



Legislation Text

File #: 2019-0059, **Version:** 2

Title
AN ORDINANCE AMENDING TITLE 9, CHAPTER 3, SECTION 9-3-5 OF THE ORLAND PARK VILLAGE CODE IN REGARD TO (SEAT SAFETY BELTS AND CHILD RESTRAINT SYSTEMS)

Body

WHEREAS, the Village President and Board of Trustees of the Village of Orland Park (the “Village”) have the authority to adopt ordinances and to promulgate rules and regulations that pertain to the Village’s government and affairs and to protect the public health, safety and welfare of its citizens; and

WHEREAS, the Village deems it necessary and appropriate to provide for the safety of children riding as passengers in motor vehicles; and

WHEREAS, the Village has determined that the Village Code amendments set forth below are necessary to reflect recent amendments to the Illinois Child Passenger Protection Act (625 ILCS 25/I, et seq.) and are in the best interests of the Village and its residents.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, as follows:

SECTION 1

Title 9, Chapter 3, Section 9-3-5, Subsections E, F, G, H and I are amended in their entirety to provide as follows:

“E. Each driver and passenger of a motor vehicle operated on a roadway, street or highway within the Village shall wear a properly fastened and adjusted seat safety belt (625 ILCS 5/12-603.1 (a); except that a child less than 8 years of age shall be protected as required pursuant to the Child Passenger Protection Act. (625 ILCS 5/25-1 et seq.) Each driver of a motor vehicle transporting a child eight (8) years of age or older, but less than sixteen (16) years of age, in the front seat of the motor vehicle shall secure the child in a properly fastened and secured seat safety belt.

F. When any person is transporting a child in the Village under eight (8) years of age in a non-commercial motor vehicle of the first division, a motor vehicle of the second division with a gross vehicle weight rating of 9,000 pounds or less, or a recreational vehicle, on the roadways, streets or highways in the Village, such person shall be responsible for providing protection of such child by properly securing him or her in a child restraint system. The parent or legal guardian of a child under eight (8) years of age shall provide a child restraint system to any person who transports his or her child. Any person who transports the child of another shall not be found to be in violation of this subsection unless a child restraint system was provided to said person by the parent or legal guardian of the child, but was not used to transport the child.

G. Every person, when transporting a child eight (8) years of age or older but under sixteen (16) years of age, in a motor vehicle within the Village, shall be responsible for securing that child in either a child restraint system or a properly fastened and secured seat safety belt.

H. Every person under the age of eighteen (18) years, when transporting a child eight (8) years of age or older but under the age of eighteen (18) years, in a motor vehicle within the Village, shall be responsible for securing that child in a properly adjusted and fastened seat safety belt.

I. The provisions of subsection E above shall not apply to any of the following:

1. A driver or passenger frequently stopping and leaving the motor vehicle or delivering property from the motor vehicle, if the speed of the motor vehicle between stops does not exceed fifteen (15) miles per hour.
2. A driver or passenger possessing a written statement from a physician that such person is unable, for medical or physical reasons, to wear a seat safety belt.
3. A driver or passenger possessing an official certificate or license endorsement issued by the appropriate agency in another state or country indicating that the driver is unable for medical, physical, or other valid reasons to wear a seat safety belt.
4. A driver operating a motor vehicle in reverse.
5. A motor vehicle with a model year prior to 1965
6. A motorcycle, motor driven cycle.
7. A moped.
8. A motor vehicle which is not required to be equipped with seat safety belts under federal law.
9. A motor vehicle operated by a rural letter carrier duly employed by the United States Postal Service while engaged in the performance of his or her duties as a rural letter carrier.
10. A back seat passenger of a taxicab”.

SECTION 2

This Ordinance shall be in full force and effect from and after its adoption and publication in pamphlet form as provided by law.