



SafetyBeltSafe U.S.A.

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August 1, 2009

To: Traffic Supervisor

From: Stephanie Tombrello, Executive Director

We appreciate your efforts to protect children from the number one cause of preventable deaths and injuries — riding unrestrained in motor vehicles. Strong enforcement of the California child restraint law has helped raise restraint use dramatically.

KEY PROVISIONS OF THE LAW

- **Children must ride in a safety seat or booster until they are at least 6 years old or weigh 60 pounds (V.C. 27360).** However, a booster is usually needed longer for the child's comfort and safety. Most children do not fit properly in vehicle belts until they are age 10-11.
- **Children must ride in the back seat until they are at least six years old or weigh 60 pounds, with some exceptions.** For best protection, all children should ride in the back seat, which reduces risk of death in a crash by more than one third.
- **All children under age 16 are covered by the child restraint law.** Children who are age 6-15 or weigh at least 60 lbs. are covered by V.C. 27360.5, not 27315. The parent (or driver, if the parent is not present) may be cited if the child is unrestrained or if the vehicle belt is not being used properly. Older children have the highest rates of death and injury, since they are more likely to be riding loose than infants and toddlers.

The fine for transporting an unrestrained or improperly restrained child under 16 is \$100 per child (over \$400 with penalty assessments). A portion of the fine is allocated to the county or city health department to help needy families get low-cost car seats and learn to use them. Call your local health department to find out about programs in your area. The fine may be reduced only if the court determines the violator is economically disadvantaged and sends the offender to an educational program, such as Family Safety in the Car, the award-winning program developed by SafetyBeltSafe U.S.A. If your county does not have such a program, we would be pleased to help develop one.

We are enclosing a citation reminder card designed to be carried in a ticket book. Please let us know if you would like us to send you a supply of these cards (one per officer in the field). We also are enclosing a reproducible summary of California restraint laws, in English and Spanish, and information about resources for your community. If your department has Certified Child Passenger Safety Technicians, please share this information with them. For a variety of reproducible educational materials in English and Spanish and other useful information, go to www.carseat.org.

“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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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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Warning: Kids at Risk of Strangulation from Loose or Unused Belts

A 13-year-old died recently as a result of playing with a loose shoulder belt while riding in a car. Since 1998, more than 30 cases have been reported to the National Highway Traffic Safety Administration in which children had to be cut loose from vehicle belts they had wrapped around their necks or bodies.

All shoulder-lap belts have a retractor that holds the unused part of the belt and locks the belt in a crash or sudden stop. Normally, the belt rolls in and out of the retractor when the user moves. However, to improve installation of child safety seats, it is possible to lock belts in passenger seating locations for most cars made since 1996. This kind of belt can be dangerous if a child, unaware of the risk, locks it and then becomes entangled in the belt.

How to Protect Your Child from Loose or Unused Belts

If you install your child's safety seat using the shoulder-lap belt...	Follow installation instructions in the manuals for the child safety seat and the vehicle. After installation, make sure that the shoulder belt is either locked tight without slack or that it moves freely in and out and cannot be locked.
If you install your child's safety seat using the LATCH* connectors...	First, buckle the shoulder-lap belt, lock the retractor**, and remove the slack in the belt so it lies flat against the vehicle seat. Install the safety seat with LATCH connectors according to instructions. Some vehicle manufacturers state the unused belt should be released from the buckle after the safety seat is installed.
If your child can reach any unused shoulder-lap belt...	Buckle the belt, lock the retractor**, and remove the slack in the belt. You may need to buckle in a large stuffed animal or pillow to prevent the shoulder belt from retracting too far, allowing it to unlock.
If your child is riding in a booster seat...	Buckle the belt and lock the retractor**. Allow the belt to retract naturally so it is snug, but still comfortable, on the child.
In all cases...	<ul style="list-style-type: none"> • Never leave a child alone in the car. • Make sure all children are snugly harnessed. • Consider carrying a special belt cutter in the glove compartment in case of emergency.

*LATCH: Lower Anchors and Tethers for Children

**How to lock the retractor: Slowly and smoothly, without yanking, pull the shoulder belt all the way out. As the belt goes back into the retractor, a ratcheting (clicking) sound may be heard. The belt cannot be loosened without unbuckling the belt and letting most of it go back into the retractor.

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