

## **SUMMARY OF PENNSYLVANIA'S CHILD PASSENGER PROTECTION LAWS (Act 53, 1983 / Act 22, 1993 / Act 229, 2002 / Act 81, 2011 / Act 43, 2016)**

- **All drivers operating a passenger car, Class I and Class II truck, classic motor vehicle, antique motor vehicle or motor home shall securely fasten infants and children under 8 years of age in an approved child restraint/booster when the child is riding anywhere in the motor vehicle, including the cargo area.** The car seat / booster seat may be in any seating position in the vehicle that is equipped with a seat belt. (However, for maximum protection, a back seat is preferable.)
- **All drivers transporting children under 4 years of age are responsible to securely restrain those children in an approved child passenger restraint system.**
  - **A child younger than two years of age shall be secured in a rear-facing child passenger restraint system, to be used until the child outgrows the maximum weight and height limits designated by the car seat manufacturer. (Primary Law)**
    - Violators may be stopped as a primary offense for non-compliance with the Child Passenger Protection Law for children birth to age 4. Violators will be fined \$75.00, plus Court Costs (adjusted annually); \$45.00 Surcharge; \$10.00 EMS Fund and \$10.00 Administrative Costs.
    - The fine shall be dismissed if the person prior to or at his hearing displays evidence of acquisition of a child passenger restraint system/booster. Evidence shall include a receipt mailed to the appropriate court officer, which evidences purchase, rental, transferal from another child seat owner (by notarized letter) or bailment from a bona fide child seat loaner program.
- **All drivers transporting children 4 years of age or older but under 8 years of age are responsible to securely restrain those children in a seat belt system and an appropriately fitting child booster seat. (Primary Law)**
  - Violators may be stopped as a primary offense for non-compliance of the Child Passenger Protection Law for children age 4 to age 8. Violators will be fined \$75.00, plus Court Costs (adjusted annually); \$45.00 Surcharge; \$10.00 EMS Fund and \$10.00 Administrative Costs.
  - The fine shall be dismissed if the person prior to or at his hearing displays evidence of acquisition of a child passenger restraint system/booster. Evidence shall include a receipt mailed to the appropriate court officer, which evidences purchase, rental, transferal from another child seat owner (by notarized letter) or bailment from a bona fide child seat loaner program.

**An approved child passenger restraint system is labeled indicating that the child restraint conforms to all applicable Federal Motor Vehicle Safety Standards.**

**Fines collected are placed in a fund and used to purchase car seats for loaner programs.**

**Civil immunity for child passenger safety technicians and lenders of car seats** has been granted. No certified child passenger safety technician or organization acting in good faith, within the scope of the national standardized child passenger safety training, and without a fee or charge to the owner or operator of the vehicle, shall be liable for an act of omission that occurs in giving advice or assistance regarding the inspection, installation or adjustment of a car seat. No person or organization who lends child restraints shall be liable for any civil damages resulting from any acts or omission, except any act or omission intentionally designed to harm or any grossly negligent act or omission resulting in harm to another.

**Hospitals are required to notify parents of the location of car seat loan programs in the community. It is recommended that hospitals also provide information on the Pennsylvania's Child Passenger Safety law.** Providing educational materials about the law and correct selection and use of car seats will assist families in keeping their children safe during travel.

Information and materials are available from the  
Traffic Injury Prevention Project  
**1-800 CAR BELT** (in PA)  
484-446-3008

[www.pakidstravelsafe.org](http://www.pakidstravelsafe.org)

## SUMMARY OF PENNSYLVANIA'S SAFETY BELT LAW

- **All drivers of a passenger car, Class I truck, Class II truck or motor home younger than age 18 shall:**
  - **Be secured in a and properly adjusted and fastened seat belt system; and**
  - **Secure every vehicle occupant 8 years of age or older but younger than 18 years of age be secured in a properly adjusted and fastened seat belt system. (Primary Law)**
    - Violators may be stopped as a primary offense for non-compliance and shall be fined \$10.00 plus \$45.00 Surcharge; \$10.00 EMS Fund and \$10.00 Administrative Costs.
- **Each driver and front seat occupant of a passenger car, Class I truck, Class II truck or motor home operated in the Commonwealth of Pennsylvania, shall wear a properly adjusted and fastened seat belt system. (Secondary Law)**
  - Violators, if convicted of the primary offense for which the vehicle was stopped, shall pay a \$10.00 fine; \$45.00 Surcharge; \$10.00 EMS Fund and \$10.00 Administrative Cost for the seat belt violation. Secondary law means that drivers can be ticketed only when cited and convicted for another violation, such as speeding or running a red light.
  - Exceptions to the law are made for (1) those whom a physician has verified in writing are unable to wear a seat belt system for physical or medical reasons or a psychiatrist/qualified specialist has verified in writing that a person is unable to wear a seat belt for psychological reasons (written verification must be produced); (2) occupants of cars manufactured before July 1, 1966; (3) a rural letter carrier during the performance of his duties and only between the first and last delivery; (4) a driver who makes frequent stops and is traveling less than 15 miles per hour in the performance of his duties and only between the first and last delivery.
- **A driver who is under 18 years of age may not operate a motor vehicle in which the number of passengers exceeds the number of available safety seat belts in the vehicle. (Primary Law).**

**NOTE: The National Highway Traffic Safety Administration recommends that children age 12 and younger ride buckled up in a rear vehicle seat.**

- **Young children should ride in a rear vehicle seat in car seats / booster seats approved for their height, weight, physical development, and behavioral needs.**
- **Infants in rear-facing child safety seats should NEVER ride in the front seat of a vehicle with an active passenger-side front air bag.**

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