

## Child restraint laws

March 2009

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State	Who is covered?		Maximum fine 1st offense
	Must be in child restraint	Adult safety belt permissible	
Alabama	younger than 1 or less than 20 pounds in a rear-facing infant seat; 1 through 4 years or 20-40 pounds in a forward-facing child safety seat; 5 but not yet 6 in a booster seat.  law states no preference for rear seat	6 through 14 years	\$25 <sup>1</sup>
Alaska	3 years and younger  law states no preference for rear seat	4 through 15 years	\$50 <sup>1</sup>
Arizona	4 years and younger  law states no preference for rear seat	not permissible	\$50
Arkansas	5 years and younger and less than 60 pounds  law states no preference for rear seat	6 through 14 years or 60+ pounds	\$100
California	5 years and younger or less than 60 pounds <sup>2</sup>  children 5 years and younger or less than 60 pounds must be in the rear seat <sup>2</sup>	6 through 15 years or 60+ pounds	\$100 <sup>1</sup>
Colorado	younger than 1 year and less than 20 pounds in a rear-facing infant seat; 1 through 3 years and 20-40 pounds in a forward-facing child safety seat; 4 through 5 years and less than 55 inches in a booster seat <sup>3</sup>  law states no preference for rear seat	6 through 15 years or 55 inches or more	\$50
Connecticut	younger than 1 year or less than 20 pounds in a rear-facing restraint system; 1 through 6 years who is less than 60 pounds in a child restraint system (booster seats may only be used in a seating position with a lap and shoulder belt)  law states no preference for rear seat	7 through 15 years and 60+ pounds <sup>4</sup>	\$60 <sup>4</sup>
Delaware	7 years and younger and less than 66 pounds <sup>5</sup>  children 11 years and younger and 65 inches or less must be in rear seat if passenger airbag is active <sup>5</sup>	8 through 15 years or 66+ pounds <sup>5</sup>	\$25
District of Columbia	7 years and younger  law states no preference for rear seat	8 through 15 years	\$75 <sup>1</sup>
Florida	3 years and younger  law states no preference for rear seat	4 through 5 years	\$60 <sup>1</sup>
Georgia	5 years and younger and 57 inches or less <sup>6</sup>  5 years and younger must be in rear seat if available <sup>6</sup>	more than 57 inches	\$50 <sup>1</sup>
Hawaii	3 years and younger in a child safety seat; 4 years through 7 years must be in a booster seat or child restraint	4 through 7 years who are taller than 4'9"; 4 through 7 years who are at least 40 pounds seated in a rear seat where if there are no available lap/shoulder belts, may be restrained by a lap belt	\$100 <sup>7</sup>

		law states no preference for rear seat	
Idaho	6 years and younger	not permissible	\$100
		law states no preference for rear seat	
Illinois	7 years and younger	8 through 15 years; children who weigh more than 40 pounds seated in the rear where only a lap belt is available	\$50
		law states no preference for rear seat	
Indiana	7 years and younger when driver holds an Indiana license <sup>8</sup>	8 through 15 years	\$25 <sup>1</sup>
		law states no preference for rear seat	
Iowa	younger than 1 year and less than 20 pounds in a rear-facing child seat; 1 through 5 years	6 through 10 years	\$25
		law states no preference for rear seat	
Kansas	all children 3 and younger must be in a child restraint; children 4 through 7 who weigh less than 80 pounds and children 4 through 7 who are less than 57 inches tall must be in a child restraint or booster seat	all children 8 through 13 years; children 4 through 7 years who weigh more than 80 pounds, and children 4 through 7 years who are taller than 57 inches	\$60
		law states no preference for rear seat	
Kentucky	40 inches or less in a child restraint; 6 and younger who are between 40 and 50 inches tall in a booster seat	6 and younger who are taller than 50 inches	\$50 child restraint; \$30 booster seat
		law states no preference for rear seat	
Louisiana	younger than 1 year or less than 20 pounds in a child safety seat; 1 through 3 years or 20-39 pounds in a forward-facing child safety seat; 4 through 5 years or 40-60 pounds in a child booster seat	6 through 12 years or greater than 60 pounds	\$100
		law states no preference for rear seat	
Maine	less than 40 pounds in a child safety seat; 40-80 pounds and less than 8 years in a safety system that elevates the child so that an adult seat belt fits properly	8 through 17 years or less than 18 years and more than 4'9"	\$50
		11 years and younger and less than 100 pounds must be in rear seat if available	
Maryland	7 years and younger and either less than 57 inches or 65 pounds or less	8 through 15 years; children who are at least 57 inches or 65 pounds	\$25
		law states no preference for rear seat	
Massachusetts	7 years and younger and less than 57 inches	8 through 12 years; children who are at least 57 inches tall	\$25
		law states no preference for rear seat	
Michigan	7 years and younger and less than 57 inches	8 through 15 years; children who are at least 57 inches tall	\$10
		law states no preference for rear seat	
Minnesota	3 years and younger	not permissible	\$50
		law states no preference for rear seat	
Mississippi	3 years and younger must be in a child restraint; 4 through 6 years and either less than 57 inches or less than 65 pounds must be in a booster seat	6 years and younger who either weigh 65 pounds or more or who are 57 inches or taller	\$25
		law states no preference for rear seat	

