

Assembly Bill No. 2667

Passed the Assembly August 23, 2010

Chief Clerk of the Assembly

Passed the Senate August 20, 2010

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2010, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 27363.5 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2667, Hill. Vehicles: child passenger restraint systems.

(1) Existing law requires a public or private hospital, clinic, or birthing center, at the time of discharge of a child who is less than 6 years of age or who weighs less than 60 pounds, to provide and discuss information on the current law requiring child passenger restraint systems with the parents or the person to whom the child is released.

This bill would additionally require a public or private hospital, clinic, or birthing center, at the time the child is discharged, to provide and discuss contact information relating to obtaining, at no cost or low cost, information and assistance relating to child passenger restraint system requirements, installation, and inspection, including, among other things, the telephone number of the local office of the Department of the California Highway Patrol. The bill would provide that a public or private hospital, clinic, or birthing center does not have any additional obligation to provide patients with any assistance relating to child passenger restraint systems, other than providing the information specified. Because this bill would expand an existing crime, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares the following:

(a) Motor vehicle crashes are the leading cause of death of children 3 to 14 years of age.

(b) Many of these deaths can be prevented through the proper use of child safety seats.

(c) According to the National Highway Traffic Safety Administration (NHTSA), child safety seats can reduce fatal injury by 71 percent for infants and by 54 percent for toddlers 1 to 4 years of age.

(d) Unfortunately, according to a recent study, over 90 percent of parents and caregivers believe their child safety seats are installed correctly, but NHTSA research shows that seven out of 10 children are improperly restrained, putting them at risk for serious injury or death in a crash.

SEC. 2. Section 27363.5 of the Vehicle Code is amended to read:

27363.5. (a) A public or private hospital, clinic, or birthing center shall, at the time of the discharge of a child, provide to and discuss with the parent or person to whom the child is released, the following:

(1) Information on the current law requiring child passenger restraint systems.

(2) Contact information to direct the person to an Internet Web site or other contact that could provide, at no cost or low cost, information and assistance relating to child passenger restraint system requirements, installation, and inspection. Pursuant to this paragraph, the hospital, clinic, or birthing center does not have any additional obligation to provide patients with any assistance relating to child passenger restraint systems, other than providing the contact information as set forth in this paragraph. This contact information may include the following:

(A) Call 1-866-SEAT-CHECK or visit www.seatcheck.org to find a nearby location.

(B) The telephone number of the local office of the Department of the California Highway Patrol.

(C) The Internet Web site for the National Highway Traffic Safety Administration's Child Safety Seat Inspection Station Locator.

(D) The Internet Web site for the State Department of Public Health's child passenger restraint system safety inspection locator.

(b) Subdivision (a) applies when at least one of the following conditions is met:

(1) The child is less than six years of age.

(2) The child weighs less than 60 pounds.

(c) A public or private hospital, clinic, or birthing center shall not be responsible for the failure of the parent or person to whom the child is released to use a child passenger restraint system.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

Approved _____, 2010

Governor