

Child Restraint Law Enforcement Worksheet

Write the V. C. Section or “no violation” in the left column.

V.C. Section	Scenario	Recommendation to improve protection
	1. 14-month-old, 32 lbs., in an infant-only seat (the kind with a handle) facing forward	
	2. 3-year-old, 42 lbs., in a booster with lap and shoulder belt	
	3. 6-year-old, 50 lbs., in a safety belt with lap belt on tummy	
	4. 11-year-old, 90 lbs., wearing safety belt in front seat	
	5. 10-year-old, 50 lbs., with shoulder belt under the arm	

Enforcing California Restraint Laws for Children

Why Enforcement Is Important

- Traffic collisions are still the number one cause of death and permanent injury of children.
- According to the CHP, 80% of the kids under age 4 killed in California would have survived if they had been properly buckled up in a safety seat.
- Studies show that strong enforcement increases compliance and reduces injuries.
- These citations are “movers” (violations count one point on the driving record).

Answers to Common Questions Asked by Law Enforcement Officers

Q — Who is covered by the law?

A — It is unlawful for any driver to transport a child under 16 in a passenger vehicle or truck (any motor vehicle other than a motorcycle or bus) without the protection of a properly used restraint system.

Q — When is a child restraint required?

A — Children must ride in a properly secured child restraint system (safety seat, booster, or other certified product, such as a crash-tested car bed or harness) until they are at least six years old OR weigh 60 lbs. Exceptions: Children who weigh more than 40 lbs. may be transported in just a lap belt if the back seat of the vehicle was not equipped at the time of manufacture with combination lap and shoulder belts. In an emergency vehicle or in case of a life-threatening emergency, a child under 6 years and 60 lbs. may be secured with a vehicle safety belt if there is no safety seat available. Physical unfitness, medical condition, or size may be cause for exemption, as determined by the court. There are no exemptions for taxis or vehicles registered out of state. Under no circumstances may a child be transported unrestrained.

Q — When is a child required to ride in the back seat?

A — Children are required to ride in the back seat until they are at least six years old OR weigh 60 lbs. Exceptions: No forward-facing rear seat in vehicle; child restraint cannot be properly installed in rear seat; all rear seats are occupied by other children under age 12; 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.

Q — What is a booster seat and when is it legal for a child to use one?

A — A booster seat is a firm cushion, with or without a backrest, that positions the lap and shoulder belt on the child. The minimum weight for a booster seat is 30-40 lbs., depending on the model, and the maximum weight is usually 80-120 lbs. The driver or parent may be cited for misuse if the child is under the minimum weight specified on the label or if a booster is used with just a lap belt. Booster seats were designed for children who have outgrown regular safety seats, so parents should be encouraged to keep the child in a seat with a harness as long as it fits.

Q — When is it legal for a child to wear just a vehicle safety belt?

A — Although a child who is at least age 6 or weighs at least 60 lbs. is not specifically required to ride in a booster, the law requires proper use of safety belts. Most children are not tall enough until about age 10-12 for vehicle belts to fit properly without a booster. Examples of improper and dangerous use: shoulder belt under the arm or behind the back, lap belt on the tummy instead of the upper thighs.

Q — How can an officer quickly determine if there are unrestrained children in a moving vehicle?

A — Concentrate on the obvious, easily seen violations, such as infants riding on mothers' laps, toddlers standing up on the seat or hanging out the windows, and children riding unrestrained in the back of station wagons. These situations are not only easy to spot, but also extremely dangerous for the children.

Q — Which Vehicle Code Sections should be used for unrestrained child passengers?

A — If the child is under age 6 and also under 60 lbs., use 27360 (a) for the parent or, if the parent is not present, (b) for the driver. If the child is at least age 6 or weighs at least 60 lbs., but under 16, use 27360.5 (a) for the parent or (b) for the driver. If the parent is in the car, the driver is not cited. Do not use 27315 for children under age 16.

