



## FAQs: *Why We Must Preserve Alaska's Car Seat Inspection Programs With Immunity Safe Harbor for Certified Technicians*

Thank you for your consideration of legislation, HB 308, which will help maintain the viability of child car seat inspection programs in Alaska. The bill would provide qualified immunity from liability exposure to individuals trained to help caregivers correctly install children's car seats, formally known as **Certified Child Passenger Safety (CPS) Technicians**.

**Why are CPS Inspection Programs Important?** Car seats, correctly installed and used every time, are proven to save lives. However, the technology of different car seat models and motor vehicles can make installing them a challenge.

**Are Car Seat Inspection Services Available in Our State?** Yes. There are nearly 200 certified technicians in Alaska who are involved in more than 1,500 car seat inspections annually. Numerous CPS technicians are volunteers, whose CPS certification is not supported by any specific agency or employer.

**Do Parents Install Car Seats Incorrectly?** Studies have shown that car seats are installed incorrectly at a rate of at least 46% based on a National Highway Traffic Safety Administration (NHTSA) [survey](#) involving over 4,000 inspections and interviews. Here in Alaska, statewide data collected since 2008 reveals an 85% car seat misuse rate.

**Are Steps in Place to Ensure that Mistakes Are Avoided?** Fortunately, child passenger seat technicians must complete a standardized, multi-day course on how to conduct CPS inspections, which includes the instruction of best practices and ways to ensure quality and uniformity of the process. Further, technicians must be recertified every 24 months through a continuing education process and hands-on skills evaluations. The Child Passenger Safety Technician certification program is administered by Safe Kids Worldwide, under the direction of NHTSA and the National CPS Board.

**Are There Many Lawsuits Regarding the Assistance Provided to Install Car Seats?** No. Because of the commitment towards excellence, we are aware of only one dispute (outside of Alaska) which was resolved and involved a nominal payment. Since the "Buckle Up" program was started in 1988, there have been more than 1.8 million car seats inspected throughout the nation.

**Why Is This Immunity Law Necessary?** CPS work is conducted principally by certified CPS volunteers, and the inspections are conducted under the auspices of lead agencies such as medical institutions and governmental entities. Government sovereign immunity laws rarely extend to volunteers.

**Why Won't the General Alaska Good Samaritan Law Do the Job?** Maybe it would, but the organizations which conduct the programs under their auspices, and the certified CPS volunteers, need a higher degree of certainty to provide for the long term viability of the program. Our state's [Good Samaritan law](#) is limited to emergencies. In order to sustain CPS services in Alaska, we urge you to support this immunity statute.

**What Will the Bill Provide?** It will provide immunity from civil liability in lawsuits arising from car seat inspections. It does not cover gross or willful negligence. It applies to certified CPS volunteers, and not to individuals who charge a fee to conduct CPS inspections. It also applies to the lead agencies which organize CPS appointments and events.

**Do Other States Provide Civil Immunity for CPS technicians?** Yes, laws in the following states provide a form of immunity for CPS technicians: Georgia, Maryland, North Carolina, Oklahoma, Oregon, Pennsylvania, Virginia, Washington State and Wisconsin.

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