

Child Passenger Safety Laws: The Next Generation

Section 1: Introduction

Car seats save lives: In March 2011, the American Academy of Pediatrics (AAP) and the National Highway Traffic Safety Administration (NHTSA) recommended several child passenger safety (CPS) best practices for parents, drivers, and state governments. Primarily, they said all infants and toddlers should ride in a rear-facing car seat (“safety seat”) until they are 2 years of age, or until they reach the highest weight or height for their specific car seat. They also advise that children less than two years of age who surpassed the highest height or weight their car seat can allocate should move to a larger rear-facing convertible. Their data does not merely stem out of thin air: A child from 12 to 23 months old is five times more likely to sustain a moderate or severe injury sitting in a front-facing car seat vis-à-vis a rear-facing one. Alternatively, kids under the age of two are 75% less likely to sustain a serious injury or die when they are in a rear-facing car seat.¹ Whether it’s a front-facing booster seat or a rear face car seat, decades of data demonstrate the importance of car seats.

Making kids safer is a part of Safe Kids’s DNA, and we must keep up to date with new research, new technology and engineering relating to car seats. Laws should keep pace with those factors, as well. Passing laws is only a piece of the puzzle; education and awareness are other chunks to this jigsaw. Sometimes, laws and awareness building go hand in glove because the former stimulates the latter. In other words, new and improved laws translate to more awareness.

A broad geographical coalition of states—Oklahoma, California, New Jersey, and Pennsylvania-- have passed a law amending their CPS laws to reflect the suggestion of the American Academy of Pediatrics (AAP), which requires children to be seated in a rear-facing car seat through age 2, or until they reach the highest weight or height allowed by the car safety seat’s manufacturer. Led by several AAP chapters, Safe Kids coalitions and other child safety advocates, more states are considering bills adopting the same changes. In case you want to explore such a campaign, this Safe Kids “AdvoKit” will provide you with the tools you need to seek changes in your state’s CPS law and adopt the AAP’s recommendation.

Other AAP standards:

- Children two years or older, should use a forward-facing safety seat with a harness for as long as possible, up to the highest weight or height allowed by the manufacturer of the safety seat.
- Children whose weight or height is above the limit for their forward-facing car seat equipped with a harness should

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move to a belt-positioning booster seat until the vehicle lap and shoulder belt fits properly. Typically, this occurs when they have reached 4 feet 9 inches, and are between 8 and 12 years of age.

- When children are old and large enough to use the vehicle seat belt alone, they should always use both the lap and shoulder belts for optimal protection (sometimes called a three-point seat belt.)
- All children younger than 13 years of age should sit in the rear seat, buckled up.

Advocacy: Making the Pieces of the Puzzle Fit

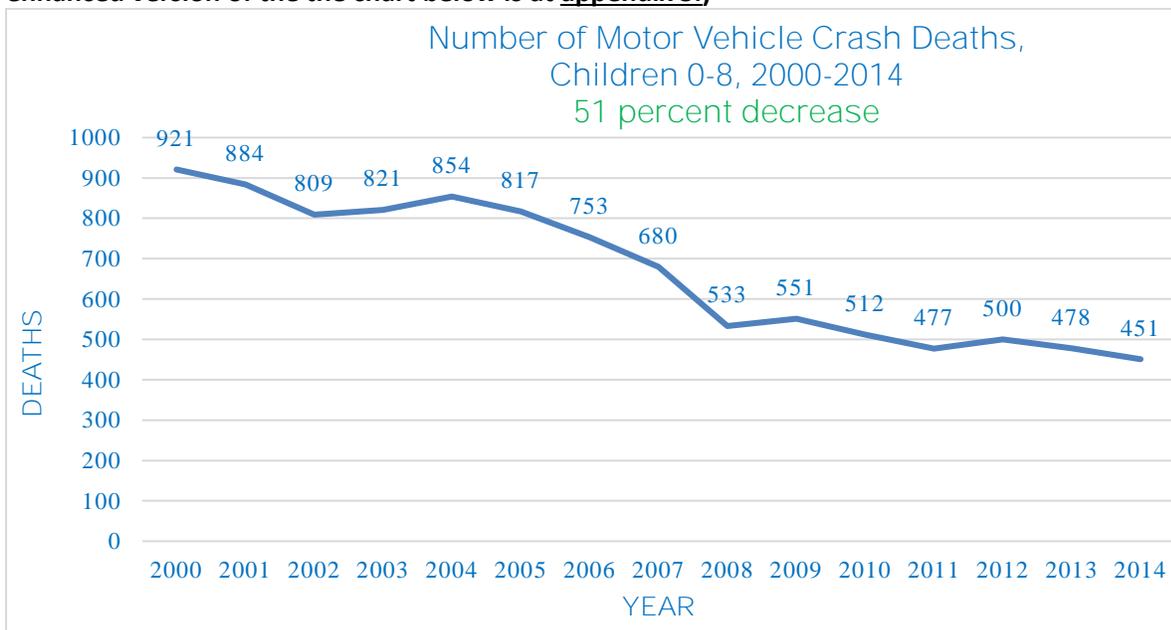
Though every state has a CPS law in place, they are all different from each other. Any new additions or modifications to CPS laws will have to fit into existing state laws, almost like adding pieces to a jigsaw. Rather than providing you with a brand new puzzle through what is commonly known as a “model law,” this Advokit will supply you with the pieces to fit into your state’s puzzle.

