

1 AN ACT in relation to vehicles.

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

4 Section 5. The Child Passenger Protection Act is amended  
5 by changing Sections 4a and 5 and adding Section 4c as  
6 follows:

7 (625 ILCS 25/4a) (from Ch. 95 1/2, par. 1104a)

8 Sec. 4a. Every person, when transporting a child 4 years  
9 of age or older but under the age of 16, as provided in  
10 Section 4 of this Act, shall be responsible for securing that  
11 child in either a child restraint system or seat belts. This  
12 Section does not apply if Section 4c is applicable.  
13 (Source: P.A. 92-171, eff. 1-1-02.)

14 (625 ILCS 25/4c new)

15 Sec. 4c. Children at least 4 years of age but under 12  
16 years of age. Every person, when transporting a child at  
17 least 4 years of age but under 12 years of age, as provided  
18 in Section 4 of this Act, is responsible for securing that  
19 child in seat safety belts or in a child booster seat and a  
20 federally approved lap-and-shoulder belt system. As used in  
21 this Section, "child booster seat" means a child passenger  
22 restraint system that meets the Federal Motor Vehicle Safety  
23 Standards set forth in 49 C.F.R. 571.213 that is designed to  
24 elevate a child weighing 40 pounds or more but not more than  
25 80 pounds or a child less than 4 feet 9 inches in height to  
26 properly sit in a federally approved lap-and-shoulder belt  
27 system.

28 (625 ILCS 25/5) (from Ch. 95 1/2, par. 1105)

29 Sec. 5. In no event shall a person's failure to secure a

1 child under 6 years of age in an approved child restraint  
2 system or properly secure such child, if age 4 or 5, in a  
3 seat belt constitute contributory negligence or me admissible  
4 as evidence in the trial of any civil action.

5 A person's failure to secure a child 4 years of age or  
6 older but under the age of 12 in a child booster seat and a  
7 federally approved lap-and-shoulder belt system, as provided  
8 in Section 4c of this Act, does not constitute contributory  
9 negligence and is not admissible as evidence in the trial of  
10 any civil action.

11 (Source: P.A. 86-1241.)