

MEMO

Legal Department

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To: Mayor Campbell and Members of the City Council

From: Judy K. Parks, City Attorney

Date: April 21, 2015

Subject: Revision of Municipal Code Provision on Use of Child Seats

The Ames Municipal Code Traffic chapter has a provision that requires children being transported in vehicles to be secured in child restraint seats. That code section is section 26.83. This ordinance was enacted in 2004 and was modeled directly on the Child Restraint statute in the Iowa Motor Vehicle Code.

In the intervening years since enactment of the municipal child restraint ordinance, the State Child Restraint law has undergone several revisions, including expanding the age range of children it protects. The City child restraint ordinance has not changed, however, and a recent prosecution made it clear that it would be beneficial to consider revising it so that it again mirrors State law. Making the standard inside the city again consistent in all respects with that which applies outside the city would eliminate confusion for law enforcement and drivers, and it would ultimately protect a larger group of children.

Code changes are typically initiated at the direction of the City Council, so I am bringing this situation to your attention to ask for your favorable consideration by referring this request to the Legal Department to prepare a revised child restraint ordinance that mirrors the State child restraint law, for first reading at a future meeting.