Q — V.C. Section 27360 specifies that child restraints must be used “properly.” How is proper use defined?

A — Proper use is defined by the vehicle owner's manual and child restraint manufacturer instruction booklet. Here are some examples of visible, improper use which are prohibited by all manufacturers. A citation or warning may be issued for these dangerous practices:

- √ Child riding unrestrained or sharing belt
- √ Child under 6 riding in front seat
- √ Infant facing front of car
- √ Rear-facing baby in front of air bag
- √ Harness loose or not on shoulders
- √ Safety seat loose (can be pulled more than 1")
- √ Shoulder belt under arm or behind back

Q — Is it legal to ride in the back of a pickup under a camper shell? What about extra passengers in a vehicle when all of the belts are already in use?

A — No. All occupants must be properly restrained (no restraints that meet federal standards are available for the cargo area of a truck). The driver may be cited for violating the child restraint law and/or safety belt law, depending on the age and weight of the unrestrained occupants.

Q — How much is the fine? May it be waived?

A — The fine for violating V.C. Section 27360 or 27360.5 is \$100 plus penalty assessments, which adds up to more than \$400. A first offense under this section may be reduced or waived by the court if the defendant shows economic disadvantage. If the fine is reduced, the court is mandated to require the violator to attend an education program. The fine for a second or subsequent offense is \$250 plus penalty assessments.

Q — What can parents do if they believe they cannot afford to buy a safety seat?

A — Most California counties have programs to help people obtain inexpensive safety seats, and officers can provide the number of a local group that might help. The fine money collected for child restraint violations goes to local health departments to help them provide community education and safety seats for low-income families. A safety seat costs about as much as one tank of gas and much less than a baby crib or a playpen. Whether a child comes from an affluent family or a poor one, he or she deserves to be protected from preventable death and injury.

Other laws and information about kids and cars

Health and Safety Code 118948(a) Smoking restriction

Smoking in a vehicle is prohibited if a child under 18 is present. Consequences: The fine is \$100 plus penalty assessments

V.C. 15620 (a) Unattended Children in Vehicles

No person may leave a child age 6 or younger 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 a person at least age 12.

Insurance Code 11580.011 Replacing Child Restraints Used in a Crash

Auto insurance companies are required to ask whether a child restraint was in use by a child in a covered crash and, if so, replace the child restraint or reimburse for its replacement. After it is replaced, the insured may surrender the child restraint to the nearest office of the California Highway Patrol.

DUI and Child Passengers





Motor vehicle-related injury is the leading cause of death for children and young adults aged 1 to 34 years in the United States. Approximately 24% of child traffic deaths involve alcohol. Two-thirds of drinking-driver-related child passenger deaths in the United States involve a child riding unrestrained in the same vehicle with a drinking driver. For all child passenger deaths, child passenger restraint use decreased as both the child's age and the blood alcohol concentration of the child's driver increased.*

Be sure to include in your reports details about children, including restraint use, in the car with DUI driver. Consider encouraging filing of child endangerment charges.

Best Practice: What to Tell Families

Recommendation	Reason
Keep baby facing rear of car as long as possible (recommended until at least age 2; required per manufacturers' instructions until age one).	Young children are 5 times safer in a crash if they are riding rear facing.
Keep child in seat with harness as long as possible (at least until age 3 or 4). Choose a seat with a harness that fits up to 65 lbs. or more	5-point harness system works. Young children may fall asleep or wiggle out of position so the shoulder belt is not on the body.
Keep older child in booster seat until lap and shoulder belts fit properly. To find out if the child is ready to wear just a safety belt, try the 5-Step Test.	Using a booster reduces injuries about 45% for children who do not fit properly in a belt.
Keep all children in the back seat.	Riding in the back seat is 40% safer.

