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Public Forum

Seatbelt Laws and School Age Children

The National Highway Traffic Safety Administration (NHTSA) states that car crashes are the leading cause of death for children aged 3-14. On January 1, 2012, California passed a new law regarding car seat safety. The law is simple. Children under the age of 8 years old OR under 4 feet 9 inches (57 inches) need to be secured in a car seat or booster seat. Also, children under 8 years old need to be seated in the back seat. This new law has many parents questioning the "or" in the law and trying to understand what it means.

Officer Will Davis of the Moraga Police Department stated that the minimum was raised to protect our children. He commented, "The new law is the minimum. Children can stay in their seats longer, but this is the minimum." A child can move out of a booster when they reach either of the two criteria- age or height. So what should be the minimum? How does California law compare to what is recommended by the American Academy of Pediatrics (AAP) and the NHTSA, which analyzes the impact and safety tests?

The AAP on their Healthy Children website (a website for Parents) has a clear, thorough explanation of when children should move from one restraint device to another and eventually out of the booster. Its guidelines for a booster state, "As a general guideline, a child has outgrown his forward-facing seat when any one of the following is true:

- He reaches the top weight or height allowed for his seat with a harness.
- His shoulders are above the top harness slots.
- His ears have reached the top of the seat.

They recommend that children remain in a booster "until 4 feet 9 inches which is generally between 8 and 12 years of age."

Why the discrepancy? California law says 8 years old and the AAP stretches it to potentially 12 years old? Looking at the standard growth charts that a majority of pediatricians use, an 8 year old who was 57 inches would be in the 100%. It is not until 11 years of age when boys and girls are at the 50% mark when 57 inches. So clearly, California law is setting a minimum as a 57 inch 8 year old would be off the charts.

The AAP also recommends that children remain in the back seat until they are 13 years old for optimal protection. The NHTSA also recommends keeping a child in a restraint as long as possible and waiting until age 13 to allow a child to travel in the front seat. To reiterate, California law states a child can move to the front much sooner- at 8 years of age.

Failure to comply with California law will result in a \$475 fine. Failure to comply with the AAP and NHTSA recommendations could result in far worse. You are informed and the decision is yours.

Internet Resources:

National Highway Traffic Safety Administration: <http://www.nhtsa.gov/Safety/CPS>

Healthy Children: <http://www.healthychildren.org/English/safety-prevention/on-the-go/pages/Car-Safety-Seats-Information-for-Families.aspx>

California Highway Patrol: <http://www.chp.ca.gov/community/safeseat.html>

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