Adding to a Christmas Tree

The “Christmas Tree” effect occurs when legislators add “ornaments” or a “must pass” piece of legislation to what is already a good bill. We have a few ideas listed in Appendix 4 which can be positive additions to the “Christmas tree.”

Laws Work to Save Lives

Why do we work so hard to pass laws that make kids safer? It’s because laws are effective in saving lives. The chart below, for example, highlights the dramatic 51% decrease in fatalities involving kids 8 years and younger sitting in car seats since car safety laws were passed early 2000’s. *Passing a law is a tool, but not the only tool: Also critically important are education/ awareness, enforcement, roadway engineering and safer cars that consider infant and young passengers. Due to these outreach efforts, there has been 59% fewer deaths involving kids 19 and under in motor vehicles since 1994. (An enhanced version of the the chart below is at [appendix 5.](#))*



In addition, there are at least two other reasons why the passage of laws is important:

- The passage of new laws will help create the behavior change being sought. There are several recent studies proving this point:
 - **Cut Motor Vehicle Deaths in the Booster Seat Years:** Another study looked at the effect of the New York State law which upgraded the effectiveness of its child passenger safety law, taking effect in 2005. It required children to sit in booster seats through age 6. The study looked at the age group affected by the law change and the younger children, 0-3 years old. Children 4 to 6 years of age experienced an 18% reduction in traffic injury rate after the law's implementation, but the injury rate for children 0 to 3 years of age, who were not directly affected by the UCRL, hardly changed at all. The change in behavior of increased use of car seats by 72% led to the decrease in fatalities.³
 - **Laws = Social Norm:** A 2010 Canadian study concluded that if a "social norm" is developed around booster seat use, in part influenced by what the law says, their use would increase which can positively influence perceived cultural behavior. Changing the attitudes and norms of parents and communities, is the best way to change a social norm. The text of the law plays a big part in changing norms.⁴
- Parents look to their state in determining what they should do to protect their kids. There are several recent studies showing the effectiveness of legislation in changing behavior.
 - **If They Knew the Law . . .** A study based on a Michigan telephone interview survey studied the factors influencing the use of car seats. 70% said they used booster seats because they thought it was the law and 60% of booster seat users would be more likely to use a booster seat if it were required by law. More than 90% of those who did not use booster seats or only used them some of the time stated that they would use booster seats if a law required it.⁵

Section 2: How to Mount a Successful Campaign

Eight Steps for a Successful Campaign

Here are eight steps you can take to mount an effective effort to change a law. Much of these steps require research. Research is at the foundation of any successful public policy effort. Safe Kids Public Policy can help you with all of these steps.

1. **What Does The Law Say?** Determine what the law says in your state and subsequently, find how you specifically want to change it. You can find the laws of your state on the following websites:
 - [Governors Highway Safety Association](#)
 - [Insurance Institute for Highway Safety](#)
 - [National Council of State Legislatures](#)
2. **What Does the Data Say?** Almost every successful safety legislative effort starts with supportive data based on numbers and science. Our work and our approach to work are based on the figures we find. That is vital for the initial determination on whether to get involved in a legislative issue, the bill language, and moreover, our decision to devise strategies to educate, and help make, smart



public policy. This means collecting state specific data regarding traffic crashes, and addressing concerns in these accidents such as:

- How many have died?
- How many are injured?
- What are the ages of the victims?

Locality Specific: Considering the idiom that “all politics is local”, you might need to develop data that looks at a specific legislator’s district. Local data is, unfortunately, harder to find. The pediatric departments and ERs of your hospitals, however, might be able to help, as well as your state Child Fatality Review team.

What are the key data points in a campaign relating to child passenger safety?

- What is the fatality rate in the state involving kids 19 and under, or under 8? ER visits?
- How does your state compare to other states? How do they fair against those states that have passed a more advanced law?
- At what rates do people wear seat belts and use car seats?

The most useful data source is NHTSA’s [Fatality Analysis Reporting System \(FARS\)](#). It is indispensable but also frustrating. It might be possible to recruit an epidemiologist or a graduate student at a local university, or researchers at a local children’s hospital to help you find accurate numbers.

You may also need to make the case using medical research to provide a basis for the change. The anatomical basis for rear-facing recommendation is the size of a toddler’s head compared to the rest of his/her body. A child 0-23 months has a high center of gravity; and with support of the rear-facing seat in times of an accident, the crash’s energy will spread over the entire body of the child, protecting the head, neck and spinal cord. For children 12-23 months, on the other hand, there is a five times greater risk when sitting front-facing, directly towards the windshield.

Communicating Your Data Focus: At Safe Kids, we have made a strategic decision that many of our policy documents we provide will include footnotes with citations to the sources of data, scientific opinions and critical information.