Four Types of Safety Seats

	Infant-only safety seat Fits until baby reaches maximum weight (30-35 lbs. for most seats) if head is at least 1" below top edge. Must be installed facing rearward.
	Convertible safety seat Fits up to 30-45 lbs. rear facing, 40 lbs. or more forward facing. Rear facing is strongly recommended until age 2, required until age one.
	Forward-facing safety seat Check instructions for minimum age/weight. Harness fits up to 40-85 lbs., depending on the model. Harness is removable for some models.
	Safety booster seat For children who outgrow safety seats with a harness. Most children need a booster until age 10-12 for proper fit of belt.

*Journal of the American Medical Association, May 3, 2000—Vol 283, No. 17

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Summary of California Occupant Protection Laws

Restraint Laws For Children Under 16 (Vehicle Code Sections 27360-27368)

A **driver** who is transporting a child in a passenger vehicle (including housecar), motor truck, truck tractor, or three-wheeled vehicle is required to properly secure the child. If the **parent** is in the car, he or she is cited instead of the driver.

(V.C. 27360) **Children** must be properly secured **in the back seat** in a child restraint system (safety seat, booster, car bed, or harness) that meets federal standards **until they are at least 6 years old or 60 lbs.**

Exceptions to requirement for child restraint system: Children who weigh more than 40 lbs. may be transported in just a lap belt if the back seat of the vehicle does not have a combination lap and shoulder belt. In an emergency vehicle or in case of a life-threatening emergency, if there is no safety seat available, a child under 6 years and 60 lbs. may be secured with a vehicle safety belt. Physical unfitness, medical condition, or size may be cause for exemption, as determined by the court.

Exceptions to rear seat requirement: No forward-facing rear seat in vehicle; child restraint cannot be properly installed in rear seat; all rear seats are occupied by other children under age 12; 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) **Children who are at least 6 years old or weigh at least 60 lbs.** and are under age 16 must be **properly** secured in either a child restraint system or a properly fitted safety belt.

Consequences for failing to properly restrain any child under age 16: The fine is \$100 plus penalty assessments.* Violators also receive one point on the driving record. The fine may be reduced or waived if the defendant proves economic disadvantage. If the fine is reduced or waived, the court **must** refer the defendant to a car seat education program and require proof of attendance. The court **may** require any violator of 27360 or 27360.5 to attend an education program which provides certification that the defendant has presented for inspection a child restraint that meets federal safety standards. The fine is \$250 plus penalty assessments* for a second or subsequent offense. At least 60% of the base fine is allocated to the local city or county health department for car seat education and distribution programs.

Car rental agencies are required to post a sign and to provide safety seats for rent by customers on request. The seats must be in good, safe condition, with no missing parts, and less than five years old (V.C. Section 27365).

Retailers/distributors may not sell car seats that do not conform to federal safety standards at the time of sale (V.C. 27362).

No person may sell a child restraint that was in use by a child during a crash (V.C. Section 27362.1).

Auto insurers are required to ask whether a child restraint was in use by a child in a covered crash and, if so, replace the child restraint or reimburse for its replacement. After it is replaced, the insured may surrender the child restraint to the nearest office of the California Highway Patrol. (Section 11580.011 of the Insurance Code)

Local health departments (county or city) must work with the courts to set up a community program that provides education and helps needy families obtain child restraints; they may contract for implementation of a program.

Clinics, birth centers, and health facilities must provide and discuss information about the current law at discharge (V.C. 27363.5) and must have a written policy specifying that safety education will be provided to parents of young children, including a summary of the law, a list of car seat distribution programs in the city or county, and information about the risk of death or injury to children who are not properly restrained (per Sections 1204.3, 1212, and 1268 of the California Health and Safety Code).

Day care centers must post signs with specified information at their entrances (per Section 1596.95 California Health and Safety Code).

Smoking restriction

Smoking in a vehicle is prohibited if a child under 18 is present. Consequences: The fine is \$100 plus penalty assessments.* [Health and Safety Code 118948(a)]

Law Prohibiting Unattended Children in Vehicles (Vehicle Code Section 15620)

No person may leave a child age 6 or younger 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 a person at least age 12. The fine is \$100 plus penalty assessments.*

Restraint Laws for Drivers and Adult Passengers (Vehicle Code Section 27315)

Drivers of passenger vehicles (including housecars), motor trucks, or truck tractors are required to wear safety belts properly and to have passengers 16 or older properly restrained by safety belts.

