

# State Seat Belt and Child Restraint Use Requirements

## State Equipment and Road Use Law Summaries

State/Cite	Seat Belt System		Child Restraint System	Comments
	All Seats	Front Seat Only		
Alabama Ala.Code 1975 § 32-5B-4 § 32-5-222		X	Rear facing: < 1 yr or < 20 lbs Forward facing: < 5 yrs or < 40 lbs Booster seat: < 6 yrs Seat belt: < 15 yrs	
Alaska AS § 28.05.095	X		Child safety restraint: < 4 yrs Child safety restraint or seat belt, whichever appropriate: ≥ 4 yrs - < 16 yrs	
Arizona A.R.S. § 28-907 A.R.S. § 28-909				State Child Passenger Restrict System Laws exclude RVs.
Arkansas A.C.A. § 27-34-104 A.C.A. § 27-37-702		X	Child safety restraint: < 6 yrs and < 60 lbs Seat belt: < 15 yrs or ≥ 60 lbs	
California West's Ann. Cal. Vehicle Code § 27315 § 27360 § 27360.5	X		Child safety restraint, in rear seat: < 6 yrs or < 60" Child cannot ride in front seat if vehicle is equipped with an active passenger airbag and child is < 1 yr or < 20 lb and riding in a rear-facing child seat	

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NHTSA requires motorhomes over 10,000 lbs GVWR to have lap belts. If a 3-point belt is installed voluntarily, it must meet requirements for 3-point belts Federal law requires child restraint anchorages on vehicles with a GVWR of 8,500 lbs or less. For further information see FMVSS 225. For purposes of this survey, seat belt system is defined as a system utilizing a lap belt, a shoulder belt, or any other belt or combination of belts installed in a motor vehicle to restrain drivers and passengers, which conforms to federal motor vehicle safety standards. For purposes of this survey, a child restraint system is defined as a device manufactured to transport children in a motor vehicle, intended to be used to restrain, seat or position a child in a motor vehicle and conforms to all applicable FMVSS.

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Colorado C.R.S.A. § 42-4-236 § 42-4-237		X	Rear facing: < 1 yr or < 20 lbs Forward facing: ≥ 1 yr - < 4 yrs and ≥ 20 lbs - < 40 lbs Booster seat or child safety belt positioning device: ≥ 4 yrs - < 6 yrs and < 55" Seat belt: ≥ 6 yrs or ≥ 55"	
Connecticut C.G.S.A. § 14-100a		X	Rear facing: < 1 yr or < 20 lbs Child safety restraint: ≤ 6 yrs - < 60 lbs Child safety restraint or seat belt: ≥ 7 yrs and ≥ 60 lbs Child booster seat restraint must include a shoulder belt	State Child Passenger Restrict System Laws exclude motorhomes > 10,000 lbs GVWR
Delaware 21 Del.C. § 4802 21 Del.C. § 4803	X		Child safety restraint or booster seat: < 7 yrs and < 60 lbs Seat belt: ≥ 8 yrs - < 16 yrs or ≥ 60 lbs No child < 65" and < 12 yrs shall occupy front seat of any vehicle equipped with passenger-side airbag unless it has been deliberately rendered inoperable in conformity with federal law.	

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Florida West's F.S.A. § 316.613 § 316.614		X		Excludes living quarters of recreational vehicles. For state enforcement purposes only, the seat belt provisions "do not apply to the living quarters of a recreational vehicle."
Georgia Ga. Code Ann., § 40-8-76 § 40-8-76.1		X	Child safety restraint appropriate for child's height and weight: < 6 yrs in rear seat Seat belt: ≥ 6 yrs - < 18 yrs	
Hawaii HRS § 291-11.5 HRS § 291-11.6		X	Child safety restraint: < 4 yrs Seat belt: ≥ 4 yrs - ≤ 14 yrs in front or back seat; ≥ 15 yrs - ≤ 17 yrs in rear seats; ≥ 15 yrs in front seat	

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Idaho I.C. § 49-672 I.C. § 49-673	X		Child safety restraint: ≤ 6 yrs	State Child Passenger Restrict System Laws exclude motorhomes > 8,000 lbs GVWR
Illinois 625 ILCS 5/12-603.1 625 ILCS 25/4 625 ILCS 25/4b	X	X	Child safety restraint: < 8 yrs Seat belt: ≥ 8 yrs - ≤ 16 yrs If driver is < 18 yrs, all passengers ≥ 8 yrs - < 19 yrs must wear seat belt	
Indiana IC 9-13-2-123 IC 9-19-10-2			Requires front seat occupants of motorhomes to use seat belts	State Passenger Restrict System Laws exclude occupants of living quarters of RVs from seat belt requirement.
Iowa I.C.A. § 321.445 I.C.A. § 321.446		X	Excludes motorhomes except when child occupies front passenger seat	

