



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**  
**SB2534**

Introduced 2/3/2004, by John J. Cullerton

**SYNOPSIS AS INTRODUCED:**

New Act

Creates the Child Passenger Safety Technician Act. Provides immunity for child passenger safety technicians for the inspection, installation, or adjustment of a child safety seat in a motor vehicle and for the giving of advice or assistance regarding the installation or adjustment of a child safety seat if the listed requirements are met.

LRB093 20609 LCB 46441 b

**A BILL FOR**

1 AN ACT concerning civil liability.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Child  
5 Passenger Safety Technician Act.

6 Section 5. Definitions. As used in this Act:

7 "Child passenger safety technician" means an individual  
8 who holds a current certification as a child passenger safety  
9 technician or technician instructor by the National Highway  
10 Traffic Safety Administration of the United States Department  
11 of Transportation, the American Automobile Association, or  
12 other entity designated by the National Highway Traffic Safety  
13 Administration.

14 "Child safety seat" means a device, including a child  
15 booster seat, that the manufacturer:

16 (1) certifies is manufactured in accordance with  
17 applicable federal safety standards; and

18 (2) intends to be used to restrain, seat, or position a  
19 child who is transported in a motor vehicle.

20 "Child safety seat" does not mean a seat belt or the  
21 combination of a seat belt and shoulder harness used alone.

22 Section 10. Immunity. A child passenger safety technician  
23 or sponsoring organization is not civilly liable for an act or  
24 omission that occurs solely in the inspection, installation, or  
25 adjustment of a child safety seat in a motor vehicle, or in the  
26 giving of advice or assistance regarding the installation or  
27 adjustment of a child safety seat in a motor vehicle, if:

28 (1) the child passenger safety technician acts in good  
29 faith and within the scope of the training for which the  
30 technician is currently certified;

31 (2) the act or omission does not constitute gross

1 negligence or willful or wanton misconduct;

2 (3) the inspection, installation, or adjustment of the  
3 child safety seat, or the advice or assistance, is provided  
4 without fee or charge to the owner or operator of the motor  
5 vehicle; and

6 (4) the inspection, installation, or adjustment of the  
7 child safety seat is not provided in conjunction with the  
8 for profit sale of the child safety seat.

9 Section 15. Applicability. The provisions of this Act apply  
10 to causes of action accruing on or after its effective date.