



## 2020 New York State YMCA

### Youth And Government

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FOR HEALTHY LIVING  
FOR SOCIAL RESPONSIBILITY

Committee Assignment: Assembly Freedom 3

Bill #:AF-19

1 **Sponsors:** Jasmine Agosto and Fanta Wague

2

3 **An Act To:**

4 Amend Section 1229-C in order to require all passengers in the backseat to wear  
5 seatbelts.

6

7 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

8

9 **Purpose:**

10 To enforce seatbelt laws on all passengers in the backseat of a vehicle, regardless  
11 of their age.

12

13 **Summary of Provisions:**

14 **Section 1: Definitions**

15 Safety Belt: a vehicle safety device designed to keep the driver and passengers in a  
16 vehicle strapped into their seats

17 **Section 2:**

18 1. No person shall operate a motor vehicle in this state unless: (a) all back seat  
19 passengers of such vehicle under the age of four are restrained in a specially  
20 designed seat which meets the Federal Motor Vehicle Safety Standards set forth in  
21 49 C.F.R. 571.213 and which is either permanently affixed or is affixed to such  
22 vehicle by a safety belt and which shall be rear-facing whenever the passenger  
23 being restrained in such seat is under the age of two except that in the event that  
24 the weight or height of such passenger under the age of two exceeds the occupant  
25 size and weight recommendations of the manufacturer of such rear-facing seat,  
26 such seat may be forward-facing; provided, however, that in the event that the  
27 weight of such passenger under the age of four exceeds forty pounds, such  
28 passenger may be restrained (i) in an appropriate child restraint system as defined  
29 in subdivision four of this section used with combination lap safety and shoulder  
30 harness belts or (ii) by a lap safety belt in the event such vehicle is not equipped  
31 with combination lap safety and shoulder harness belts or all the combination lap  
32 safety and shoulder harness belts are being used to properly restrain other  
33 passengers who are under the age of sixteen; (b) all back seat passengers of such  
34 vehicle who are age four or older but under age eight (i) are restrained in an  
35 appropriate child restraint system as defined in subdivision four of this section used  
36 with combination lap and shoulder harness belts or (ii) are restrained in a lap safety  
37 belt in the event such vehicle is not equipped with combination lap safety and



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38 shoulder harness belts or all the combination lap safety and shoulder harness belts  
39 are being used to properly restrain other passengers who are under the age of  
40 sixteen; or (c) in the case of any other back seat passenger ~~under the age of~~  
41 ~~sixteen~~, he or she is restrained by a safety belt approved by the commissioner.  
42

43 **Justification:**

44 More than half of the deaths caused by car accidents are made up of people who  
45 did not wear seatbelts. Seatbelts are placed in every vehicle in order to ensure the  
46 safety of all its occupants and New York is very strict on enforcing its laws. Why  
47 does the law suddenly cut off once you are over 16 and you simply sit in the back?  
48 As the Empire State, we have a duty to secure the lives of our citizens, whether or  
49 not they care. By expanding this backseat safety belt law to all citizens, we can now  
50 guarantee that a simple lapse in judgment will not be the cause of someone's death  
51 and all New Yorkers will buckle up.  
52

53 **Fiscal Implications:**

54 There are no fiscal implications.  
55

56 **Effective Date:**

57 This bill will be effective in one year.