Key Data Points:

Here are some of the best national data points to use:

- For 2014, motor vehicle crashes are the 2nd leading cause of unintentional deaths of kids ages 0-4 and the leading cause of death for kids ages 5 to 19.
- The odds of suffering a moderate to severe injury during a crash were five times higher for one-year olds in a forward-facing car seat compared to a rear-facing car seat.²
- Overall, when comparing the risk of injury for children 12-23 months old in front and rear-facing car seats during a car crash, the risk of a moderate or severe injury is more than five times higher for the child in a front facing seat.⁶



- Kids under the age of two are 75% less likely to sustain a serious injury or die when they are in a rear-facing car seat.⁷ The use of car seats reduces the risk of infant mortality by 71 percent and toddlers 1-4 by 54 percent.⁸
- In 2013, the lives of an estimated 263 kids were saved because they were seated in child restraints.⁹
- For every fatality that occurred during a car crash, approximately 18 children are hospitalized, and more than 400 receive medical treatment for suspected injuries.¹⁰
- Passage of the 2005 New York State booster seat law increased the car seat usage rate to 72%, which resulted in an 18% decrease in the injury rate.⁴

3. **Stories: Lives Lost, Lives Saved** Passage of such laws is, at its core, about people, and making their lives better and safer. Just as compelling as convincing statistics are stories about real people in your state. They can be about saved lives due to attentiveness towards best practices, or unfortunately-- also about tragedies.

It is also helpful to find human-interest stories that happened in the districts of those who are on the committee with jurisdiction over the bill. Nothing will move the public and legislators like the personal stories of those who have experienced the loss of a child because they were not properly restrained.

Recruiting a parent for this purpose is among the hardest jobs you will have as a child safety advocate. It includes finding parents who lost a child in a tragedy, and then convincing them to be a part of the campaign. There are times when parents are courageous enough to become involved in a campaign for stronger child safety as a way to honor their lost one. Yet despite their bravery, the cold call to a parent who has lost a child will be one of the hardest calls you will ever make.

Positive stories are also compelling, too. They involve parents with a child who survived a crash due to proper restraint while sitting in their car seat. At [appendix 3](#), you will find a sample composing true stories of kids who were able to live another day because of car seats, their correct installation and CPS inspections.

Your identification of “parent advocates” is a critical part of a safety change effort. The range of activities can include conducting press interviews, speaking at press conferences, testifying before legislative hearings, lobbying to legislators so that they sponsor or support the bill, encouraging a Governor to sign a bill, and much more. Other compelling advocates are CPS technicians.

4. **Know What You’re Up Against:** Once you have found data and human-interest stories for the case you will make, it is time to research your opposition. Are there groups that could be opposed to a new CPS law? If so, who? What are their arguments? Learn what they are and develop counters to them.

In an advocacy campaign, you are like a lawyer making a case. Good lawyers try to know the good and bad about their cases. The following are some of the arguments that come up in an occupant protection campaign:

Arguments For:

- **Child Anatomy:** Because the head of a child (under 4 years old) is around 20% of their anatomy, they need the support of a rear-facing seat in the event of a crash.



- **Save Lives:** This is simple. Car seats, and other forms of seat occupant restraints, save lives.
 - Car seats reduce the risk of death in car crashes by 71% for infants and 54% for toddlers ages 1 to 4.¹¹
 - A child from 12 to 23 months old is five times more likely to sustain a moderate or severe injury sitting in a front-facing car seat vis-à-vis a rear-facing one.¹²
 - Between 1975 and 2013, child restraints have saved an estimated 10,421 lives of children ages 4 and younger.¹³
 - In 2013 alone, restraint use saved the lives of 263 children ages 4 years and younger.
- **Legislative Effectiveness and Building Awareness:** Parents look to laws for how to transport their child. (A state regarding this is mentioned on page 3).
- **Reduce Risk of Injuries:** Frontal crashes are the most common type of crash that results in fatalities.¹⁴ When a collision occurs, car occupants are thrown towards the point of the impact. Booster seats reduce the risk for serious injury by 45% for children ages 4 to 8 years, as opposed to seat belts for kids in that age group.¹⁵

Arguments Against:

