

# The North Carolina Seat Belt Law: Commonly Asked Questions



*Effective as of December 1, 2007*

## **What are the basic requirements of the North Carolina Seat Belt law?**

- ◆ All drivers and passengers ages 16 and older are covered by the seat belt law and must have a seat belt properly fastened about his or her body at all times when the vehicle is being driven on a street or highway.
- ◆ North Carolina's Graduated Driver Licensing law requires all vehicle occupants - regardless of their age or their seating position - to wear a seatbelt when riding with a driver younger than 18.
- ◆ Children less than age 16 are covered under the North Carolina Child Passenger Safety Law.
- ◆ All occupants of any age in any seating position should ride buckled up to help protect all occupants. Unbuckled rear seat occupants can injure buckled up front seat occupants as well as themselves when they are thrown around or out of the car in a crash.

## **What vehicles are covered?**

- ◆ All vehicles required by federal standards to be equipped with seat belts are covered.
- ◆ All passenger cars manufactured after 1967 are required by federal regulations to have seat belts and are covered by the NC Seat Belt Law. Vans, pickup trucks and sport utility vehicles manufactured after 1971 are required to be equipped with belts and are covered by the NC Seat Belt Law.
- ◆ Seat belts are required in all seating positions on small buses weighing under 10,000 lbs. and passengers in these buses are covered by the NC Seat Belt Law.
- ◆ Federal standards do not require safety belts, except for the driver, on large buses with Gross Vehicle Weight Ratings (GVWR) of more than 10,000 pounds. Drivers of these vehicles are required to be buckled but passengers in these vehicles are exempt from the NC Seat Belt law.
- ◆ Other exemptions are: occupants age 16 or older in the rear of motor homes; occupants being transported in the backseat of law enforcement vehicles while in custody; and drivers and passengers of residential garbage or recycling trucks during rounds and traveling to or from loading or unloading locations.
- ◆ There are no exemptions for vehicles registered in other states.

## **What are the penalties for not complying with this law?**

- ◆ Drivers and front seat passengers who violate this law are subject to a penalty of \$25.00 plus \$75.00 in court costs. Rear seat violators of this law are subject to a \$10.00 fine. Of course, the worst outcome of non-compliance would be a crash in which a driver or passenger is seriously injured or killed because of not being buckled up.

## **If a passenger isn't buckled up, who gets the ticket?**

- ◆ Drivers are responsible for themselves and for all children less than age 16 in the front or back seat. Front seat passengers ages 16 and older are responsible for themselves and would get the ticket rather than the driver.

## **Are both lap and shoulder belts required?**

- ◆ The law requires the proper use of whatever seat belt system the seating position provides. Vehicles equipped with air bags also provide lap and shoulder belts that must be worn. Some older vehicles have automatic shoulder belts with lap belts that have to be fastened manually. These manual lap belts must be used for compliance and for maximum protection.

## **How is the law that covers children different?**

- ◆ Children and youth less than age 16 are covered under the Child Passenger Safety Law.
- ◆ Most children under age 8 and less than 80 pounds in weight must be in properly used child restraints or booster seats appropriate for their weight. Child restraints for children less than age 5 and less than 40 pounds must be installed in the rear seat if the vehicle has a passenger side front air bag. Children may be buckled in using a properly fitted seat belt at the age of 8 (even if less than 80 pounds) or when they weigh at least 80 pounds (even if they are still less than 8 years old).
- ◆ A separate NC law prohibits children less than age 12 from riding in the open bed of a pickup truck unless there is an adult present supervising the child; if the child is secured in a seat belt installed in an approved manner; if an emergency exists, if the truck is being used in a parade or for agricultural purposes; or if the truck is being operated in a county with no incorporated area of a population greater than 3,500.

