

COMMONLY ASKED QUESTIONS

What are the basic requirements of North Carolina law?

North Carolina law requires that everyone be properly buckled up at all times. The law applies to all vehicles required by federal standards to have seat belts. This includes cars, pickup trucks, sport utility vehicles, minivans, 15-passenger vans, and small school buses. Drivers are legally responsible for themselves and all children less than age 16. Passengers age 16 and older are legally responsible for themselves.

- All drivers and passengers, regardless of age, must be properly buckled up at all times. Placing the shoulder belt under the arm or behind the back is illegal and unsafe.
- Children less than age 5 and less than 40 pounds must be in the back seat, with some exceptions.
- Children younger than age 8 AND who weigh less than 80 pounds must be in a car seat or booster seat appropriate for their age, weight, and height.
- When a child reaches age 8 OR 80 pounds, a correctly fitted seat belt may be used instead of a car seat or booster seat.
- Children less than age 16 are prohibited from riding in the open bed of a pickup truck or other open cargo area.

When can children be turned to ride forward-facing?

The American Academy of Pediatrics (AAP) recommends that children be kept rear-facing until at least age two for maximum protection. Young children are safer riding rear-facing than forward-facing.

North Carolina law requires that you follow the instructions for whatever car seat you are using. Every car seat has a different set of minimum and maximum requirements for use, usually specifying weight, height, and age requirements. It is legal to begin using a car seat forward facing as long as the child meets ALL minimum requirements specified for that car seat. However, for better protection we recommend that children continue to ride rear-facing until they reach the height or weight maximum for the seat.

When can children start using a booster seat?

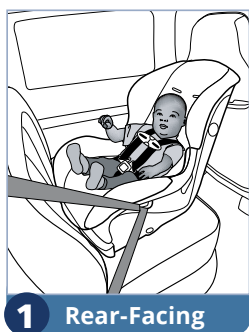
It is recommended that children continue using a car seat with a harness until they are mature enough to handle sitting properly in a booster seat all the time.

North Carolina law requires that you follow the instructions for the booster seat you are using. Every booster seat has a different set of minimum and maximum requirements for use, usually specifying weight, height, and age requirements. It is legal for a child to begin using a booster seat as long as the child meets ALL minimum requirements specified for that booster seat.

Booster seats must be used with vehicle lap and shoulder seat belts - NEVER with just a lap belt.

Are there differences between the NC law and what is recommended for buckling up?

Yes. What is legally allowed should be considered "minimum standards" and is not necessarily what is recommended to provide the best protection for a child or adult. For best protection, recommendations include:



- 1** Keep kids rear-facing for as long as possible.

Children under age 2 are safer riding rear-facing than forward-facing. Use rear-facing car seats as long as possible, always in the back seat. Never place a rear-facing car seat in front of an active airbag.

- 2** Use car seats with harnesses for as long as possible.

Continue using a rear-facing car seat until children reach the maximum height or weight limit. Children who have outgrown their rear-facing car seat should ride in the back seat in a forward-facing car seat with a harness.

- 3** Use booster seats until the seat belt fits on its own.

Continue using a forward-facing car seat until the child reaches the maximum height or weight limit and is mature enough to sit properly in a booster seat. A booster seat is needed until the seat belt fits properly on its own, typically when a child is over 4'9" tall and between 8 and 12 years old.

- 4** Older children and adults should always use properly worn seat belts.

Continue using a booster seat until the seat belt fits properly on its own. A properly fitted shoulder belt crosses the middle of the shoulder (not the neck) and a properly fitted lap belt rests on the hips (not on the stomach).

Drawings courtesy of Children's Hospital of Philadelphia Center For Injury Research and Prevention.

When can children stop using a booster seat?

Children should continue to use a booster seat until the seat belt fits properly on its own. When a child reaches either age 8 or 80 pounds they are legally allowed to ride in the car using only a properly worn seat belt. Because kids come in all shapes and sizes, every child's safety needs are a little bit different. Before allowing your child to ride without a booster seat it is important to make sure your child can pass the "seat belt fit test."

- 1 Sit tall and bend knees** – The child should be able to sit with their bottom against the back of the seat and their knees bent at the front edge of the seat without slouching.
- 2 Shoulder** – The shoulder belt crosses mid-shoulder – not too close to the neck and not too close to the arm.
- 3 Hips** – The lap belt crosses the body on the upper thigh/hip area – not on the stomach.

Note: Vehicle seats come in various shapes and sizes, just like children. Some children may pass the seat belt fit test in one car, but still need a booster in another.

When can children ride in the front seat?

The American Academy of Pediatrics recommends that children ride in the rear seat until they turn 13. Children are safer in the back seat.

North Carolina law requires that children less than age 5 and less than 40 pounds ride in the back seat under most circumstances. It is legal, though not necessarily recommended, for a child to ride in the front seat if any of the following apply:

- The vehicle has no back seat (for example a small pickup truck)
- The vehicle has no front passenger air bag
- The vehicle has a front passenger air bag that is turned off with an on/off switch
- The child is 5 years or older
- The child weighs 40 pounds or more

If a child needs to ride in the front seat, you should still use a car seat or booster seat where appropriate. However, rear-facing car seats can NEVER be used in front of an active airbag.

Are 15-passenger vans and buses exempt from the law?

In general, no. The law applies to all vehicles required by federal standards to have seat belts. This includes 15-passenger vans and small buses (10,000 lbs or less). Anyone riding in these vehicles must comply with the requirements of the law.

Most large buses, including school, charter, and public transit buses, are not required to be equipped with seat belts for passengers and passengers are exempt from the law. However, the driver is required to wear a seat belt.

Regardless of whether or not the law applies to a particular vehicle, it is recommended to use the seat belts if they are present.

Can car seats and booster seats be used on side-facing seats?

No. Car seat and booster seat manufacturers do not allow installation on side-facing seats. Children riding in a vehicle with side-facing seats should remain properly restrained in the front seat using a car seat or booster seat as appropriate. Rear-facing car seats can never be used in front of an active airbag.

Are schools, churches, child care centers, and other organizations exempt from the law?

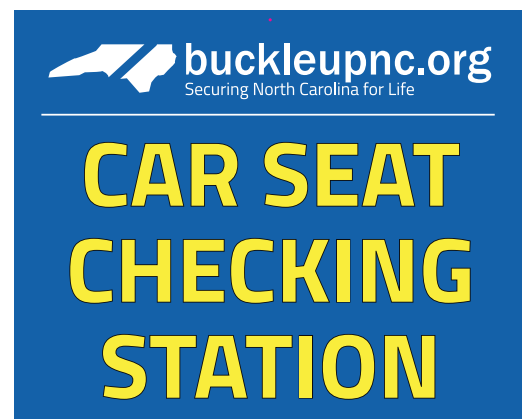
No. The law applies to all vehicles required by federal standards to have seat belts, regardless of the organization operating the vehicle. This means that any organization transporting children and/or adults must ensure that they are meeting the requirements of the law.

Are taxis and other for hire vehicles exempt from the law?

No. People riding in for hire vehicles (such as taxis, Uber Lyft, limos, etc.) are required to comply with the law. This means that anyone riding in one of these vehicles is required to be properly restrained in accordance with the law.

Are classic cars exempt from the law?

Cars manufactured before 1968 and vans, pickup trucks, and SUVs manufactured before 1972 are not required to have seat belts and are exempt from the law. Regardless of whether or not the law applies to a particular vehicle, it is recommended to use seat belts if they are present or retrofit the vehicle to include modern seat belts.



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