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Child Passenger Restraint Law

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July 1, 1982 was the effective date of North Carolina's new child passenger restraint law [G.S. 20-137.1]. This law applies only to a driver transporting:

- (1) His own child of less than two years of age;
- (2) In his own motor vehicle (or a family purpose vehicle).

For an infant less than one year of age, this section requires the use of an approved child restraint device. The requirements of the section may be met with respect to children who are one year of age or older by simply securing the child in a regular seat safety belt (or by using an approved restraint device).

G.S. 20-137.1 does not apply unless the child is occupying a seating position where seat safety belts are required by federal law or regulation. Therefore, children may still ride in the cargo area of a station wagon without violating the law. In addition, this law does not apply (1) to vehicles registered in another state or jurisdiction; (2) to ambulances or other emergency vehicles; (3) when the child's personal needs are being attended to (such as feeding); or (4) if all seating positions equipped with child restraint systems or seat belts are occupied. (Thus if there are more passengers than seat belts, the child may ride unsecured without violating the law).

Any person violating this section prior to July 1, 1984 can be given a warning ticket only; thereafter, the fine for a violation is only \$10. The new section expressly provides that no driver license points may be assessed for a violation. By implication no insurance points will be assessed either because the insurance companies rely on driver license records for purposes of assessing points against their policyholders.

G.S. 20-137.1 expires on June 30, 1985. However, prior to that date, the UNC Highway Safety Research Center will conduct a study to determine the effectiveness of the act in preventing deaths and injuries. Experience in other jurisdictions indicates that child passenger restraint laws and devices are extremely effective and thus re-enactment on a permanent basis would appear likely.