Passengers 16 or older are required to wear safety belts in all motor vehicles; they may be cited as well as the driver.

Owners of private passenger vehicles, limos, and taxicabs must maintain safety belts in good working order.

Consequences: \$20 fine plus penalty assessments* for first offense; \$50 plus penalty assessments* for subsequent offenses. The court may order attendance at a school in which proper use of safety belts is demonstrated in lieu of the fine.

Exceptions: Driver with certified medical condition, rural mail carrier, newspaper delivery person, trash truck operator, taxi driver with fare-paying passenger on city street, passenger in sleeper berth. Operators of limos, taxis, and emergency vehicles are responsible for restraining passengers 16 or older in the front seat only. Farm labor vehicles are not exempt (V.C. 31405).

Pickup Trucks (Vehicle Code Section 23116)

Drivers are prohibited from transporting any person in or on the back of a pickup or flatbed motor truck; any person riding in or on the back of the truck also may be cited.

Consequences: \$50 fine plus penalty assessments* and one point on the driving record.

Exceptions: This section does not apply if the person is secured with a restraint system which meets federal safety standards (no federal safety standard exists for anchorage of belts in cargo areas) or in an emergency response situation by a public agency. There is no exemption for passengers riding within an enclosed camper or camper shell.

Animals in Pickup Trucks (Vehicle Code Section 23117)

Animals must ride in an enclosed area or be restrained to prevent their ejection from the back of a truck. Exceptions: livestock and dogs used for ranching or farming. **Consequences:** \$50-\$100 fine plus penalty assessments.*

School Buses (Vehicle Code Section 27316)

All Type 2 school buses manufactured on or after July 1, 2004, and Type 1 school buses manufactured on or after July 1, 2005, and purchased or leased for use in California shall be equipped at all designated seating positions with a combination pelvic and upper torso passenger restraint system. No person or organization can be cited under this code, but California Department of Education requires their use, if present.

Motorcycle Helmets (Vehicle Code Section 27803)

All motorcycle riders must wear properly fitted safety helmets which conform to federal safety standards and are so labeled. Driver and passenger may be cited.

Helmets for Children (Vehicle Code Sections 21212, 21204)

Children under age 18 who are skating or riding on a bicycle, non-motorized scooter, or skateboard must wear a properly fitted and fastened helmet that meets specified safety standards. Helmets sold in California must conform to applicable standards and be so labeled.

Bicycle operators are prohibited from carrying passengers without a separate seat. For children who are either under four years old or under 40 pounds, the seat must include a restraint system and protection from moving parts of bicycle, and a properly fitted safety helmet must be used.

Consequences: The maximum fine is \$25; the case may be dismissed on a first offense. The money collected will be used for education and to assist low-income families to obtain helmets.

Used Air Bags (Vehicle Code Section 27317)

It is a misdemeanor punishable by a fine of \$5000 and/or one year in county jail to knowingly sell or install a previously deployed air bag.

Shoulder Belt Positioning Devices (Vehicle Code Section 27302)

“No person shall sell or offer for sale a seatbelt or attachments thereto for use in a vehicle unless it complies with requirements established by the department [California Department of Motor Vehicles].”

*Total fines vary. The total fine with penalty assessments is more than three times the base fine.

