

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 464

By: Hicks

AS INTRODUCED

An Act relating to motor vehicle safety; amending 47 O.S. 2021, Section 11-1112, which relates to child passenger restraint systems; requiring certain restraints; establishing certain fine and costs; updating statutory language; updating statutory references; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 2021, Section 11-1112, is amended to read as follows:

Section 11-1112. A. Every driver, when transporting a child under eight (8) years of age in a motor vehicle operated on the roadways, streets, or highways of this state, shall provide for the protection of ~~said~~ the child by properly using a child passenger restraint system as follows:

1. A child under four (4) years of age shall be properly secured in a child passenger restraint system. Except as provided in subsection G of this section, the child passenger restraint system shall be rear-facing until the child reaches two (2) years of age or until the child reaches the weight or height limit of the

1 rear-facing child passenger restraint system as allowed by the
2 manufacturer of the child passenger restraint system, whichever
3 occurs first; and

4 2. A child at least four (4) years of age but younger than
5 eight (8) years of age, if not taller than 4 feet 9 inches in
6 height, shall be properly secured in either a child passenger
7 restraint system or child booster seat.

8 For purposes of this section and Section 11-1113 of this title,
9 "child passenger restraint system" means an infant or child
10 passenger restraint system which meets the federal standards as set
11 by 49 C.F.R., Section 571.213.

12 B. ~~If a child is eight (8)~~ Any occupant of a motor vehicle
13 operated on the roadways, streets, or highways of this state who is
14 younger than eighteen (18) years of age or is taller than 4 feet 9
15 inches in height, a and is not already required to use a safety seat
16 belt or other device pursuant to subsection A of this section shall
17 be restrained by a safety seat belt as set by 49 C.F.R., Section
18 571.208 that is properly secured to the vehicle shall be sufficient
19 ~~to meet the requirements of this section.~~

20 C. The provisions of this section shall not apply to:

21 1. The driver of a school bus, taxicab, moped, motorcycle, or
22 other motor vehicle not required to be equipped with safety belts
23 pursuant to state or federal laws;

24 2. The driver of an ambulance or emergency vehicle;

1 3. The driver of a vehicle in which all of the seat belts are
2 in use;

3 4. The transportation of children who for medical reasons are
4 unable to be placed in such devices, provided there is written
5 documentation from a physician of such medical reason; or

6 5. The transportation of a child who weighs more than forty
7 (40) pounds and who is being transported in the back seat of a
8 vehicle while wearing only a lap safety belt when the back seat of
9 the vehicle is not equipped with combination lap and shoulder safety
10 belts, or when the combination lap and shoulder safety belts in the
11 back seat are being used by other children who weigh more than forty
12 (40) pounds. Provided, however, for purposes of this paragraph,
13 back seat shall include all seats located behind the front seat of a
14 vehicle operated by a licensed child care facility or church.

15 Provided further, there shall be a rebuttable presumption that a
16 child has met the weight requirements of this paragraph if at the
17 request of any law enforcement officer, the licensed child care
18 facility or church provides the officer with a written statement
19 verified by the parent or legal guardian that the child weighs more
20 than forty (40) pounds.

21 D. A violation of the provisions of this section shall be
22 admissible as evidence in any civil action or proceeding for damages
23 unless the plaintiff in such action or proceeding is a child under
24 sixteen (16) years of age.

1 In any action brought by or on behalf of an infant for personal
2 injuries or wrongful death sustained in a motor vehicle collision,
3 the failure of any person to have the infant properly restrained in
4 accordance with the provisions of this section shall not be used in
5 aggravation or mitigation of damages.

6 E. A person who is certified as a Child Passenger Safety
7 Technician and who in good faith provides inspection, adjustment, or
8 educational services regarding child passenger restraint systems
9 shall not be liable for civil damages resulting from any act or
10 omission in providing such services, other than acts or omissions
11 constituting gross negligence or willful or wanton misconduct.

12 F. 1. Any person convicted of violating subsection A of this
13 section shall be punished by a fine of Fifty Dollars (\$50.00) and
14 shall pay all court costs thereof.

15 2. Any person convicted of violating subsection B of this
16 section shall be punished by a fine of Twenty Dollars (\$20.00) and
17 shall pay all court costs thereof.

18 Revenue from such ~~fine~~ fines shall be apportioned to the
19 Department of Public Safety Restricted Revolving Fund and used by
20 the ~~Oklahoma Highway Safety Office~~ Department of Public Safety to
21 promote the use of child passenger restraint systems as provided in
22 Section 11-1113 of this title. This fine shall be suspended and the
23 court costs limited to a maximum of Fifteen Dollars (\$15.00) in the
24 case of the first offense upon proof of purchase or acquisition by

1 loan of a child passenger restraint system. Provided, the
2 ~~Department of Public Safety~~ Service Oklahoma shall not assess points
3 to the driving record of any person convicted of a violation of this
4 section.

5 G. A driver of a vehicle who has been rightfully issued a
6 detachable placard indicating physical disability under the
7 provisions of Section 15-112 of this title or a physically disabled
8 license plate under the provisions of Section 1135.1 or 1135.2 of
9 this title and valid letter of forward-facing exemption issued from
10 the Department of Public Safety shall be permitted to transport a
11 child passenger under four (4) years of age in a forward-facing
12 child passenger restraint system. The placard and forward-facing
13 exemption letter must be present in the vehicle to be in compliance.

14 SECTION 2. This act shall become effective November 1, 2025.

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