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Kansas K.S.A. 8-1343a K.S.A. 8-1344 K.S.A. 8-2503		X	Child passenger restraint system: 4 - < 8 and 80 lbs or <4'9" Excludes motorhomes > 12,000 lbs GVWR Child safety restraint: < 4 yrs Seat belt: 8 yrs - < 14 yrs or > 80 lbs or >4'9"	
Kentucky KRS § 189.125	X		Child safety restraint: ≤ 40"	
Louisiana LSA-R.S. 32:295 LSA-R.S. 32:295.1		X	Child safety restraint: < 6 yrs or ≤ 60 lbs Rear facing: < 1 yr or < 20 lbs Forward facing child safety restraint: ≥ 1 yr - < 4 yrs or ≥ 20 lbs - < 40 lbs Booster seat: ≥ 4 yrs - < 6 yrs or ≥ 40 lbs - ≤ 60 lbs Seat belt: 6 yrs - <13 yrs or > 60 lbs	
Maine 29-A M.R.S.A. § 2081	X		Rear seat: 12 yrs < and < 100 lbs Child restraint system 40 lbs - < 80 lbs and < 8 yrs Seat belt: ≥ 8 yrs - < 18 yrs and > 4'9"	
Maryland MD Code, Transportation, § 22-412.2 § 22-412.3		X	Seat belt: < 16 yrs if < 16 yrs may not occupy front seat without a seat belt Child safety restraint: < 8 yrs or > 4'9" or > 65 lbs	

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Massachusetts M.G.L.A. 90 § 7AA M.G.L.A. 90 § 13A	X		Child safety restraint: < 8 yrs Seat belt: < 8 yrs and > 5'7" or < 13	
Michigan M.C.L.A. 257.710d M.C.L.A. 257.710e		X	Child restraint system: 4 yrs < 8 yrs and < 4'9" Child safety restraint: < 4 yrs Seat belt: ≥ 4 yrs - < 16 yrs	
Minnesota M.S.A. § 169.685 M.S.A. § 169.686		X	Child safety restraint: < 4 yrs Seat belt: ≥ 4 yrs - < 11 yrs	
Mississippi Miss. Code Ann. § 63-2-1 § 63-7-301		X	Child safety restraint: < 4 yrs Seat belt: ≥ 4 yrs - < 8 yrs	
Missouri V.A.M.S. 210.104 V.A.M.S. 210.179 V.A.M.S. 307.178		X	Booster seat: 4 yrs < 8 yrs and > 40 lbs < 80 lbs and < 4'9" Child safety restraint: < 4 yrs or 40 lbs Seat belt: < 16 yrs	

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Montana MCA 61-9-420 MCA 61-13-103	X		Child safety restraint: < 6 yrs and < 60 lbs	
Nebraska Neb.Rev.St. § 60-6,267 § 60-6, 270		X	Child safety restraint: < 6 Seat belt: ≥ 6 - < 18	
Nevada N.R.S. 484.474 N.R.S. 484.641		X	Child safety restraint: < 6 yrs and < 60 lbs Seat belt: ≥ 6 yrs or ≥ 60 lbs; < 6 but > 60 # ; ≥ 6 yrs and < 18 yrs	State Passenger Restrict System Laws exclude motorhomes > 10,000 lbs unladen weight
New Hampshire N.H. Rev. Stat. § 265:107-a			Child safety restraint: < 6 yrs Seat belt: ≥ 5'5" or < 18 yrs	
New Jersey N.J.S.A. 39:3-76.2f		X	Child safety restraint: < 8 yrs and < 80 lbs Seat belt: < 8 yrs and > 80 lbs; ≥ 8 yrs - < 18 yrs	

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New Mexico N. M. S. A. 1978, § 66-7-369 § 66-7-372	X		Child safety restraint: $\geq 1$ yr - $\leq 4$ yrs regardless of weight, 40 lbs regardless of age. Rear facing: $< 1$ yr Booster seat or appropriate child safety restraint: $\geq 5$ yrs – $\leq 6$ yrs regardless of weight or $< 60$ lbs regardless of age. Child restraint or seat belt: $\geq 7$ yrs - $< 18$ yrs	State Child Passenger Restrict System Laws exclude motorhomes $> 10,000$ lbs GVWR

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New York McKinney's Vehicle and Traffic § 71 1229-c		X	<u>Back seat:</u> < 4 yrs and < 40 lbs - child restraint safety seat consistent with FMVSS 213; < 4 yrs and > 40 lbs child restraint used with shoulder and lap belts, or lap belt if no shoulder belt available. 4 yrs - < 7 yrs – child restraint used with lap and shoulder belts or lap belt if no shoulder belt available 7 yrs – 16 yrs – safety belt approved by commissioner <u>Front seat:</u> < 16 yrs must use safety bell < 4 yrs must use child restraint (FMVSS 213) < 4 yrs and > 40 lbs – child restraint (FMVSS 213) + lap and shoulder belts if available, or lap belt 4 yrs - < 7 yrs use child restraint with lap and shoulder belts or lap only if no shoulder belt available All front seat passengers ≤ must use safety belt approved by commissioner	
North Carolina N.C.G.S.A. § 20-135.2A § 20-137.1		X		State Passenger Restrict System Laws exclude other than driver and front seat passengers of a motorhome.

