

CHAPTER 79

AN ACT concerning the use of wheelchair securement and occupant securement devices and supplementing chapter 3 of Title 39 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.39:3-76.2l Use of securement devices required.

1. The driver of a passenger automobile shall secure or cause to be secured any wheelchaired passenger in a properly adjusted and fastened wheelchair securement and occupant securement device. The securement devices shall be in compliance with Federal Motor Vehicle Safety Standards.

For the purposes of this act, the term "passenger automobile" shall include vans, pick-up trucks, and utility vehicles.

C.39:3-76.2m Violations, penalties.

2. A person who violates this act shall be fined \$100. In no case shall motor vehicle points or automobile insurance eligibility points pursuant to section 26 of P.L.1990, c.8 (C.17:33B-14) be assessed against any person for a violation of this act. A person who is fined under this section for a violation of this act shall not be subject to a surcharge under the Motor Vehicle Violations Surcharge System as provided in section 6 of P.L.1983, c.65 (C.17:29A-35).

3. This act shall take effect immediately.

Approved September 9, 2008.