- **Cost Tax Dollars:** State budgets are always tight and legislation--which may cost an ample amount of state funding--are even harder to pass. In many states, legislators are required to file a document estimating the budget implications when they introduce legislation. There would be cost implications of a new car seat bill because of the changes the bureaucracy would have to make.
 - **Your Response:** The tax dollar argument is easily turned around because highway deaths and injuries are costly to states, and thus making roads and highways safer saves tax dollars.
 - Many states require legislators to file a document—or a budget office has to prepare a report--estimating the budget implications of new legislation. It would be helpful to influence the preparation of a fiscal note. Safe Kids has prepared a document on how to research and write a fiscal note, which can be found [here](#).
- **Hard for Police to Enforce:** How would police enforce the law? Will it make their jobs tougher? This has always been an issue with car seat law enforcement, and even more so with rear-facing car seat laws. Simply put, it is harder for a police officer to see how secured occupants are in the rear-seat. Thus, these alterations are meaningless and make life tougher for our police.
 - **Your Response:** Parents look to the law to determine how to place their kids in a car.
 - We believe it's a best practice for the "high visibility enforcement" (HVE) campaigns like "Click It or Ticket" to include car seat use in their address to adults. Though federal funds, which support such campaigns, do not require HVE campaigns to focus on car seats, a state can opt to include this form of enforcement. Some states actually do this.
 - This argument underscores an important first-step strategic decision: at the very beginning of your campaign, you must engage the police organizations in your states. Most likely, this will not be a hard ask because, historically, law enforcement officers have been supportive for the use of car seats.
- **"Nanny State:"** The argument is: Government should stay out of our lives. Parents know best how to keep their kids safe. Several websites advocate for "free range child rearing," and argue against child safety laws. The founder, Lenore Skenazy, termed the attitude surrounding her movement as "Worst First Thinking," which means, "coming up with the worst thing that could possibly happen and then proceeding as if it's *likely* to happen," and because of this, government passes overreaching laws to prevent these unlikely things.



- **Your Response:** Ask a pediatrician. This parental guidance, translated into a law, is based on science and evidence.
- Most parents ask for laws to help them understand how to keep their kids safe.
- **Parents Perception of a Child's Comfort:** Though backed by evidence, the rear-facing safety measure is counter-intuitive. Many parents have a feeling that children will be, and feel, less safe when their view is blocked. They also report that a tiny child seated that way will be scared because they cannot see their mom or dad. This is an argument many CPS technicians hear.
 - **Your Response:** What is there to be fearful about? Arms and legs are almost never injured in a rear facing position.¹⁶ In fact, the AAP recommendation was set based on the height and weight of a child. There is solid research that injuries to children's arms and legs are more likely when they are forward facing. If a child younger than 2 years old has outgrown the infant seat, they should move to a rear-facing convertible seat that is can serve them to a higher weight or height.

5. **What Should The One-Pager Say?** Your next step should be to create a short, one page document that explains your goals in a concise, easy-to-read format. When visiting with legislators, or sending information to allies, it is best not to overwhelm them with information. In other words, keep it short, simple, and with easily digestible data. (We have attached an example of a real-life one-pager from Michigan as appendix 3.)

The one pager should include:

- What the current law says.
- What you want to change.
- Two or three bullet points that set out the key data points, including any evidence supporting the bill's legislative goal.
- List of supportive organizations.
- Information on which states have already adopted similar legislation.

6. **Identify Your Best Allies:** Early on, it is important to identify and enlist your best allies. Building a diverse and strong coalition is imperative to a successful campaign. Below you will find the groups who are frequently involved in child passenger advocacy campaigns. However, we encourage you to think outside the box in considering unique allies who can be helpful and who might have the ear of local legislators. For example, car dealerships are among the most visible small business in communities. First responders are special to public officials and could engage in your campaign, especially if they hold car seat safety inspections.

Child Passenger Safety Allies:

- [AAA](#) (organized on a regional basis).
- [National Safety Council](#).
- [American Academy of Pediatrics](#) (organized on a state, regional and national basis).
- Other medical professionals and organizations.
- [Advocates for Auto and Highway Safety](#).
- [Governor's Highway Safety Administrators](#).



- State Highway Traffic Safety Offices. These agencies within state Departments of Transportation can be helpful either as allies or to be more subtle.
- Police, Law Enforcement, First Responders.
- Community CPS Technicians.
- Parent Advocates

7. **Find Legislative Sponsors:** Your next step should be to identify legislators to introduce your bill in both chambers of the legislature, and win their commitment. Getting the right legislator, who is committed to the cause of protecting children, and can push the bill through the legislative process, is important. It is best to have sponsors of the legislature’s majority party and those on the Committee of primary jurisdiction, usually the Transportation Committee or Health and Safety. This involves working proactively to know the interests and priorities of specific representatives and senators and, and from there, best build a case to convince their staff. Preparing to lobby on a specific piece of legislation involves research as to which elected official sits on the relative committees, their ideological leanings and what pet causes they have. Other key factors:

- Is there a legislator whose child survived a crash or died in one? Was there a tragic crash in their district?
- Are they parents or grandparents?
- Are they on the right committees or in the leadership?
- Do they have a law enforcement background? A family member who is a CPS technician?

Once you have identified the right sponsors there should be a campaign to get more co-sponsors, preferably of both parties so that this is a bipartisan effort, ask your local legislator to co-sponsor the bill, and ask your allies alongside your stakeholders to ask their local legislators.

8. **Have a Press Strategy:** A press strategy is fundamental to convince legislators and the public of the need to legislate. The previous work that you have done will come in handy here. A good one pager can easily be re-drafted into sample letters to the editor and op-ed articles. A story you found could appear in interviews on behalf of the legislation. This is a subject for a future toolkit.

