

California Child Restraint Law Guidelines for Law Enforcement Officers and Educators

It is important to be accurate and consistent with wording used in presentations and written materials. Some provisions of the law are complicated.

Basic statement about the child restraint law:

Children must ride properly buckled up, in the back seat, in a safety seat or booster until they are at least 6 years old OR weigh at least 60 lbs.

Main exceptions:

- A child under age 6 who weighs over 40 lbs. may wear a lap-only belt in the back seat if the vehicle has no shoulder belts in the back seat.
- A child under age 6 who weighs less than 60 lbs. may ride in the front seat if there is no forward-facing rear seat in the vehicle; the child restraint cannot be properly installed in a rear seat; all rear seats are occupied by other children under age 12; or for medical reasons. An infant (riding in a rear-facing child restraint or under one year or less than 20 lbs.) may not ride in front if there is an active passenger air bag.

Examples of children who are *not specifically required* to use a safety seat or booster or to ride in the back seat:

Age 3, 65 lbs., in any vehicle

Age 2, 61 lbs., in any vehicle

Age 5, 55 lbs., in a vehicle with no shoulder belts in back

Age 6, 50 lbs., in any vehicle

Age 2, 42 lbs., in a vehicle with no shoulder belts in back

Older children:

All children under 16 years of age must ride properly buckled up in a safety belt, safety seat, or booster. Children under six years old may ride in a safety belt, properly used, if they weigh more than 60 lbs. However, safety belts do not fit most children properly until they are 8–11 years old.

Boosters fit most children from about age 4 until at least age 8. They must be used with a lap and shoulder belt. Boosters may be purchased from stores that carry other safety seats and baby furniture. There are special products* to protect children...

- over 40 lbs. who are not ready to ride in a booster (under age 3-4 or very active)
- who ride in vehicles without shoulder belts in the back seat
- who are too wide in the hips to fit in a booster, but not tall enough to use a safety belt

Shoulder belt positioning devices (fabric sleeves, plastic or metal clips) are not certified or regulated to meet federal safety standards. It is illegal to sell them in California (V.C. 27302).

Suggestions to educators:

Provide a copy of the 5-Step Test* so the parent can determine if the child is big enough to use just a safety belt. Point out that they can be cited if the child puts the shoulder belt under the arm or behind the back. Explain the exemption for children over 40 lbs. in older vehicles with only lap belts in the back seat, which are used by almost one-third of the families in California. It is essential to make it clear that the law is a *minimum* requirement, not a recommendation for parents who want the best protection for their children.

* For more information about boosters, special products for children over 40 lbs., or a copy of the 5-Step Test, call SafetyBeltSafe U.S.A.

SafetyBeltSafe U.S.A. P.O. Box 553, Altadena, CA 91003 www.carseat.org 310/222-6860, 800/745-SAFE (English) 310/222-6862, 800/747-SANO (Spanish)
--

This document was developed by SafetyBeltSafe U.S.A. and may be reproduced in its entirety.

Important: Call to check if there is a more recent version before reproducing this document.

#636 (1-20-05)