Missouri	3 years and younger must be in a child restraint; all children who weigh less than 40 pounds must be in a CR; 4 through 7 years who weigh at least 40 pounds but less than 80 pounds and who are 4'9" or shorter must be in either a CR or booster seat; children 4 years and older who weigh at least 80 pounds or who are at least 4'9" tall must be in either a booster seat or safety belt	all children 8 through 16 years; all children 4 years and older who weigh 80 pounds or more or who are taller than 4'9"	\$50; \$10 for violations involving children taller than 4'9" or who weigh 80 pounds or more
	law states no preference for rear seat		
Montana	5 years and and younger and less than 60 pounds	not permissible	\$100
	law states no preference for rear seat		
Nebraska	5 years and younger	6 through 17 years <sup>9</sup>	\$25 <sup>1</sup>
	law states no preference for rear seat		
Nevada	5 years and younger and 60 pounds or less	not permissible	\$500 <sup>10</sup>
	law states no preference for rear seat		
New Hampshire	5 years and younger who are less than 55 inches	6 through 17 years; younger than 6 who are at least 55 inches tall	\$25
	law states no preference for rear seat		
New Jersey	7 years and younger and less than 80 pounds	not permissible	\$25
	children 7 years and younger and less than 80 pounds must be in the rear seat if available		
New Mexico	younger than 1 year in a rear-facing infant seat; 1 through 4 years or less than 40 pounds in a child safety seat; 5 through 6 or less than 60 pounds in a booster seat	7 through 17 years	\$25
	children younger than 1 year in a rear-facing infant seat must be in the rear seat if available		
New York	3 and younger unless they weigh more than 40 pounds and are seated where there is no available lap/shoulder belt; 4 through 6 years unless they are seated where there is no available lap/shoulder belt	7 through 15 years; children who weigh more than 40 pounds or children 4 through 6 years in a seating position where there is no available lap/shoulder belt	\$100 <sup>1</sup>
	law states no preference for rear seat		
North Carolina	7 years and younger and less than 80 pounds	8 through 15 years + children 40-80 pounds in seats without shoulder belts	\$25 <sup>1</sup>
	children 4 years and younger who weigh less than 40 pounds must be in the rear seat unless the front passenger airbag is deactivated or the restraint is designed for use with airbags		
North Dakota	6 years and younger and less than 57 inches or less than 80 pounds	7 through 17 years; 6 years and younger and at least 57 inches tall and at least 80 pounds; 6 years and younger and at least 40 pounds, if there are no available lap/shoulder belts, may be restrained by a lap belt	\$25 <sup>1</sup>
	law states no preference for rear seat		
Ohio	3 years and younger or less than 40 pounds in child restraint; 4 through 7 years who weigh 40 pounds or more and who are shorter than 57 inches in booster seat (effective 10/07/09)	8 through 14 years <sup>11</sup> (effective 10/07/09)	\$75 <sup>11</sup> (effective 10/07/09)
	law states no preference for rear seat		
Oklahoma	5 years and younger <sup>12</sup>	6 through 12 years	\$25
	law states no preference for rear seat		

Oregon	younger than 1 year or 20 pounds or less must be in a rear facing child safety seat; 40 pounds or less must be in a child safety seat; more than 40 pounds but 4 feet and 9 inches or less must be in a safety system that elevates the child so that an adult seat belt fits properly	taller than 4 feet and 9 inches	\$90
law states no preference for rear seat			
Pennsylvania	7 years and younger <sup>13</sup>	not permissible	\$100
law states no preference for rear seat			
Rhode Island	6 years and younger and less than 54 inches and less than 80 pounds	6 years and younger who either weigh 80 pounds or more or who are at least 54 inches tall; 7 through 17	\$75
children 6 years and younger must be in rear seat if available			
South Carolina	younger than 1 year or less than 20 pounds in a rear-facing infant seat; 1 through 5 years and 20-39 pounds in a forward-facing child safety seat; 1 through 5 years and 40-80 pounds in a booster seat secured by lap-shoulder belt (lap belt alone is impermissible)	1 through 5 years and 80+ pounds or any child 5 years and younger if the child's knees bend over the seat edge when sitting up straight with his/her back firmly against the seat back	\$150
children 5 years and younger must be in rear seat if available			
South Dakota	4 years and younger and less than 40 pounds	5 through 17 years; all children 40+ pounds, regardless of age	\$20
law states no preference for rear seat			
Tennessee	younger than 1 year or 20 pounds or less in a rear-facing infant seat; 1 through 3 years and 20+ pounds in a forward-facing infant seat; 4 through 8 years and less than 4'9" in a booster seat	9 through 15 years or any child 12 or younger who is 4'9" or taller	\$50
children 8 years and younger and less than 4'9" must be in rear seat if available; rear seat recommended for children 9 through 12			
Texas	4 years and younger and less than 36 inches	not permissible	\$200
law states no preference for rear seat			
Utah	7 years and younger and shorter than 57 inches	8 through 15 years; all children 57 inches or taller	\$45
law states no preference for rear seat			
Vermont	younger than 1 year or less than 20 pounds in a rear-facing infant seat; 2 through 7 and more than 20 pounds	8 through 15 years and more than 20 pounds	\$25
children 1 year and younger or less than 20 pounds must be in the rear seat unless the front passenger airbag is deactivated			
Virginia	7 years and younger unless they have a physician exemption <sup>14</sup>	8-15 years <sup>14</sup>	\$50
children in rear-facing devices must be in a rear seat if available; if not available, they may be placed in front only if front passenger airbag is deactivated <sup>14</sup>			
Washington	7 years and younger and less than 4'9"	8 through 15; 7 years and younger and 4'9" or taller; children who weigh more than 40 pounds in a seating position where there is only a lap belt available	\$124
12 years and younger must be in rear seat if practical			
West Virginia	7 years and younger and less than 4'9"	7 years and younger and 4'9" or taller	\$20
law states no preference for rear seat			

