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**NEWS
RELEASE**

07/05/2023

September's Traffic Focus of the Month

45.412 Child Passenger Safety Seat System

El Paso, Texas— The El Paso Police Department's Traffic Unit and Safe Communities of the Special Services Division have issued their traffic focus of the month. Child Passenger Safety Seat Systems: Offense will be the Traffic Focus for September 2023.

45.412. Child Passenger Safety Seat Systems; Offense.

a) A person commits an offense if the person operates a passenger vehicle, transports a child who is younger than eight years of age, unless the child is taller than four feet, nine inches, and does not keep the child secured during the operation of the vehicle in a child passenger safety seat system according to the instructions of the manufacturer of the safety seat system.

(b) An offense under this section is a misdemeanor punishable by a fine of not less than \$25 and not more than \$250.

(b-1) Repealed by Acts 2011, 82nd Leg., 1st C.S., ch. 4 (S.B. 1), § 69.01(1).

(c) It is a defense to prosecution under this section that the person was operating the vehicle in an emergency or for a law enforcement purpose.

(d) Repealed by Acts 2003, 78th Leg., ch. 204, § 8.01.

(e) This section does not apply to a person:

(1) operating a vehicle transporting passengers for hire, excluding third-party transport service providers when transporting clients pursuant to a contract to provide nonemergency Medicaid transportation; or

(2) transporting a child in a vehicle in which all seating positions equipped with child passenger safety seat systems or safety belts are occupied.



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