

AN ORDINANCE REGARDING THE USE OF CHILD SAFETY SEATS, AND SEATBELTS, AND FOR THE REQUIRED USE OF CHILD PASSENGER RESTRAINT SYSTEMS AND SAFETY BELTS IN MOTOR VEHICLES AND PICKUP TRUCKS, AND REPEALING ORDINANCE NUMBER 2.531.

WHEREAS, The Board of Aldermen of the City of Weston has determined it to be in the best interest of the citizens of the City of Weston to revise regulations for the use of child passenger restraint systems and safety belts in the City of Weston for reasons of public safety and welfare, and

WHEREAS, A copy of this ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill having been read by title in open meeting two times before the final passage.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WESTON, MISSOURI, AS FOLLOWS:

SECTION 1. Passenger restraint system required for children less than eight years of age. Every person transporting a child under the age of eight (8) years shall be responsible, when transporting such child in a motor vehicle operated by that person on the streets or highways of the City, for providing for the protection of such child as follows:

a. Children less than four years of age, regardless of weight, shall be secured in a child passenger restraint system that meets the Federal Motor Vehicle Safety Standards as set forth in 49 CFR 571.213, as amended, and is appropriate for that child.

b. Children less than forty pounds, regardless of age, shall be secured in a child passenger restraint system that meets the Federal Motor Vehicle Safety Standards and is appropriate for that child.

c. Children at least four years old but less than eight years of age, who also weigh at least forty pounds but less than eighty pounds, and who are less than four feet, nine inches tall, shall be secured in a child passenger restraint system or booster seat that meets the Federal Motor Vehicle Safety Standards and is appropriate for that child.

d. Children at least eighty pounds or children more than four feet, nine inches in height shall be secured by a vehicle safety belt or booster seat appropriate for that child.

e. A child who otherwise would be required to be secured in a booster seat may be transported in the back seat of a motor vehicle while wearing only a lap belt if the back seat of the motor vehicle is not equipped with a lap and shoulder belt for booster seat installation.

f. When children of the driver's immediate family are being transported and there are more children than there are seating positions in the enclosed area of the motor vehicle, the children who are not able to be restrained by a child safety restraint device appropriate for the child shall sit behind the front seat in the motor vehicle unless the motor vehicle is designed only for a front seat area. The driver transporting the children under these circumstances shall not be in violation of the child restraint ordinance.

g. The provisions of this section shall not apply to any public carrier for hire. The provisions of this section shall not apply to students four years of age and older who are passengers on a school bus designed for carrying eleven passengers or more and which is manufactured or equipment pursuant to Missouri Minimum Standards for School Buses as school buses are defined in section 301-010, RSMo.

h. The provisions of this section shall not be applicable to any child who has a medical reason for failing to be secured by a passenger restraint system, booster seat or vehicle safety belt.

i. Any person who violates this section upon conviction may be punished by a fine not more than twenty-five dollars (\$25.00) and court costs.

SECTION 2. USE OF SAFETY BELTS.

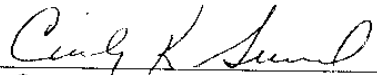
a. Each driver and front seat passenger of a passenger car manufactured after January 1, 1968, operated on a street or highway in this city, and persons less than eighteen years of age operating or riding in a truck that is licensed less than twelve thousand and one pounds on a street or highway in this city shall wear a properly adjusted and fastened safety belt that meets Federal National Highway, Transportation and Safety Act requirements. Each driver of a passenger car manufactured after January 12, 1968, transporting a child eight (8) years of age or more, but less than sixteen (16) years of age secure the child in a properly adjusted and fastened safety belt. The provisions of this section shall not apply to the transporting of children under eight (8) years of age. Each driver of a motor vehicle transporting a child less than eight (8) years of age shall provide for the protection of such child in accordance with the provisions of Section 1 of this ordinance.

b. The provisions of this section shall not be applicable to persons employed by the United States Postal Services while performing duties for that federal agency which require the operator to service postal boxes from their vehicles, or whose duties require frequent entry into and exit from their vehicles. The provisions of this section shall not be applicable to persons who have a medical reason for failing to have a seat belt fastened about his or her body.

c. Any person who violates this section upon conviction may be punished by a fine not more than ten dollars (\$10.00).

SECTION 3. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED THIS 9TH DAY OF FEBRUARY 2009.



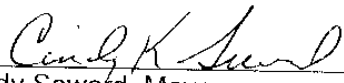
Cindy Seward, Mayor

ATTEST:



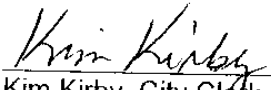
Kim Kirby, City Clerk

APPROVED THIS 9th DAY OF FEBRUARY 2009.



Cindy Seward, Mayor

ATTEST:



Kim Kirby, City Clerk