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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 \$400* per child; the fine for a second offense could be more than \$1000* 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 at least two years old. Check manufacturer's instructions for the maximum weight (30-45 lbs.).
- Safety belts do not fit most children properly until they are 10-12 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 larger children who are too active to sit in a booster wearing a lap and shoulder belt and for children riding in older vehicles without rear shoulder belts.
- 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 \$140* 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 \$200* 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 \$400.*
- **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 \$400.*
- **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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Leyes de Seguridad de California para Padres

Los choques de carro son la causa prevenible número uno de muerte de niños y jóvenes, como también la causa principal de daños permanentes al cerebro, la epilepsia y lastimaduras en la columna. Una parada en seco a 30 millas por hora podría causar la misma fuerza abrumadora sobre el cerebro y el cuerpo de un niño como la caída de un edificio de tres pisos. Afortunadamente, al abrochar a los niños, podemos prevenir la mayoría de estas lastimaduras graves y muertes.

(V.C. 27360) Los bebés y los niños pequeños deben viajar **en el asiento trasero, abrochados apropiadamente**, en una silla de seguridad o booster hasta que hayan cumplido por lo menos 6 años o pesen 60 lbs. Excepciones: Un niño que pesa más de 40 lbs. y viaja en un carro que no cuenta con cinturones de combinación de cadera y hombro, puede usar sólo el cinturón de cadera. Los niños que sean menores de 6 años y pesen menos de 60 lbs. deben viajar en el asiento de enfrente sí: no hay un asiento trasero orientado hacia el frente en el vehículo; el asiento de seguridad no puede instalarse apropiadamente en el asiento trasero; todos los asientos traseros están siendo ocupados por otros niños menores de 12 años; o por razones médicas. Un infante (que viaje en un asiento de seguridad orientado hacia el frente o que sea menor de 1 año o pese menos de 20 lbs.) no puede viajar en el frente si hay una bolsa de aire para el pasajero activa.

(V.C. 27360.5) Los niños mayores deben viajar abrochados **apropiadamente** en asientos de seguridad, asientos booster o con cinturones de seguridad que les queden bien. Es ilegal colocar el cinturón de hombro debajo del brazo o detrás de la espalda.

Consecuencias por no abrochar apropiadamente a cualquier niño menor de 16 años

- Se le multará **al padre** si un niño menor de 16 años no está abrochado apropiadamente.
- **El conductor** será multado si el padre no está presente.
- La multa podría ser más \$400* por niño; la multa por una segunda infracción podría ser más de \$1000* por niño. Se le añadirá un punto al registro del conductor y esto podría elevar sus tasas de seguro. Parte de ese dinero va destinado a un fondo especial para costear los gastos de programas de educación y distribución de sillas de seguridad.

Información Relacionada

- Bebés mayores y niños pequeños deben viajar en un asiento convertible orientado hacia atrás hasta que tengan por lo menos 2 años. Revise las instrucciones del fabricante para el peso máximo (30-45 lbs. para orientación trasera).
- Los cinturones de seguridad no les quedan bien a los niños hasta que tienen por lo menos 8 años. Para saber si un niño ya está lo suficientemente grande como para usar solamente el cinturón de seguridad, haga la prueba de los 5 pasos (disponible a través de SafetyBeltSafe U.S.A.).
- Existen productos especiales que están disponibles para niños más grandes que son demasiado activos como para permanecer sentados en un asiento booster sujetados con cinturones de cadera y hombro y para niños que viajan en vehículos antiguos que no cuentan con cinturones de hombro en el asiento trasero.
- Se les requiere a las aseguradoras de autos que reemplacen las sillas de seguridad que fueron usadas en un choque.

(V.C. 27315) Los conductores y pasajeros mayores de 16 años deben abrocharse **apropiadamente** los cinturones de seguridad del vehículo.

El conductor puede ser multado por no usar el cinturón y por cada pasajero que no viaje abrochado. La multa es de más de \$140* por persona.

Además, **los pasajeros** pueden ser multados por no estar abrochados apropiadamente.

(V.C. 23116) Los pasajeros en las camionetas “pickup” también deben ser abrochados **apropiadamente**.

El conductor de una “pickup” puede ser multado por permitir que los pasajeros viajen en el compartimiento de carga, abierto al aire libre.

Además, **los pasajeros** pueden ser multados por no estar abrochados apropiadamente.

