

SENATE CORPORATIONS AND TRANSPORTATION COMMITTEE SUBSTITUTE  
FOR SENATE BILL 752

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

AN ACT

RELATING TO MOTOR VEHICLES; CHANGING CRITERIA REGARDING USE OF  
SAFETY BELTS AND CHILD PASSENGER RESTRAINTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 66-7-369 NMSA 1978 (being Laws 1983,  
Chapter 252, Section 2, as amended) is amended to read:

"66-7-369. CHILD PASSENGER RESTRAINT--ENFORCEMENT. --

A. ~~[No]~~ A person shall not operate a passenger car,  
van or pickup truck in this state ~~[and not]~~, except for an  
authorized emergency vehicle, public transportation or a school  
bus, unless ~~[each passenger under eleven]~~ all passengers less  
than eighteen years of age ~~[is]~~ are properly restrained.

B. Each person less than eighteen years of age  
shall be properly secured in a child passenger restraint device

1 or by a safety belt, unless all seating positions equipped with  
2 safety belts are occupied, as follows:

3 (1) children less than one year of age shall  
4 be properly secured in a rear-facing child passenger restraint  
5 device ~~[which meets the standards prescribed in 49 CFR 571.213]~~  
6 that meets federal standards, in the rear seat of a vehicle  
7 that is equipped with a rear seat. If the vehicle is not  
8 equipped with a rear seat, the child may ride in the front seat  
9 of the vehicle if the passenger-side air bag is deactivated or  
10 if the vehicle is not equipped with a deactivation switch for  
11 the passenger-side air bag;

12 (2) children one year of age ~~[and older but~~  
13 ~~less than five]~~ through four years of age, regardless of  
14 weight, or children who weigh less than forty pounds,  
15 regardless of age, shall be properly secured in a child  
16 passenger restraint device ~~[which meets the standards~~  
17 ~~prescribed in 49 CFR 571.213 or in the rear seat by a safety~~  
18 ~~belt provided in the motor vehicle; and]~~ that meets federal  
19 standards; and

20 (3) children five years of age ~~[and older but~~  
21 ~~less than eleven years of age shall be secured by a safety belt~~  
22 ~~provided in the motor vehicle in either the front or rear seat]~~  
23 through twelve years of age shall be secured in a child  
24 passenger restraint device or by a seat belt.

underscored material = new  
[bracketed material] = delete