Below is a short menu of what an advocacy media campaign should be. Your media plan should include outreach to traditional media—in search of free media—and on various social media platforms and video. There should also be op-ed articles and content specifically aimed to the “chattering class,” people in your community who influence public opinion. Some of the focus might be around a launch event. Elements of a successful press strategy are:



- **A Website**
- **Sample Letters to the Editor and Op-Eds**
 - Create “swiss-cheese” letters to the editor so supporters can write to their local newspapers, boilerplate language with holes in it for your localized information. Spreading the word this way is very effective and allows you to widen your reach.
- **Social Media**
 - **Create a social media plan:** Social media plays an important role in any campaign and many people increasingly get their news from social media.
 - **Facebook and Twitter:** These two outlets are the most popular platforms for people to receive their news. Knowing this, prepare Facebook posts and Tweets for supporters to send out. Keep them simple and to the point, include a link or a picture. Research shows a higher rate of engagement when media posts are simple and direct while also having a picture or link. Figure out ways to reach your direct audience—most likely young parents--through other social media networks.
 - **Legislators and Social Media:** Remember that social media plays an important part in reaching out to legislators as well. Legislative offices track which posts they are tagged in and what comments are made about them. If a legislator introduces your CPS bill, or if they sign on as a co-sponsor, remember to thank them. Do the same when your legislation passes.

Sample Tweets

- WI bill A400 making car seat stronger passes Assembly. Rear facing until age 2. Thanks @RepAmy31 <http://docs.legis.wisconsin.gov/2015/proposals/ab400>
- A400, child passenger safety bill, passes Assembly! It now moves to Senate! <http://docs.legis.wisconsin.gov/2015/proposals/ab400>
- Legislature passes new CPS law! Requires kids under 2 to be in rear facing position in back seat! Thx @RepAmy31! <http://docs.legis.wisconsin.gov/2015/proposals/ab400>

Section 3: Research

Academic Articles Supporting the AAP’s Recommendations:

Why Do We Need New Recommendations?

The genesis of the new CPS recommendations originated from Dr. Dennis Durbin’s work on child passenger safety. Since its publication in 2011, there has been an increasing movement regarding this issue. Below is a short summary of the articles with links to the full texts that answers the question posed in this headline.

- **Original Policy Statement, 2011:** This [policy statement](#) from 2011 provides evidence-based recommendations for best practices to optimize child passenger safety in vehicles, from when children are born through their adolescence.¹⁷
- **AAP Technical Report, 2011:** This [technical report](#) provides a summary of evidence in support of the five AAP recommendations for best practices to enhance safety in vehicles, from when children are born through their adolescence.²



- **Early Research:** A study from 2007 compares injury risks between children under two sitting in a forward-facing and those sitting rear-facing car seats in the US. It finds that children in forward-facing seats have a significantly better chance of sustaining injury than their counterparts in all types of car crashes.¹⁸
 - Another early paper was developed by the University of Michigan Transportation Research Institute (UMTRI) found that car seat orientation, the direction in which seats are facing, plays a significant role in car seat effectiveness.¹⁹

Why, How Do Stronger CPS Laws Work?

The following two articles provide evidence that improved/upgraded CPS laws work in six states:

- A 2010 study published in Pediatrics examines data from New York State’s upgraded CPS law. It showed that children in booster seats, 4 to 6 years of age, experienced an 18% reduction in traffic injury rates.²⁰
- A 2012 article shows the positive effects of booster seat laws in five states: Missouri, North Carolina, Pennsylvania, Wisconsin and Wyoming. The study found that booster seat laws were associated with a 5 percent reduction in the per capita rate of children injured in a car accident, and a 17 percent reduction in the per capita rate of children who sustained fatal or incapacitating injuries.²¹

In addition to these articles, here is a list of other resources necessary to make a compelling argument for upgraded/improved CPS laws:

- How to find the law in your state: [Child Safety Laws by State](#)
NHTSA guidelines for parents on the best way to keep your child safe in cars: [Car Seat Recommendations for Children](#).
- Here’s where you can help parents register their child restraint system in case there is a recall. [Strongly encouraged. Register your Child Restraint.](#)

How to Find Data:

To learn more about car seat safety and best practices to keep your child safe, you can access more information at the following websites:

[NHTSA’s Fatality Analysis Reporting System \(FARS\)](#) - FARS is a nationwide census providing NHTSA, Congress and the American public yearly data regarding fatal injuries suffered in motor vehicle traffic crashes

[Insurance Institute for Highway Safety](#)

[Healthy Children](#)

[Car Seat Use By State](#)

Section 4: Resources and Contact Information



Additional Resources:

Safe Kids November 2015 [webinar](#) on CPS laws, participants included Dr. Bella Dinh-Zarr, Vice Chair of the National Transportation Safety Board, Dr. Ben Hoffman, of the Oregon Health & Science University, representing the AAP and Kate Bernacki, Coordinator of the Vehicle Occupant Safety Program at California Department of Public Health. Here are the [PowerPoint slides](#).

[Safe Kids AdvoKit on Tax Free Car Seats.](#)

[Safe Kids AdvoKit on CPS Technician Immunity.](#)

Centers for Disease Control and Prevention page on [Child Passenger Safety](#).

Governors Highway Safety Association page on [CPS laws](#).