El costo de la multa podría ser más de \$200* por cada ocupante desabrochado. No hay excepción, aún si tiene “camper”.

Otras Leves para Proteger a los Niños

- **Niños desatendidos dentro de vehículos (V.C. 15620):** Un niño de 6 años o menor nunca debe ser dejado sólo dentro de un vehículo si la salud o la seguridad del niño están en peligro, si el motor está en marcha o si las llaves están dentro de la ignición. El niño debe ser supervisado por alguien que tenga por lo menos 12 años, La multa podría ser más de \$400*.
- **Está prohibido fumar en un vehículo [Código de Salud y Seguridad 118948(a)]** si un niño menor de 18 años está presente. El costo de la multa puede ser por más de \$400.*
- **Cascos (V.C. 21212, 21204):** Los niños menores de 18 años que estén patinando o viajando en una bicicleta, monopatín(scooter), o patineta, deben usar un casco protector que les quede bien y que esté abrochado apropiadamente. Todos los conductores y pasajeros que viajen en una motocicleta, deben usar un casco que cumpla con los estándares federales y tenga la etiqueta apropiada.

*Las cantidades de las multas incluyen impuestos.

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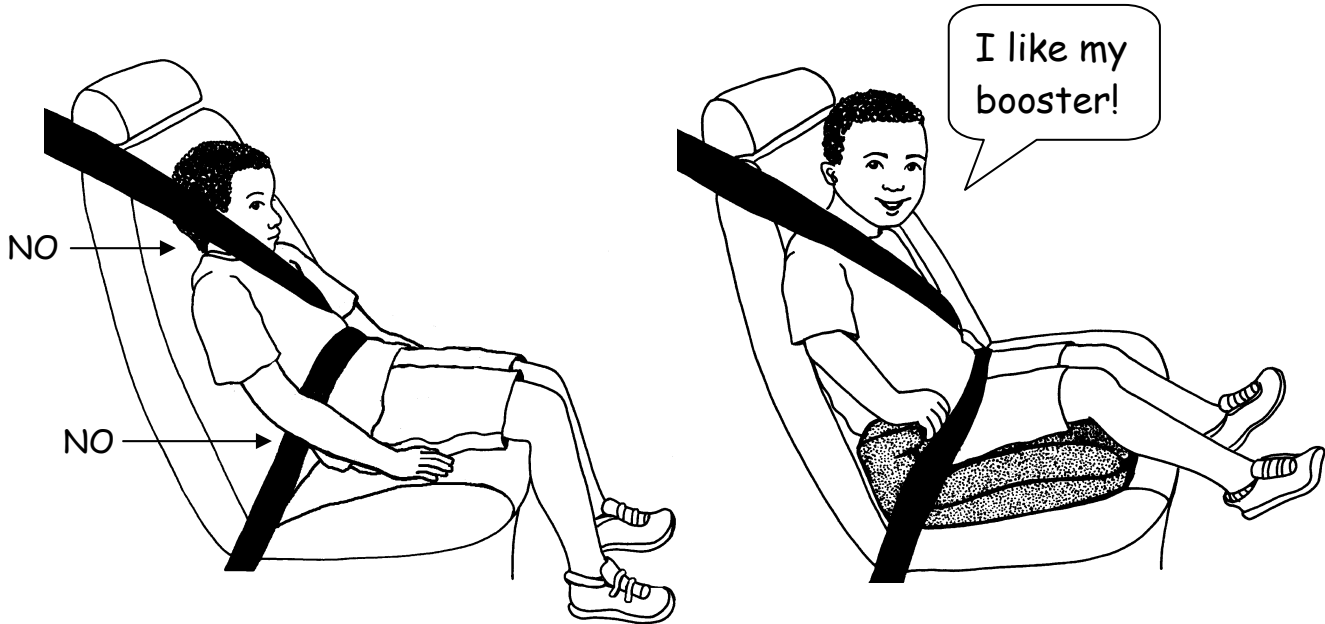
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Boosters Are For Big Kids

Most kids need to ride in a booster seat from about age 4 until age 10-12.