**My car doesn't have seat belts. Do I have to install them?**

- ◆ Cars manufactured after 1967 and vans, pickup trucks and sport utility vehicles manufactured after 1971 are required by federal standards to have belts. Belts must be installed in these vehicles if the original seat belts have been removed. Belts do not have to be added to older models.
- ◆ Passenger vehicles, light trucks and vans brought in from other countries must be fitted with belts if they were manufactured after the above dates but do not have seat belts in them.

**Our pickup truck has only three seat belts but there are four in our family. What do we do?**

- ◆ There is no safe way to carry more people than you have belts to accommodate. If room allows, extra belts can be installed to protect more people.
- ◆ There is no "more occupants than belts" exemption in the NC Seat Belt Law. If you have four people age sixteen or older and three belts, the fourth person is in violation of the law.

**Are employees required to wear their belts in company cars?**

- ◆ In most cases, yes. Vehicles with "farm" license plates while being used for agricultural purposes in intrastate commerce, delivery vehicles making frequent stops and not exceeding 20 mph, and those being used by a rural mail or newspaper carrier are exempt. Many employers, however, have seat belt use policies for their vehicles.

**What are valid medical exemptions? How do I get one?**

- ◆ The North Carolina Medical Society's Executive Council has stated that "medical exemptions to the state's seat belt law be granted only in extraordinary cases of medical necessity..." If a physician decides that a patient has an "extraordinary case of medical necessity" preventing his or her from wearing a seat belt, then a letter from the physician stating this situation and carried by the patient is needed.

**I'm too large for my seat belt to fit around me. What should I do?**

- ◆ Seat belt extenders are available for most domestic vehicles for a small fee. These extenders are 10 inch lengths of webbing with buckles on both ends to fit onto

the belts already in the vehicles. Take the information on the seat belt label along with your vehicle to the parts department of your local dealer. Extenders are not interchangeable so go to the dealer for your particular vehicle. If you have any trouble getting service from the dealer, try another dealer or call the customer assistance number listed in your owner's manual. Check your owner's manual for an explanation of these belt systems.

**Now that I'm pregnant, should I still wear my seat belt?**

- ◆ Yes, especially now. The greatest threat to the unborn child is death or serious injury to the mother, and a seat belt will help insure your survival in the event of a crash. When possible, both the lap and shoulder belt should be worn with the lap portion low and snug on the hips beneath the baby and the shoulder belt snug and above the baby.

**Can't seat belts actually cause injuries?**

- ◆ Yes, they can cause some injuries, especially in severe crashes. These injuries are usually limited to bruises and cracked collar bones and ribs - very minor injuries when compared to what often happens without the seat belt. It is important that belts be worn correctly to reduce the chance that they might injure you.
- ◆ Lap belts should be worn as low and snug as possible on the hips since belts that are worn high on the stomach can cause injuries.
- ◆ Shoulder belts must also be worn snugly across the shoulder and chest. Never wear a shoulder belt with more than an inch of space between your chest and the belt. Too much slack will allow your head to go too far forward in a crash. If the shoulder belt rubs against your neck and is uncomfortable, try adjusting your sitting position or the position of the vehicle seat to get a proper fit. Cloth comfort sleeves can be placed on the shoulder belt to make it more comfortable.
- ◆ Do not place the shoulder belt behind your back or under your arm. With the shoulder belt behind the back, your head will be thrown forward to strike the dashboard, windshield, or the air bag. As with the belts behind the back, shoulder belts under the arm do not hold your head back away from danger. In addition, the belt under the arm can fracture ribs and cause serious internal injuries.

For further information contact:

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800-672-4527 / 919-962-2202  
[www.buckleupnc.org](http://www.buckleupnc.org)  
[www.hsrb.unc.edu](http://www.hsrb.unc.edu)

For further information or to order brochures or other educational materials, contact:

NC Governor's Highway Safety Program  
800-999-9676 / 919-733-3083  
[www.ncdot.org/secretary/GHSP](http://www.ncdot.org/secretary/GHSP)

NC Department of Insurance  
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