The Insurance Institute for Highway Safety page on [CPS laws](#).

CDC Factsheet on Child Passenger Safety:

http://www.cdc.gov/motorvehiclesafety/child_passenger_safety/cps-factsheet.html

Safe Kids Worldwide Tips on Car Seats: http://www.safekids.org/safetytips/field_risks/car-seat

Contact:

If you would like assistance from Safe Kids on how to draft legislation so that you accomplish these goals, kindly contact Anthony Green at agreen@safekids.org.

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Introduction

Child passenger restraint systems are designed to reduce the risk of injury or death for a child in the event of a motor vehicle accident. These systems include various types of seats, including rear-facing, convertible, forward-facing and booster. Safety belts are also employed to reduce risk. All car seats sold within the United States must meet the federal child restraint safety standards set from the U.S. Department of Transportation through the National Highway Transportation Safety Administration (NHTSA).

Although the NHTSA sets standards for child restraint safety, no federal child passenger safety laws exist. All 50 states, the District of Columbia, Guam, the Northern Mariana Islands and the Virgin Islands require child safety seats for infants and children fitting specific criteria. In 48 states, the District of Columbia, and Puerto Rico booster seats or other appropriate devices are required for children who have outgrown their child safety seats and who are still too small to safely use an adult safety belt.

South Carolina Regulations

South Carolina child passenger restraint system regulations are listed within Section 56-6-6410 of the state Code of Laws and apply to all motor vehicles equipped with safety belts.

| CURRENT S. C. LAW REQUIREMENTS | RECOMMENDED S. C. POLICY UPDATES |
|---|--|
| Rear-facing child seats for children 1 year old and younger | Rear-facing child seats for children 2 and younger |
| Forward-facing child seats, booster seats, or adult seat belts for children 1-5 years old, depending on the weight of the child | Forward-facing child seats or booster seats for children 1-8 years old until weight/height limits of the seat are met Adult seat belts for children older than 8 years and at least 4'9" tall |
| Children 6 years and older may ride in a front passenger seat | Children 8 years and older may ride in a front passenger seat |

Best Practice

Child passenger restraint system guidelines of the NHTSA and Centers for Disease Control and Prevention (CDC) are informed by the evidence-based recommendations of the American Academy of Pediatrics (AAP) regarding child passenger safety. The AAP notes that every transition from one type of child passenger restraint to the next is associated with some decrease in protection, and thus encourages the delaying of transitions for as long as possible. AAP recommends the following legislation to best protect children:

Rear-facing Child Seats
Ages 2 and younger

Forward-facing Child Seats
Age 1-8 years until weight/height limits of the seat are met

Booster Seats
Ages 1-8 years until weight/height limits of the seat are met

Adult Seat Belts
Older than 8 years old and at least 4'9" tall

Front Passenger Seat
Older than 13 years old

Child Passenger Safety Prevalence in South Carolina

Conducted by the South Carolina Department of Health and Environmental Control Division of Injury and Violence Prevention (DHEC DIVP), child passenger safety audits took place at 23 elementary schools in South Carolina. The results show:



Appendix 2

HB 5559—Child passenger safety laws in Michigan should align with national guidelines

The American Academy of Pediatrics and the National Highway Traffic Safety Administration recommend children use a rear-facing car seat as long as possible followed by a forward-facing car seat until the child reaches the weight or height limits of their car seat. After outgrowing their car seat, children should use a booster seat until an adult seat belt fits properly, expected at a height of 57 inches.

Motor vehicle collisions are the leading cause of death among children older than 4 years and the second leading cause of death among children 1 to 4 years old in the U.S.

Each year more than 70,000 child passengers, ranging from birth to 7 years old, and another 70,000 child passengers, 8 to 12 years old, are treated in U.S. emergency departments after a crash.

More than 100 Michigan children younger than 8 years old die each year in a crash. Child safety seats, including car seats and booster seats, are proven effective in reducing injuries and deaths in crashes. Child safety seat use is suboptimal. Suboptimal child safety seat use contributes to preventable childhood injuries and deaths.

Parents look to state laws to guide their selection of child passenger restraints. Booster seat use falls off dramatically at age 8, this is the same age cited in the current child passenger laws of 30 states.



HB 5559: Michigan child passenger safety laws should be updated to better align with national guidelines and to move **“Toward Zero Deaths”** for Michigan child passengers.

- Rear-facing car seat use until age 2 or 30 pounds
- Forward-facing car seat use until age 5 or 50 pounds
- Booster seat use until age 10 or 57 inches





Expert resource: Michelle Macy, MD, MS
email: mlmacy@umich.edu phone: 734.936.8338
For more information: Amy Zaagman, MCMCH
email: info@mcmch.org phone: 517.482.5807

- Crash statistics from the Centers for Disease Control and Prevention and the Michigan Department of Transportation.
- 2011 American Academy of Pediatrics Guidelines for Child Passenger Safety – Policy Statement, Pediatrics April 2011.