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North Dakota NDCC, 39-21-41.2 NDCC, 39-21-41.4		X	Child safety restraint: < 7 yrs Seat belt: < 7 yrs and > 57" and > 80 lbs; > 7 yrs - > 17 yrs; child > 40 lbs	
Ohio R.C. § 4511.81 R.C. § 4513.263		X	Child safety restraint: < 4 yrs, < 40 lbs	
Oklahoma 47 Okl.St. Ann. § 11-1112 § 47-12-417				State Passenger Restrict System Laws exclude recreation vehicles.
Oregon 59-811.210			Rear facing child safety system: < 1 yr or < 20# Child safety restraint: < 40 # Booster seat: > 40 # and < 4'9" Seat belt: > 4'9" and > 8 yrs - < 16 yrs	
Pennsylvania 75 Pa.C.S.A. § 4581		X	Child safety restraint: < 4 yrs Booster seat: ≥ 4 yrs - < 8 yrs Seat belt: ≥ 8 yrs - < 18 yrs	

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Rhode Island Gen.Laws 1956, § 31-22-22	X		Child safety restraint: < 7 yrs, < 54" and < 80 lbs in rear seat Seat belt: ≥ 7 yrs - < 18 yrs; ≤ 7 yrs, ≥ 54" or ≥ 80 # in rear seat	
South Carolina Code 1976 § 56-5-6410 § 56-5-6420	X		Front seat/Seat belt: < 17 yrs Rear facing: < 1 yr or < 20 lbs Forward facing: ≥ 1 yr - < 6 yrs and ≥ 20 lbs - < 40 lbs Booster seat: ≥ 1 yr - < 6 yrs and ≥ 40 lbs - ≤ 80 lbs Seat belt: ≥ 1 yr - < 6 yrs and > 80 lbs Child < 6 yrs cannot occupy front seat	
South Dakota SDCL § 32-37-1 SDCL § 32-37-1.1 SDCL § 32-38-1		X	Child safety restraint: < 5 yrs Safety belt: < 5 yrs and ≥ 40 lbs; ≥ 5 yrs - < 18 yrs in front seat Safety belt: > 14 yrs - < 18 yrs	

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Tennessee T. C. A. § 55-9-602 § 55-9-603		X	Rear facing: < 1 yr, ≤ 20 lbs Forward facing: ≥ 1 yr - < 3 yrs and > 20 lbs Booster Seat belt: ≥ 4 yrs - ≤ 8 yrs and < 4'9" Seat Belt: ≥ 9 yrs - ≤ 18 yrs	State Passenger Restrict System Laws exclude motorhomes > 8,500 lbs GVWR
Texas V.T.C.A., Transportation Code § 545.412 Code § 545.413		X	Child safety restraint: < 5 yrs and < 36" Seat Belt: <17 yrs	
Utah U.C.A. 1953 § 41-6a-1803	X		Child safety restraint: < 8 yrs Seat belt or appropriate child restraint: ≥ 5 yrs - ≤ 16 yrs Seat belt or appropriate child restraint: > 8 yrs - < 16 yrs; < 8 yrs and > 5'7" and > 16 yrs	
Vermont 23 V.S.A. § 1258 23 V.S.A. § 1259	X		Rear facing: < 1 yr or < 20 lbs in rear seat Child safety restraint: ≥ 20 lbs and ≥ 1 yr - < 8 yrs Seat belt: ≥ 8 yrs - ≤ 15 yrs	

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Virginia Va. Code Ann. § 46.2-1094 § 46.2-1095		X	Child safety restraint: ≤ 8 yrs Seat belt: ≤ 16 yrs	
Washington West's RCWA 46.61.687 46.61.688	X		Child safety restraint: ≤ 8 yrs unless ≥ 4'9" Seat belt or appropriate child restraint: ≥ 8 yrs or ≥ 4'9"; <16 yrs Child < 13 yrs must be in back seat	
West Virginia W. Va. Code, § 17C-15-46 § 17C-15-49		X	Child safety restraint: < 8 yrs Seat belt: < 18 yrs in rear seat; < 8 yrs and ≥ 4'9"	
Wisconsin W.S.A. 347.48	X		Rear facing: < 1 yr or < 20 lbs in rear seat Forward facing: ≥ 1 yr and ≥ 20 lbs but < 4 yrs or < 40 lbs in rear seat Booster Seat: ≥ 4 yrs but < 8 yrs, and ≥ 40 lbs but ≤ 80 lbs and ≤ 57" Seat belt: ≥ 8 yrs in front seat	

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Wyoming W.S.1977 § 31-5-1303 § 31-5-1302	X		Child safety restraint: < 9 yrs in rear seat Seat belt: < 12 yrs	
District of Columbia DC ST § 50-1703 DC ST § 50-1702	X		Child safety restraint: < 3 yrs Booster seat or appropriate child safety restraint: < 8 yrs Seat belt or appropriate child safety restraint: < 16 yrs	

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