fifteen dollars (\$15) of a fine imposed under  
80 subsection (d) shall be used to distribute vouchers for size  
81 appropriate child passenger restraint systems to families of  
82 limited income in the state. The fifteen dollars (\$15) shall  
83 be deposited in the State Treasury to be distributed by the  
84 state Comptroller to the Department of Public Health, which



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85 shall administer the program free of charge.

86 (f) Nothing ~~The provisions of this section~~  
87 ~~notwithstanding, nothing contained herein~~ in this section  
88 shall be deemed a violation of any law ~~which~~ that would  
89 otherwise nullify or change ~~in any way~~ the provisions or  
90 coverage of any insurance contract.

91 (g) For the purpose of identifying habitually negligent  
92 drivers and habitual or frequent violators, the ~~Department of~~  
93 ~~Public Safety~~ Secretary of the Alabama State Law Enforcement  
94 Agency shall assess the following points:

95 (1) Violation of child safety restraint requirements,  
96 first offense .....1 point.

97 (2) Violation of child safety restraint requirements,  
98 second or subsequent offense .....2 points.

99 (h) Every person transporting a child shall be  
100 responsible for ~~assuring~~ ensuring that each child is properly  
101 restrained pursuant to this section. ~~The provisions shall;~~  
102 provided, this subsection does not apply to taxis ~~and all~~ or  
103 motor vehicles with a seating capacity of 11 or more  
104 passengers.

105 (i) Each state, county, and municipal police department  
106 shall maintain statistical information on traffic stops of  
107 minorities pursuant to this section, and shall report that  
108 information monthly to the ~~Department of Public Safety~~ Alabama  
109 State Law Enforcement Agency and the Office of the Attorney  
110 General."

111 Section 2. This act shall become effective on October  
112 1, 2025.