

**Transportation Standards for NC Child Care Centers and Homes**  
Enacted by the North Carolina Department of Health and Human Services  
Division of Child Development  
(<http://ncchildcare.dhhs.state.nc.us/general/home.asp>)

Prepared by the UNC Highway Safety Research Center - April 14, 2005

**SECTION .1000 - TRANSPORTATION STANDARDS FOR CENTERS**

**.1001 SEAT RESTRAINTS**

- (a) Each adult and child shall be restrained with an individual seat belt or appropriate child restraint device when the vehicle is in motion.
- (b) Only one person shall occupy each seat belt or child restraint device.
- (c) Children shall not occupy the front seat if the vehicle is equipped with an operational passenger side airbag.
- (d) Except for when children under two years of age are transported, the restraint requirements in this Rule do not apply to vehicles not required by federal or state law to be equipped with seat restraints.

History Note: Authority G.S. 110-91; 110-91(13); 143B-168.3; Eff. January 1, 1986; Amended Eff. July 1, 1998; July 1, 1995; November 1, 1989; July 1, 1988; January 1, 1987.

**.1002 SAFE VEHICLES**

- (a) All vehicles used to transport children shall be in good repair, safe, and free of hazards such as torn upholstery that allows children to remove the interior padding or hurt themselves, broken windows, and holes in the floor or roof.
- (b) Vehicles shall be insured for liability as required by State laws governing transportation of passengers.
- (c) Vehicles used to transport children in snowy, icy, and other hazardous weather conditions must be equipped with snow tires, chains, or other safety equipment as appropriate.

History Note: Authority G.S. 110-91; 110-91(13); 143B-168.3; Eff. January 1, 1986; Amended Eff. July 1, 1998.

**.1003 SAFE PROCEDURES**

- (a) The driver or other adult in the vehicle shall assure that all children are received by a responsible person.
- (b) Each center shall establish safe procedures for pick-up and delivery of children. These procedures shall be communicated to parents, and a copy shall be posted in the center where they can easily be seen. Centers licensed for three to 12 children located in a residence are not required to post these procedures.
- (c) A first-aid kit shall be located in each vehicle used on a regular basis to transport children. The first-aid kit shall be firmly mounted or otherwise secured if kept in the passenger compartment.
- (d) Emergency and identification information about each child must be in the vehicle whenever children are being transported.
- (e) The driver shall be 18 years old or a duly licensed school bus driver and have a valid driver's license of the type required under North Carolina Motor Vehicle Law for the vehicle being driven or comparable license from the state in which the driver resides and no convictions of Driving While Impaired (DWI) or any other impaired driving offense within the last three years.

- (f) Each person in the vehicle must be seated in the manufacturer's designated areas. No child shall ride in the load carrying area or floor of a vehicle.
- (g) Children shall never be left in a vehicle unattended by an adult.
- (h) Children shall be loaded and unloaded from curbside, or in a safe, off-street area, out of the flow of traffic, so that they are protected from all traffic hazards.

History Note: Authority G.S. 110-91; 110-91(13); 143B-168.3; Eff. January 1, 1986; Amended Eff. July 1, 1998; October 1, 1991; January 1, 1987.

#### ***.1004 STAFF/CHILD RATIOS***

- (a) When children aged two years and older are being transported, the staff/child ratios required for compliance with child care center regulations as set forth in Section .0700 of this Subchapter shall apply.
- (b) When three or more children under the age of two years are being transported, the staff/child ratio requirements for child care centers set forth in Section .0700 of this Subchapter for children under age two shall be maintained. The driver shall not be counted in the staff/child ratio.

History Note: Authority G.S. 110-91(13); 143B-168.3; Eff. January 1, 1986; Amended Eff. July 1, 1998; July 1, 1988.

### **SECTION .1700 - FAMILY CHILD CARE HOME REQUIREMENTS**

#### ***.1723 TRANSPORTATION REQUIREMENTS***

To assure the safety of children whenever they are transported, the operator, or any other transportation provider, shall:

- (1) have written permission from a parent to transport his or her child and notify the parent when and where the child is to be transported, and who the transportation provider will be.
- (2) ensure that all children regardless of age or location in the vehicle shall be restrained by individual seat belts or child restraint devices. Only one person shall occupy each seat belt or child restraint device.
- (3) be at least 18 years old, and have a valid driver's license of the type required under the North Carolina Motor Vehicle Law for the vehicle being driven, or comparable license from the state in which the driver resides, and no convictions of Driving While Impaired (DWI), or any other impaired driving offense, within the last three years.
- (4) ensure that each child is seated in a manufacturer's designated area.
- (5) ensure that a child shall not occupy the front seat if the vehicle has an operational passenger side airbag.
- (6) never leave children in a vehicle unattended by an adult.
- (7) have emergency and identification information about each child in the vehicle whenever children are being transported.

History Note: Authority G.S. 110-91; G.S. 110-91(13); Eff. July 1, 1998; Amended Eff. April 1, 2003.