Wisconsin	children younger than 1 and all children who weigh less than 20 pounds are required to be in a rear-facing infant seat; children 1 through 3 years who weigh at least 20 pounds but less than 40 pounds are required to be in a forward-facing child safety seat; children 4 through 7 who both weigh at least 40 pounds but less than 80 pounds and who are less than 57 inches tall are required to be in a booster seat	8 years and younger and more than 80 pounds and 57 inches or taller	\$75
children 3 and younger must be in a rear seat, if available			
Wyoming	8 years and younger	not permissible	\$50
children 8 years and younger must be in the rear seat if available			

<sup>1</sup>This state assesses points for violations.

<sup>2</sup>In California, children weighing more than 40 pounds may be belted without a booster seat if they are seated in the rear seat of a vehicle not equipped with lap/shoulder belts. The California rear seat requirement does not apply if: there is no rear seat; the rear seats are side-facing jump seats; the rear seats are rear-facing seats; the child passenger restraint system cannot be installed properly in the rear seat; all rear seats are already occupied by children under 12 years; or medical reasons necessitate that the child not ride in the rear seat. A child may not ride in the front seat of a motor vehicle with an active passenger airbag if the child is under 1 year of age, or weighs less than 20 pounds or is riding in a rear-facing child restraint system.

<sup>3</sup>In Colorado, if a child 4-5 years and less than 55 inches is being transported in a vehicle equipped with a lap belt only, then the child must be restrained with the lap belt. The law is secondary for children ages 4-5 years who must be in booster seats.

<sup>4</sup>The fine in Connecticut is \$15 if the child is 4-16 years and 40 pounds or more. Connecticut also requires a mandatory child restraint education program for first or second violation.

<sup>5</sup>In Delaware, children younger than 12 years/65 inches or less must be restrained in a rear seat if a vehicle has a passenger airbag unless the airbag has been either deactivated or designed to accommodate smaller people. Exceptions: no rear seat or rear seat occupied by other children younger than 12 years/65 inches or less.

<sup>6</sup>In Georgia, children weighing more than 40 pounds are permitted to be restrained in the back seat of a vehicle by a lap belt if the vehicle is not equipped with lap and shoulder belts or when the lap and shoulder belts are being used by other children who weigh more than 40 pounds.

<sup>7</sup>Hawaii drivers are charged \$50 for a mandatory child restraint education program and a \$10 surcharge deposited into a neurotrauma special fund.

<sup>8</sup>In Indiana, children younger than 8 years must be restrained in adult belts if it's reasonably determined they cannot fit in child restraints. If the driver does not hold an Indiana driver's license, then children under 16 must be restrained by either a child restraint or a safety belt. Children weighing more than 40 pounds are permitted to be restrained by a lap belt if the vehicle is not equipped with lap and shoulder belts or if all lap and shoulder belts other than those in the front seat are being used to restrain other children who are younger than 16.

<sup>9</sup>Nebraska's law is secondary for those children who may be in safety belts and standard for those who must be in a child restraint device.

<sup>10</sup>In Nevada, the minimum fine is \$100. An alternative to the fine is at least 10 but not more than 50 hours of community service.

<sup>11</sup>In Ohio, the law is secondary for children 4 through 14 years.

<sup>12</sup>In Oklahoma, children weighing more than 40 pounds are permitted to be restrained in the back seat of a vehicle by a lap belt if the vehicle is not equipped with lap and shoulder belts or when the lap and shoulder belts are being used by other children who weigh more than 40 pounds.

<sup>13</sup>In Pennsylvania, the law is secondary for children ages 4 through 7 years who must be in booster seats.

<sup>14</sup>In Virginia, children at least 4 years but less than 8 years may be belted if any licensed physician determines that use of a child restraint system by a particular child would be impractical by reason of the child's weight, physical fitness, or other medical reason, provided that any person transporting a child so exempted shall carry on his person or in the vehicle a signed written statement of the physician identifying the child so exempted and stating the grounds for the determination.