

AMENDMENT NO. _____ Calendar No. _____

Purpose: To establish a booster seat incentive program.

IN THE SENATE OF THE UNITED STATES—108th Cong., 1st Sess.

To authorize funds for highway safety programs, motor carrier safety programs, hazardous materials transportation safety programs, boating safety programs, and for other purposes.

Referred to the Committee on _____
and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. FITZGERALD

Viz:

1 At the end of title I, add the following new section:

2 **SEC. 161. GRANTS FOR IMPROVING CHILD PASSENGER**

3 **SAFETY PROGRAMS.**

4 (a) IN GENERAL.—Chapter 4 of title 23, United States

5 Code, is amended by adding at the end the following new

6 section:

7 **“§ 412. Booster seat incentive grants**

8 “(a) IN GENERAL.—The Secretary of Transportation

9 shall make a grant under this section to any eligible State.

10 “(b) ELIGIBILITY REQUIREMENTS.—

1 “(1) IN GENERAL.—The Secretary shall make a
2 grant to each State that, as determined by the Sec-
3 retary, enacts or has enacted, and is enforcing a law
4 requiring that children riding in passenger motor ve-
5 hicles (as defined in section 405(f)(5)) who are too
6 large to be secured in a child safety seat (as defined
7 in section 405(f)(1)) be secured in a child restraint
8 (as defined in section 7(1) of Anton’s Law (49
9 U.S.C. 30127 note)) that meets requirements pre-
10 scribed by the Secretary under section 3 of Anton’s
11 Law.

12 “(2) YEAR IN WHICH FIRST ELIGIBLE.—

13 “(A) EARLY QUALIFICATION.—A State
14 that has enacted a law described in paragraph
15 (1) that is in effect before October 1, 2005, is
16 first eligible to receive a grant under subsection
17 (a) in fiscal year 2006.

18 “(B) SUBSEQUENT QUALIFICATION.—A
19 State that enacts a law described in paragraph
20 (1) that takes effect after September 30, 2005,
21 is first eligible to receive a grant under sub-
22 section (a) in the first fiscal year beginning
23 after the date on which the law is enacted.

24 “(3) CONTINUING ELIGIBILITY.—A State that
25 is eligible under paragraph (1) to receive a grant

1 may receive a grant during each fiscal year listed in
2 subsection (f) in which it is eligible.

3 “(4) MAXIMUM NUMBER OF GRANTS.—A State
4 may not receive more than 4 grants under this sec-
5 tion.

6 “(c) GRANT AMOUNT.—Amounts available for grants
7 under this section in any fiscal year shall be apportioned
8 among the eligible States on the basis of population.

9 “(d) USE OF GRANT AMOUNTS.—

10 “(1) IN GENERAL.—Of the amounts received by
11 a State under this section for any fiscal year—

12 “(A) 50 percent shall be used for the en-
13 forcement of, and education to promote public
14 awareness of, State child passenger protection
15 laws; and

16 “(B) 50 percent shall be used to fund pro-
17 grams that purchase and distribute child boost-
18 er seats, child safety seats, and other appro-
19 priate passenger motor vehicle child restraints
20 to indigent families without charge.

21 “(2) REPORT.—Within 60 days after the State
22 fiscal year in which a State receives a grant under
23 this section, the State shall transmit to the Sec-
24 retary a report documenting the manner in which
25 grant amounts were obligated or expended and iden-

1 tifying the specific programs supports by grant
2 funds. The report shall be in a form prescribed by
3 the Secretary and may be combined with other State
4 grant reporting requirements under this chapter.

5 “(e) ADMINISTRATIVE EXPENSES.—Not more than
6 2.5 percent of the amount appropriated to carry out this
7 section for any fiscal year may be obligated or expended
8 for administrative expenses.

9 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated to the Secretary of
11 Transportation, out of the Highway Trust Fund—

12 “(1) \$18,000,000 for fiscal year 2006;

13 “(2) \$20,000,000 for fiscal year 2007;

14 “(3) \$25,000,000 for fiscal year 2008; and

15 “(4) \$30,000,000 for fiscal year 2009.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
17 at the beginning of that chapter is amended by inserting
18 after the item relating to section 411 the following new
19 item:

“412. Booster seat incentive grants.”.