Appendix 3 Stories

Three-year-old Survives Rollover Crash

Four Weeks After CPS Technicians Instructed Mom on Proper Car Seat Installation

Portland, Maine—On the morning of January 15, 2016, Andrea Goodwin and her 3 year-old daughter were traveling on I-295. Out of a sudden, another driver shifted into the same lane near Tuckeys Bridge and forced the mother into the guardrail, causing the car to overturn. The child was snugly secured in her car seat in the rear seat behind the mom and sustained slight injuries, while the mother sprained her wrist and received some bruises.

How did this potentially tragic crash become a good news story? Just four weeks earlier, the family attended a Safe Kids Maine car seat inspection stations. The car seat was recalled because of a defect in the buckle; specifically it would get stuck after food and drinks leaked onto it. The technician at the event helped to correct the defect on the car seat by attaching the replacement buckle. In January 2016, Safe Kids Maine presented the family with a new car seat.

Immediately following the crash, mother Andrea Goodwin recalled her thoughts when she was sideways in the vehicle following the crash:

“Smelling burnt airbag powder and hearing my daughter’s cries in the background, all I could think is whether this was the end of our short life together. Then I remembered how just 4 weeks before I had attended a car seat safety check, where the wonderful volunteers replaced a recalled buckle on my daughter’s car seat, and properly installed her seat from **rear facing to forward facing** (isn’t it from forward facing to rear facing). There is no doubt that this saved my daughter’s life and left her with only a few bruises.

“I will forever be grateful for these volunteers who took the time to properly install my daughters car seat, as if it was not for me attending this car seat check a few weeks earlier, my daughter might not have survived. I wish that all parents would take the 20 minutes to stop by one of these car seat checks and ensure their car seats are properly installed.”

For more information contact:

Suzanne Grace, Safe Kids Maine, Coalition Coordinator, sgrace@tallpinesafety.org



The crash scene.



Later, Safe Kids Maine presented Mom and child with a new car seat. From left, aunt Crystal Goodwin, niece Janiah, grandmother Susan Goodwin, and Janiah’s Mom Andrea Goodwin. At right is Suzanne Grace, Safe Kids Maine



Wisconsin: Mom Credits Car Seat Installation Check for Saving Child's Life **No Child Should Die from their Car Seat Being Installed Incorrectly**

In June of 2014, Bethany Olson and her two children survived a severe crash in Baldwin, Wisconsin after colliding with a cattle trailer. Two-year old Gunner was released from the hospital the same day, while 14-month old Emmajean was treated for a traumatic brain injury and has now fully recovered. Two weeks before the crash, Olson had attended a car seat check-up event at the Baldwin Area Medical Center to make sure the seats were installed in the car properly. She had the car seats set in a rear-sitting position at the time of the crash. Mrs. Olson told KARE television that she credits the car seat placement for saving the lives of her kids, saying "No child should die from their car seat being installed incorrectly, their car seat facing the wrong way, or not being restrained correctly with a harness." News story.

Tennessee: After High-Speed Car Chase, 7-month-old Survives Crash; Mom Dies **Police Say Child Survived Because of Car Seat**

In a black Cadillac Escalade SUV he stole from the parking lot of a funeral chapel, Garieon J. Simmons led Tennessee Highway Patrol on a high-speed pursuit for 30 miles. Ultimately, Simmons collided with the car driven by 28-year-old Jessica Simmons who was pulling her car out of the parking lot on South Church Street in Murfreesboro, Tennessee. Simmons hit the driver's side, veering the car off the road. Ms. Campos died in the crash, but her 7-month daughter survived. Sgt. Travis Plotzer said the infant survived because she was properly restrained in a car seat. "Obviously, car seats make a difference. We want people to adhere to state law and best practices that keep kids safe in the car too," said Travis Plotzer with Tennessee Highway Patrol. News story.

Alabama: Two-Year-Old Child Dies in Car Crash Driven by Her Aunt's Boyfriend **Mom Believes She Would Have Survived if Properly Restrained**

A 2-year-old was killed on Lauderdale County Road 7 in Lauderdale, Alabama when the car she was in flipped over, partially ejecting her. The car was operated by the boyfriend of the toddler's aunt, who was driving intoxicated. Addie Whittaker was not restrained in a car seat when the crash occurred. The child's mother believes that Addie would have been alive today if she was restrained in a car seat. Nearing the one-year anniversary of her daughter's death, Hannah Whittaker is advocating for car seat safety, making sure that kids are safe while they are on the road. "It does save children's lives. There's a reason there's a law. There's a reason why car seats are in place." Hannah Whitaker said. Another message from the Addie Whittaker story is that parents and caregivers need to buckle up kids in car seats every time. "It was literally a mile down the road and it killed her so just a mile down the road you never know what's going to happen," she said. News story.



Appendix 4 “Christmas Tree” Ideas

Make Car Seats Tax Free

One element fostered by Safe Kids is the idea to make car seats tax-free. For example, when Florida passed its booster seat law—becoming the 49th state to pass one—the Governor forged a deal to make car seats and kids’ bike helmets tax-free. In addition to an Advokit to pass a tax-free car seat bill, we also have tips on the formula for drafting a “fiscal note” for your state to consider. This is a requirement in many states to give legislature an idea of the cost for a measure to the taxpayers.

