

SB 472

This bill alters the penalties for failure to secure a child in an approved child restraint system. Specifically, NRS 484.474 will provide, in pertinent part, as follows:

1. Except as otherwise provided in subsection 7, any person who is transporting a child who is less than 6 years of age and who weighs 60 pounds or less in a motor vehicle operated in this State which is equipped to carry passengers shall secure the

child in a child restraint system which:

(a) Has been approved by the United States Department of Transportation in accordance with the Federal Motor Vehicle Safety Standards set forth in 49 C.F.R. Part 571;

(b) Is appropriate for the size and weight of the child; and

(c) Is installed within and attached safely and securely to the motor vehicle:

(1) In accordance with the instructions for installation and attachment provided by the manufacturer of the child restraint system; or

(2) In another manner that is approved by the National Highway Traffic Safety Administration.

2. **If a defendant pleads or is found guilty of violating** the provisions of subsection 1, **the court shall:**

(a) **In addition to any other penalty imposed by law, order the defendant** to complete a program of training conducted by a person or agency approved by the Department of Public Safety in the installation and use of child restraint systems, **except that the court shall waive the requirements of this paragraph if the defendant is not a resident of the State of Nevada;** and

(b) Except as otherwise provided in this paragraph, **order the defendant to pay** a fine of not less than \$50 nor more than \$500, or **order the defendant** to perform not less than 8 hours nor more than 50 hours of community service. The court may:

(1) **For a first offense by a defendant who completes a program of training described in paragraph (a), waive any amount of the fine or any amount of the community service; and**

(2) **For a second or subsequent offense by a defendant who completes a program of training described in paragraph (a), waive any amount of the fine in excess of \$50 or any amount of the community service in excess of 8 hours, if the person or agency which provided the program of training to the defendant certifies to the court that the defendant has completed the program of training required by paragraph (a) has paid the fee, if any, established for the program pursuant to subsection 4 and has presented for inspection by the person or agency an installed child restraint system that satisfies the provisions of subsection 1.**

The provisions of this paragraph do not authorize the waiver of any fee established by a person or agency pursuant to subsection 4.

3. The court shall make available a list of persons and agencies approved by the Department of Public Safety to conduct programs of training and perform inspections of child restraint systems. The list must include, without limitation, an indication of the fee, if any, established by the person or agency pursuant to subsection 4.

4. A person or agency approved by the Department of Public Safety to conduct programs of training and perform inspections of child restraint systems may, in cooperation with the Department, establish a fee to be paid by defendants who are ordered to complete a program of training. The amount of the fee, if any:

(a) Must be reasonable; and

(b) May, if a defendant desires to acquire a child restraint system from such a person or agency, include the cost of a child restraint system provided by the person or agency to the defendant.

A program of training may not be operated for profit. . . .