If your child isn't using a booster, try the simple test below the next time you ride together in the car. You may find that your child is not yet ready to use a safety belt without a booster.



The 5-Step Test

1. Does the child sit all the way back against the auto seat?
2. Do the child's knees bend comfortably at the edge of the auto seat?
3. Does the belt cross the shoulder between the neck and arm?
4. Is the lap belt as low as possible, touching the thighs?
5. Can the child stay seated like this for the whole trip?

If you answered "no" to any of these questions, your child needs a booster seat to make both the shoulder belt and the lap belt fit right for the best crash protection. Your child will be more comfortable, too!

For best protection, all children should ride in the back seat until they are ready to drive. It's twice as safe as the front seat.

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Does Your Child Need a Booster Seat?

Young children who are placed in vehicle belts rather than booster seats are twice as likely to suffer devastating injuries, including severe damage to the brain, liver, spleen, and spinal cord. Most children need to use a booster seat until age 10-12 for maximum protection and improved comfort in the car.

Q-My child is six years old. Isn't she old enough to use a regular safety belt now?

A-No. Vehicle seats and belts are designed for adult bodies. For children who have outgrown a safety seat with a harness, a booster seat is needed to keep the lap belt on the upper thighs and the shoulder belt centered on the shoulder and chest.

Q-How can I tell when my child has outgrown his safety seat?*

A-Children should ride in a safety seat with a complete harness system as long as possible. Most current models fit up to 50 lbs. or more, but some fit only up to 40 lbs. Check the weight limit on the labels or in the instruction booklet and make sure the shoulders are at or below the top strap slots.

Q-What about children who outgrow their safety seats before age four?*

A-Most 2-year-olds and many 3-year-olds are too immature to sit still in a booster with a lap and shoulder belt, which allows them to lean forward or sideways. Parents should consider getting a larger seat or a harness system for younger or more active children who outgrow their safety seats.

Q-Why is it important for a child who has outgrown a regular safety seat to use a booster?

A-Older children have a higher rate of injury than younger ones for several reasons. Many of them place the shoulder belt under the arm or behind the back. They tend to ride out of position, either sliding forward to the edge of the vehicle seat or slouching downward. Older children are less likely to be buckled up, perhaps because vehicle seats and belts are not comfortable for them.

Q-What about cars with only lap belts in the back seat?*

A-Never use a booster with only a lap belt! Although two shoulder belts have been required in vehicle back seats since 1989, many families have cars with lap-only belts in the center or older cars with no rear shoulder belts. With the wide variety of products with harnesses certified above 40 lbs. now available, there are excellent options for lap belt only locations.

Q-How can I tell when my child is big enough to use the vehicle belt without a booster?

A-It depends on the child's proportions, the shape of the vehicle seat, and where the belts are attached to the vehicle. The shoulder belt should cross the center of the shoulder and chest. The lap portion of the belt should be low and snug, crossing the hip bones or upper thighs. Check that your child's legs are long enough so the knees bend comfortably at the edge of the seat. Otherwise, the child will tend to slide forward to the edge of the seat or slouch downward, which can cause the lap belt to ride up too high. Make sure the child sits up straight, with the entire back touching the vehicle seatback, and stays properly seated **throughout the trip.**

***For information about safety seats to fit larger children:**

Go to www.carseat.org > Parents' Corner > Helpful Handouts or call SafetyBeltSafe U.S.A.

(Over) Try the 5-Step Test to find out if your child needs a booster seat.

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)

“Family Safety in the Car” Program

Description and Purpose

Family Safety in the Car is a one-time, two-hour class for violators of the safety seat and safety belt laws. Violators are referred to the class by participating courts. The purpose of the program is to save lives and prevent injuries by motivating drivers to buckle up their families and educating them to use restraints properly.

