

TOWNSHIP OF CHIKAMING
BERRIEN COUNTY, MICHIGAN

ORDINANCE NO. 64
Adopted November 8, 1990

A TRAFFIC ORDINANCE TO MANDATE THE USE OF CHILD RESTRAINTS
AND SAFETY BELTS WITHIN THE TOWNSHIP OF CHIKAMING, BERRIEN
COUNTY, MICHIGAN, AND TO PROVIDE PENALTIES FOR THE
VIOLATION THEREOF

THE TOWNSHIP OF CHIKAMING, BERRIEN COUNTY, MICHIGAN, ORDAINS:

Section 1.

Mandatory Child Restraints.

1. Except as provided in this section, or as otherwise provided by law, a rule promulgated pursuant to Act No. 306 of the Public Acts of 1969, as amended, being sections 24.201 to 24.315 of the Michigan Compiled Laws, or federal regulation, each driver transporting a child in a motor vehicle shall properly secure each child in a child restraint system as follows:

a. Any child less than 1 year of age in a child restraint system which meets the standards prescribed in 49 C.F.R. 571.213.

b. Any child 1 year of age or more but less than 4 years of age when transported in the front seat, in a child restraint system which meets the standards prescribed in 49 C.F.R. 571.213.

c. Any child 1 year of age or more but less than 4 years of age when transported in the rear seat, in a child restraint system which meets the standards prescribed in 49 C.F.R. 571.213, unless the child is secured by a safety belt provided in the motor vehicle.

2. This section does not apply to a nonresident driver transporting a child in this state or to any child being nursed.

3. This section does not apply if the motor vehicle being driven is a bus, school bus, taxicab, moped, motorcycle or other motor vehicle not required to be equipped with safety belts under section 257.710B of the Michigan Compiled Laws or federal law or regulations.

4. A person who violates this section is responsible for a civil infraction.

Mandatory safety belt usage.

1. This section shall not apply to a driver or passenger of:
 - a. A motor vehicle manufactured before January 1, 1965.
 - b. A bus.
 - c. A motorcycle.
 - d. A moped.
 - e. A motor vehicle if the driver or passenger possesses a written verification from a physician that the driver is unable to wear a safety belt for physical or medical reasons.
 - f. A motor vehicle which is not required to be equipped with safety belts under federal law.
 - g. A commercial or United States postal service vehicle which makes frequent stops for the purpose of pickup or delivery of goods or services.
 - h. A motor vehicle operated by a rural carrier of the United States postal service while serving his or her rural postal route.
2. This section shall not apply to a passenger of a school bus.
3. Each driver and front seat passenger of a motor vehicle operated on a street or highway in this state shall wear a properly adjusted and fastened safety belt, except that a child less than 4 years of age shall be protected as required in this section. Each driver of a motor vehicle transporting a child 4 years of age or more but less than 16 years of age in the front seat of the motor vehicle shall secure the child in a properly adjusted and fastened safety belt.
4. Enforcement of this section shall be accomplished only as a secondary action when a driver of a motor vehicle has been detained for a suspected violation of another traffic ordinance, statute, code section or rule.
5. A person who violates this section is responsible for a civil infraction.

Section 2.

All other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3.

This ordinance was enacted on the 8th day of November, 1990, by the Chikaming Township Board and ordered to be published in The Gazette on the 15th day of November, 1990, being within ten (10) days of its enactment and ordered to be made effective on the 16th day of December, 1990, being more than thirty (30) days after publication thereof.

Jeanne Dudeck
Jeanne Dudeck, Clerk
Chikaming Township

Attest:

Dennis E. Scheer
Dennis E. Scheer, Supervisor
Chikaming Township

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 64 duly adopted by the Township Board of the Township of Chikaming, Berrien County, Michigan, at a regular meeting held on the 8th day of November, 1990. I further certify that Jeanne Dudeck moved the adoption of said Ordinance and Arthur Sandtveit supported said motion. The names and the

members of the Township Board and their vote on the foregoing ordinance were as follows:

MEMBERS	AYES	NAYS	ABSTAIN
Gibson	_____	_____	_____ Absent
Sandtveit	<u> X </u>	_____	_____
Conley	<u> X </u>	_____	_____
Dudeck	<u> X </u>	_____	_____
Scheer	_____	<u> X </u>	_____

I further certify that the aforesaid Ordinance was recorded in the Ordinance Book for the Township of Chikaming on the 9th day of November, 1990, and such recording has been authenticated by signatures of the Supervisor and Township Clerk. I further certify that the foregoing ordinance was published in full in The Gazette, a newspaper circulating in the Township of Chikaming on the 15th day of November, 1990.

Date: November 8th, 1990

Jeanne Dudeck
Jeanne Dudeck, Clerk
Chikaming Township