



UTAH'S BOOSTER SEAT LAW

COMMONLY ASKED QUESTIONS

Developed for Officers, Educators & Advocates

Q. What are the basic requirements of this law?

A. All children under 8 years of age must be properly restrained in a child restraint or booster seat. There is an exception to the law that states that children younger than 8 are not required to be in a booster seat if they are at least 57 inches tall. At that point, they should use the lap and shoulder belt without a booster. This is a primary enforcement law for occupants under the age of 19. The penalty for breaking this law is \$45 and is enforceable beginning May 5, 2008.

Q. Who is responsible for the children in the car?

A. The driver is legally responsible for obeying the law assuring all occupants are restrained and would get the ticket even if the child's parent is also in the car.

Q. Why do children need to ride in a belt-positioning booster (BPB) seat?

A. After children exceed the limitations of their regular child restraint (usually around age 4), they are still too small for an adult seat belt and are not adequately protected by a seat belt alone. The booster seat positions them for the lap and shoulder belt to work correctly.

Q. What is a booster seat?

A. A belt-positioning booster (BPB) seat is an inexpensive type of child restraint that adds artificial height to the child so the adult-sized lap and shoulder belt rests on the strongest parts of the child's body – across the hips and chest.

Q. Are there different types of booster seats?

A. There are two major types of BPB seats available. Base or **backless booster seats** do not have a high back and are used in vehicles where the seats offer head support. **High-back booster seats** have built-in head support and are used in vehicles that have low seat backs, as seen in some mini-vans, trucks, SUVs

and station wagons. In addition, some booster models are multi-functional and have removable harness systems for younger children or a high back that can be removed.

Q. When can a child be put in a booster seat?

A. It is legal to switch to a booster seat at any weight as long as the child is within the booster's weight and height range. But, it is not generally recommended to use booster seats until after the child outgrows the harness system found on conventional child restraints, which usually occurs at 40 pounds.

Q. What if a vehicle has lap-only seat belts in the rear seating positions?

A. Booster seats **MUST** be used with a shoulder and lap belt, never with a lap belt only. If there are no seating positions with both lap AND shoulder belts available for using a booster seat, a child who weighs at least 40 pounds may be restrained by a properly fitted lap belt only. Children should remain secured in a traditional child restraint until they outgrow the internal harness system, which generally occurs at 40 pounds.

Q. What should officers do if they stop a vehicle that has only lap belts in the back seat?

A. If an officer stops a vehicle with lap-only belts in the back seat and identifies older children (weighing over 40 pounds) not restrained in a booster seat, he or she should not issue a safety restraint citation to the driver. The officer should recommend that the child wear the lap-only belt low and tight across the hips. Remember, there are no booster seats available for use in vehicles that have only lap belts.

Q. Are there any exemptions to this law?

A. Yes, there are a few exemptions to this law:

- Children younger than age 8 who are at least 57 inches tall should ride in a properly adjusted seat belt and are exempt from the booster seat law.

- Children that weigh more than 40 pounds and are passengers in vehicles with rear seating positions that do not have lap and shoulder belts, should wear the lap belt low and snug on the hips.
- Vehicles that are not required to have seat belts, such as buses and pre-1967 passenger cars, are exempt.
- If all seating positions are occupied by other passengers, unrestrained occupants are exempt from the law.
- A motor vehicle in which the driver or passengers have a written verification from a licensed physician that the person is unable to wear a seat belt or child restraint for physical or medical reasons.

Q. If a child weighs more than 100 pounds and is younger than age 8, does he/she need ride in a booster seat?

A. No. According to the law, the child restraint must be used according to the manufacturer's instructions and currently there are no booster seats available with upper weight limits above 100 pounds.

Q. Can people use the older shield-type booster?

A. No, parents must not use the older style of boosters with a padded bar or shield in front of the child because they do not meet Federal standards. These boosters are no longer available and should be discarded.

Q. When can a child ride in a seat belt?

A. According to the law, a child should be at least 8 years of age before riding in a regular seat belt. However, children younger than age 8 and at least 57 inches tall can be buckled into an adult seat belt

Q. What should a person do if they carpool?

A. Remember, the driver is legally responsible for obeying the law. Most importantly, the driver is responsible for making sure everyone in the vehicle arrives at their destination safely. The law was designed to protect a most precious cargo – Utah's children. Drivers must ensure that all passengers ages 7 and younger are properly restrained in a safety seat or booster, and children ages 8 and older are buckled up in a seat belt. Also, children should not share one belt system.

Q. Are organizations such as schools, churches, and child care centers covered under this law?

A. No organizations are exempt from Utah's Safety Restraint Law. Any organization or agency that transports children in vehicles required by Federal safety standards to have seat belts must comply with this law. Organizations involved in the transportation of young children might suggest that kids bring their own booster seats.

Q. Do children have to ride in the back seat?

A. No, this is not a requirement of the law. However, it is recommended by vehicle manufacturers and safety advocates that children who are 12 and under are safest when properly buckled in the rear seat.

Q. How much does a belt-positioning booster cost and where can I get one?

A. BPB seats are fairly inexpensive and vary in price from \$9 to \$40. They can be purchased in any store that carries traditional child safety seats. Also, there are several programs around the state that offer low-cost seats to low-income families. Check with your local health department for more information.

Q. I have no idea how to use a booster seat. Is there someplace I can get help?

A. The state of Utah has more than 33 Child Safety Seat Inspection Stations where nationally certified Child Passenger Safety Technicians will help you learn to use your booster and other child safety seats appropriately. To locate a fitting station:

- Check with your local health department or Safe Kids Chapter (www.utahsafekids.org).
- Call 801-662-CARS, a service provided by Primary Children's Medical Center.
- Visit the National Highway Traffic Safety Administration's website at www.nhtsa.gov and search for the nearest fitting station.

For more information or to order educational materials, contact:

**Utah Department of Public Safety
Highway Safety Office
801-957-8570
www.highwaysafety.utah.gov**