
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1130 Session of
2003

INTRODUCED BY McCALL, BISHOP, CAWLEY, CIVERA, COY, DALEY,
DeLUCA, DeWEESE, D. EVANS, FAIRCHILD, GEIST, GRUCELA, HERMAN,
JAMES, LAUGHLIN, MACKERETH, MANN, MELIO, S. MILLER, PRESTON,
SHANER, STABACK, TANGRETTI, E. Z. TAYLOR, TIGUE, WALKO,
WASHINGTON, WATSON, J. WILLIAMS AND YOUNGBLOOD, APRIL 9, 2003

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 9, 2003

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for the Child Passenger Restraint
3 Fund, for a hospital information program, for oral hazard
4 warnings and for civil immunity for lenders of child
5 passenger restraint systems.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Sections 4582, 4583(a), 4584 and 4586 of Title 75
9 of the Pennsylvania Consolidated Statutes are amended to read:

10 § 4582. Child Passenger Restraint Fund.

11 A Child Passenger Restraint Fund is established in the
12 General Fund as a special restricted receipts account hereby
13 earmarked for and appropriated to the department. This fund
14 shall consist of all fines deposited pursuant to section 4581(b)
15 (relating to restraint systems), all Federal funds granted for
16 said use and any moneys donated into the fund. All such funds
17 shall be used solely for the purpose of purchasing Federally
18 approved child restraint seats or appropriately fitting child

1 booster seats and making such seats available to qualified
2 loaner programs within the Commonwealth. A qualified loaner
3 program shall be one determined by the department to loan
4 Federally approved child restraint seats or appropriately
5 fitting child booster seats to parents or legal guardians of
6 children under [four] eight years of age who, due to financial
7 or economic hardship, are unable to comply with the provisions
8 of this subchapter. The department shall adopt such regulations
9 as are necessary to effectuate the purpose of this section.

10 § 4583. Hospital information program.

11 (a) Availability of restraint devices.--The hospital, in
12 conjunction with the attending physician, shall provide the
13 parents of any newborn child with any information regarding the
14 availability of loaner or rental programs for child restraint
15 devices or appropriately fitting child booster seats that may be
16 available in the community where the child is born.

17 * * *

18 [§ 4584. Oral hazard warning.

19 An oral hazard warning shall be given by the State Police or
20 local law enforcement officer to operators of motor vehicles in
21 which children under four years of age are passengers and are
22 not restrained by the use of seat restraints. The officer may
23 advise and urge utilization of seat safety belts that are
24 available in the vehicle and may note that, for children under
25 four years of age, greater protection could be provided by
26 acquiring and utilizing a separate Federally approved child
27 restraint seat. The officer shall notify the parent or legal
28 guardian who is in violation of section 4581 (relating to
29 restraint systems) that, after January 1, 1985, a fine shall be
30 imposed for such violation.]

1 § 4586. Civil immunity for lenders of child passenger restraint
2 systems and booster seats.

3 No person or organization who or which lends to another
4 person or organization a child passenger restraint system or
5 appropriately fitting child booster seats, as described in
6 section 4581 (relating to restraint systems), shall be liable
7 for any civil damages resulting from any acts or omission,
8 except any act or omission intentionally designed to harm, or
9 any grossly negligent act or omission resulting in harm to
10 another.

11 Section 2. This act shall take effect in 60 days.