

March 26, 2009

**H 827. UNATTENDED CHILDREN IN VEHICLES.** Filed 3/26/09. *TO MAKE LEAVING AN UNATTENDED CHILD IN A MOTOR VEHICLE UNLAWFUL.*

Enacts GS 14-318.5 making it unlawful for any parent, legal guardian, or person responsible for a child eight years old or younger to leave the child in a motor vehicle on any public street or public vehicular area without the child being supervised in the vehicle by a person who is at least 14 years old if: (1) the conditions within or in the immediate vicinity would cause a reasonable person to believe that there is a risk to the child's health or safety or (2) the engine of the motor vehicle is running, or the keys to the motor vehicle are anywhere in the passenger compartment of the vehicle, and the child is not in the immediate proximity or line of sight of the parent, legal guardian, or other person responsible for the child. For first offenses, the person must be issued a warning citation. Second or subsequent offenses are Class 2 misdemeanors. The court may, in its discretion, in lieu of imposing any other penalty, require any person convicted of this offense to attend and satisfactorily complete a specified community education program. Requires that by December 1, 2009, the Administrative Office of the Courts compile a list of appropriate community education programs and make that list available to the chief district judges. Effective December 1, 2009, and applies to offenses committed on or after that date.

**Intro. by Underhill.**

GS 14

April 28, 2009

**H 827. UNATTENDED CHILDREN IN VEHICLES.** Filed 3/26/09. House committee substitute makes the following changes to 1st edition. Amends proposed GS 14-318.5 to provide that the statute which makes it unlawful to leave an unattended child in a motor vehicle applies to a child who is less than nine years of age (was, applies to a child who is eight years of age or younger).