



State laws aim to boost child safety in motor vehicles

by Mike Murphy
for Stateline Midwest

More-stringent child restraint laws have made their way through some Midwestern state legislatures this year, with lawmakers hoping the new measures cut down on the No. 1 cause of death and serious injury among young children in the United States.

In 2002, the National Highway Traffic Safety Administration reports, 227,000 children between the ages of 2 and 14 were injured and 1,543 were killed in motor vehicle crashes.

Coinciding with those disturbing numbers is research from the Partners for Child Passenger Safety program showing that many young children are not being properly restrained in motor vehicles. The group found that 16 percent of 4-year-olds, 13 percent of 5-year-olds, and 4 percent of 6- and 7-year-olds use booster seats.

The PCPS, an academic-corporate partnership led by State Farm Insurance, recommends that children use booster seats until their eighth birthday. Seat belts in vehicles are designed to protect an average-sized adult male, and an improperly fitting restraint can place a child at risk, says Alan Korn, director of public policy and general counsel for the national Safe Kids Campaign.

“Adult seat belts are just that, for adults,” he adds.

Booster seats raise the child up so that a seat belt and shoulder strap are properly positioned across his or her hips and chest. According to a PCPS study, children in serious crashes secured by seat belts alone could potentially suffer injuries to every body region.

Indiana Rep. Peggy Welch used those findings to help push through legislation this year that strengthens booster seat requirements in her state.

“We took current law requiring child safety seats for children up to the age of 4 and expanded it to include children up to 8 years old,” says Welch, a Democrat from Bloomington who also works as a registered nurse.

The new law will take effect July 1. According to Welch, studies show that the use of proper child restraints will reduce motor vehicle deaths among children between the ages of 4 and 8 by about 6 percent.

A \$25 fine will be imposed on drivers violating the new child safety restraint law, although some discretion will be left to police officers. They can waive the requirement if the children’s size doesn’t require the use of a booster seat.

Drive for new laws continues

Over the last three years, Korn says, 25 states

have passed laws requiring the use of booster seats for children between the ages of 4 and 8.

Still, such legislation often faces opposition from those who would prefer that child safety decisions be left to parents, rather than be addressed through legislation.

Korn, though, believes the state laws help make adults aware of the importance of adequately protecting their children from motor vehicle crashes.

“We like the state laws to reflect the laws of physics, so that every child who rides in a car is properly restrained,” he adds.

Other child safety laws are being considered as well. In February, the Michigan Senate passed legislation mandating that all children under the age of 4 be properly restrained in the back seat. The proposal also requires that nursing children remain properly secured.

Sen. Beverly Hammerstrom, a Republican from Temperance, sponsored the bill after learning of

an incident in which a woman was breast-feeding her 7-month-old baby while driving along the Ohio turnpike. Charged with child endangerment, the woman claimed she was entitled to nurse her child based on Michigan law. The state, in fact, has exempted nursing children from its restraint laws.


If enacted into law, Hammerstrom’s bill would close that loophole.

“Anytime a child is not restrained in an appropriate restraint system, there is a potential for danger to that child,” she says.

“Taking the time to stop your vehicle, either at a rest area or other safe location,

before removing the child from a safety seat could prevent serious injury or death.”

Hammerstrom adds that Michigan and other states already have done quite a bit to strengthen restraint laws since the time her children, now grown, were young.

“When I think about my kids, they’re lucky to be alive,” she adds. “We’ve come a long way in making sure kids are safe.” 

“We took current law requiring child safety seats for children up to the age of 4 and expanded it to include children up to 8 years old.”

*Representative Peggy Welch
Indiana*



The hard way to get the latest news and information about state policy in the Midwest.



The easy way.

www.csgmidwest.org
easier, faster, smarter!

Introducing the newly redesigned Web site of CSG Midwest. Log on now for the latest news from the region and access to all of our publications and research. You’ll also find information on the current activities of the Midwestern Legislative Conference and the Midwestern Governors Association, and much more!