Exempt Child Passenger Seat Technicians from Civil Liability

There are currently 38,000 CPS certified technicians helping families with their car seats in communities all over the country. Many of them do this as volunteers, and we could not provide this great national service without them. Please consider adding a provision in your proposed law change that would provide immunity from civil liability for certified CPS technicians who practice within the scope of their speciality. Consider using the model language we have provided in [AdvoKit on CPS Technicians Immunity](#) to add in immunity provisions to your CPS law. Alaska, led by Safe Kids Alaska was the most recent state to pass such a law.

Additional Best Practice Additions to Your State Child Restraint Laws

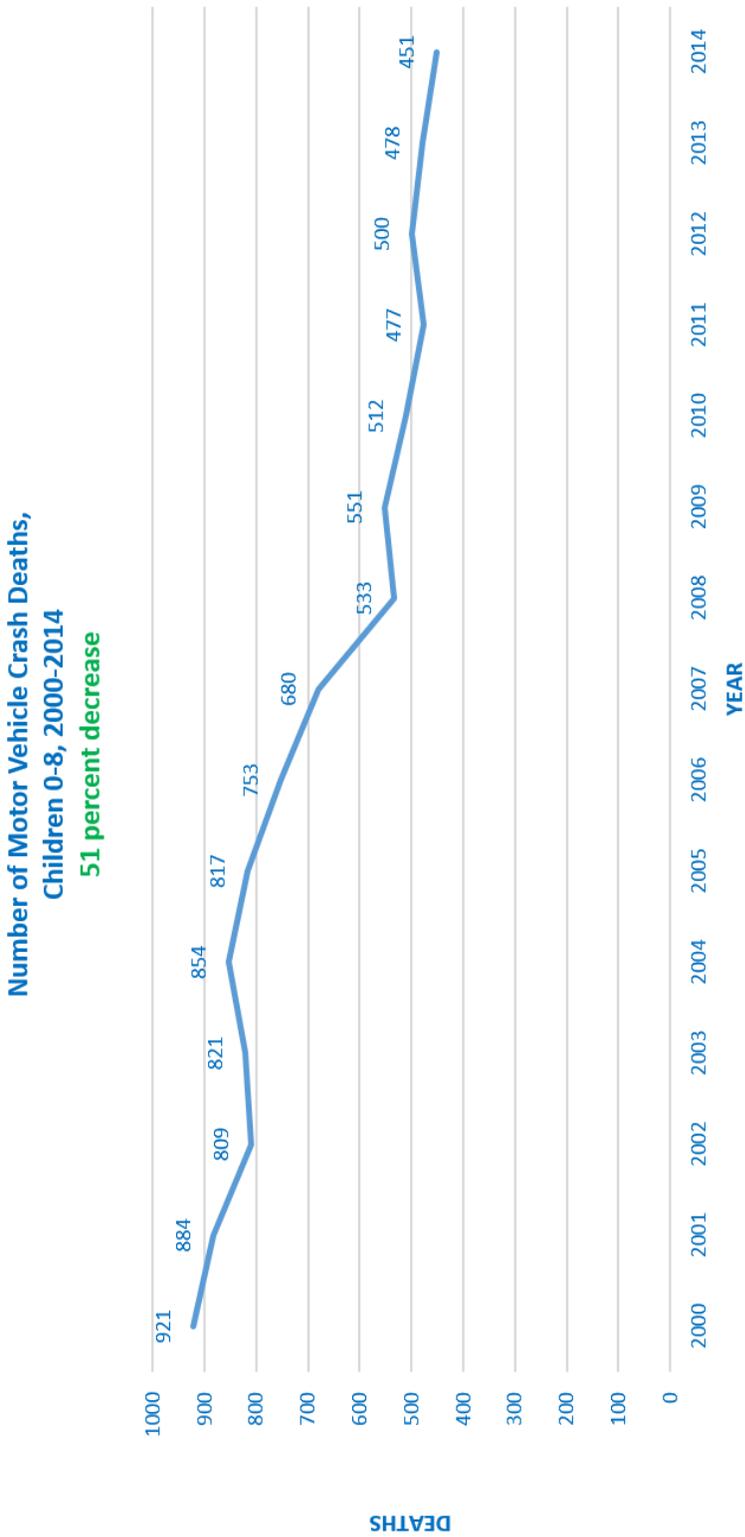
In addition to the AAP 2011 guidelines, there are still other features of laws on child restraints for you to consider.

- Does the current seat belt law apply to all vehicle occupants?
- Are your state’s occupant protection laws subject to primary enforcement? Primary enforcement means that law enforcement can stop a vehicle solely because of an occupant protection violation. In other words, they do not need the pretext of another violation to stop a car. CPS laws in every state are primary. However, the age of the child differs by state. Some cover kids up into their teens, others to age 5 or 6 or 8. In Ohio, for example, the law is secondary for children ages four through 14.



Appendix 5

51% Decrease in Children Dying in Motor Vehicle Crashes



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