Recognition Received

Letters of support have been received from California Highway Patrol, California Office of Traffic Safety, Los Angeles Police Department, and National Easter Seal Society. SafetyBeltSafe U.S.A. was selected by Nationwide Insurance as one of three national winners to receive the 1996 On Your Side Highway Safety Award for developing Family Safety in the Car, which was recognized as an “exemplary and innovative program.” A study on effectiveness of the program conducted by University of California, Irvine, was reported in the July 2004 issue of *Pediatrics*. Violators who participated in the program showed greater knowledge, were more likely to have an appropriate restraint for their children, and made fewer usage errors than violators who did not participate. Researchers stated that correct use improved most on items corrected during the hands-on inspection component and recommended that referrals be made administratively instead of requiring a court appearance.

Program History

SafetyBeltSafe U.S.A.—the non-profit organization founded in 1980 and recognized nationally for expertise in the field of child passenger safety—developed the program. SafetyBeltSafe U.S.A. provides the curriculum, selects providers, and specifies procedures for the program. Currently, courts in Los Angeles, Monterey, Orange, and Yolo Counties are referring violators to the program.

Downey Municipal Court piloted the program in July, 1991. More than 50,000 violators of the child restraint law and safety belt law have attended the two-hour class; approximately 25,000 car seats have been checked. Of those seats, 20% were safe and legal to use without correction; 60% were safe and legal to use only after instructors provided replacement parts or made necessary adjustments. The other 20% of the seats were rejected because they did not meet federal safety standards; parents were required to obtain an appropriate seat for the child and bring it back to the program to be checked.

How the Program Works

- ◆ SafetyBeltSafe U.S.A. provides consultation to the court and the county health department, if desired, to help them meet the requirements of the child restraint law.
- ◆ SafetyBeltSafe U.S.A. collaborates with a local Family Safety in the Car program provider to set up classes within the jurisdiction. Classes are taught by nationally certified Child Passenger Safety Technicians and Instructors.
- ◆ Violators of Vehicle Code Sections 27360, 27360.5, and 15620 (unattended child in vehicle) are referred by the court to the program. SafetyBeltSafe U.S.A. provides the court with a handout for violators, in English and Spanish, that has a telephone number for information and registration.
- ◆ Violators attend a two-hour class, which includes lecture, discussion, and videos.
- ◆ Parents cited for child restraint violations must bring a car seat to class and have it checked. For violators who do not have a car seat or bring a seat to class that does not pass inspection, a list of low-cost programs in the county is provided.
- ◆ Violators pay a fee at the class to get a completion certificate, which they return to the court.
- ◆ Community members may attend the class and have their safety seats inspected without charge.

*For information on Family Safety in the Car education program for violators, please contact:
Cheryl Kim, Program Coordinator (626) 968-6555.*

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Child Restraint Law Enforcement Worksheet Answers

Write the V. C. Section or “no violation” in the left column.

V.C. Section	Scenario	Recommendation to improve protection
27360 (a) or (b)	1. 14-month-old, 32 lbs., in an infant-only seat (the kind with a handle) facing forward	Do not use this type of seat facing forward. Most of them only fit up to 30 lbs., so the parent should get a convertible seat and use it facing rearward.
No violation	1. 3-year-old, 42 lbs., in a booster with lap and shoulder belt	Acceptable, but encourage the parent to get a seat with a harness that fits kids up to 65 lbs. or more.
27360.5 (a) or (b)	2. 6-year-old, 50 lbs., in a safety belt with lap belt on tummy	Child needs a booster for proper belt fit. In a crash, the lap belt could perforate the stomach or bowel, leading to permanent disability
No violation	3. 11-year-old, 90 lbs., wearing safety belt in front seat	Acceptable if the belt fits properly, but child would be 40% safer in the back seat.
27360.5 (a) or (b)	4. 10-year-old, 50 lbs., with shoulder belt under the arm	Child needs booster (he probably put the belt under the arm because it was uncomfortable).