

California Buckle-Up Laws for Parents

Car crashes are the #1 preventable cause of death of children and young adults, as well as a major cause of permanent brain damage, epilepsy, and spinal cord injuries. A sudden stop at 30 miles per hour could cause the same crushing force on your child's brain and body as a fall from a three-story building. Fortunately, by buckling up children, we can prevent most of these deaths and serious injuries.

(V.C. 27360) Babies and young children must ride **in the back seat, properly buckled up**, in a safety seat or booster until they are at least 6 years old OR weigh 60 lbs. Exceptions: A child who weighs over 40 pounds and is riding in a car without combination lap and shoulder belts in the back seat may wear just a lap belt. Children under age 6 and 60 lbs. may ride in the front if there is no forward-facing rear seat in the vehicle; the child restraint cannot be properly installed in 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.

(V.C. 27360.5) Older children must ride **properly buckled up** in safety seats, booster seats, or properly fitted vehicle safety belts. It is illegal to put the shoulder belt under the arm or behind the back.

Consequences for failing to properly buckle up any child under 16

- **The parent** gets the ticket if a child under 16 is not properly buckled up.
- **The driver** gets the ticket if the parent is not in the car.
- The cost of a ticket could be more than \$300* per child; the fine for a second offense could be more than \$800* per child. One point is added to the driving record, which could raise insurance rates. Part of the fine money goes to a special fund to help pay for local car seat education and distribution programs.

Related Information

- Older babies and toddlers should ride in a rear-facing convertible seat until they are about two years old. Check manufacturer's instructions for the maximum weight (usually 30-35 lbs.).
- Safety belts do not fit most children properly until they are at least 8 years old. To find out if a child is big enough to wear just a safety belt, try the 5-Step Test (available from SafetyBeltSafe U.S.A.).
- Special seats and harnesses are available for older vehicles without rear shoulder belts or for young children over 40 pounds who are too active to sit in a booster wearing a lap and shoulder belt.
- Auto insurers are required to replace safety seats that were in use during a crash.

(V.C. 27315) Drivers and passengers 16 or older must be **properly buckled up** in vehicle safety belts.

The driver may be ticketed for not wearing a belt and for each unbuckled passenger. Fine is more than \$80* per person.

Passengers also may be ticketed for not being properly buckled up.

(V.C. 23116) Pickup truck passengers also must be **properly buckled up**.

The driver may be ticketed for letting passengers ride in the back of a pickup truck.

Passengers also may be ticketed for not being properly buckled up.

The cost of a ticket could be more than \$170* for each unbuckled adult. No exemption for camper shells.

Other Laws to Protect Children

- **Children left in vehicle (V.C. 15620):** A child 6 years old or less may not be left alone in a vehicle if the health or safety of the child is at risk, the engine is running, or the keys are in the ignition. The child must be supervised by someone at least age 12. The cost of a ticket could be more than \$300.*
- **Smoking in a vehicle [Health and Safety Code 118948(a)]** is prohibited if a child under 18 is present. The cost of a ticket could be more than \$300.*
- **Helmets (V.C. 21212, 21204, 27803):** Children under age 18 who are skating or riding on a bicycle, scooter, or skateboard must wear a properly fitted and fastened helmet. All drivers and passengers on a motorcycle must wear a helmet that meets federal standards and has the proper label.

* Fine amounts shown include penalty assessments

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