

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1253

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La Costa Rickford  
Operator's Signature

10/3/03  
Date

2003 HOUSE TRANSPORTATION

HB 1253

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2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1253

House Transportation Committee

☐ Conference Committee

Hearing Date January 30, 2003

Tape Number	Side A	Side B	Meter #
2		x	34.6 to end
3	x		0 to 11.4
Committee Clerk Signature <i>Lauren F. J. J.</i>			

Minutes:

Rep. Weisz, Chairman opened the hearing on HB 1353, a bill for an Act to amend and reenact section 39-21-41.2 of the North Dakota Century Code, relating to child restrain devices.

Rep. Delomore: Representing District 43 introduced HB 1253, this bill was ready to go when she was approached by Rep. Svedjan who was going to introduce a very similar bill-- there fore the two have agreed to an amendment which would combine the two bills in to this one once amended. This bill does one simple thing, it changes the age of the child from 4 to 5 years of age. She gave a series of formative statistics to support the change which would protect more children by requiring the restrain devices instead of allowing them to revert to seat belts at that young age. A copy of the information she referenced is attached.

Carol Holzer: ( 37.4 ) She works for the State Health Department in their injury prevention programs. A copy of her written testimony is attached. She also demonstrated and illustrated

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House Transportation Committee

Bill/Resolution Number HB 1253

Hearing Date January 30, 2003

some of the latest innovations in child restraint devices. She also discussed amendment changes that were being proposed in the penalty points and increases in the fines.

Rep. Dosch: Do you have any statistics about kids being injured by age levels while using restraints? Say a 5 -- 6 -- 7 or even 8.

Carol Holzer: I don't have that but the DOT may have some information on that.

Rep. Weisz: What is the participation rate --- usage and compliance? In that 5 and 6 years of age group?

Carol Holzer: We have been providing a lot of booster seats and we kind of use that as a gauge -- the public Health Agency reports that the demand has been increasing -- we also do observation surveys by standing on the street corners and report how kids are riding -- Infants seem to be fairly high -- it drops for toddlers -- we don't gather specific as whether they are riding in a booster seat or with a seat belt at this time.

Rep. Ruby: ( 47.8 ) You mentioned that North Dakota is the only state that doesn't have the two penalties -- how many other states do the points?

Carol Holzer: I could check that out for.

Dr. Twogood: Representing the North Dakota Academy of Pediatrics. A copy of his written testimony is attached.

His testimony is continued on Tape 3 Side A.

Dr. Twogood: Continued at ( 0.1 )

Rep. Weiler: The height requirement -- what if the child is six years old and 4 feet 6 inches ?  
So the bill not have a height requirement instead of an age?

Page 3

House Transportation Committee

Bill/Resolution Number HB 1253

Hearing Date January 30, 2003

Dr. Twogood: That would be optimal. But an age will catch the majority and we will be trying to get the agree limit up to 7 years old and across the country that age is 8 years old.

Rep. Weisz: We get a little bit confused on this because everybody has been in here talking about the programs they are using and you are talking about parents want safety and yet they are not doing it? --- Why do we have to pass a law?

Dr. Twogood: It's a real miss understanding because when I check into it about where people get there information -- they say its the law so the law is there is perception the law is the last word.

Pat Ward: Representing State Farm Insurance had some hand-outs. A copy of his information is attached. He urged amending to 7 years of age. State Farm had done much research into this area. His statistics showed that 47% of the children injured in motor vehicle accidents were completely unrestrained. Generally 80 to 40 pound youngsters should be restrained. You could put height and weight requirements in the law but then law enforcement would have to carry a scale and a yard stick for measurements of compliance. A 1998 Harris Poll showed that 90% of Americans supported child restraint laws and a 2001 poll showed that 79% of the public supported strict police enforcement of child restraint laws. The public favors extending the child restraint laws.

Candace Muggerud: ( 5.0 ) Discussed their experience with several years of usage and her testimony was that she and her husband support legislation which reflects the safety standards for children.

Keith Johnson: Representing North Dakota Public Health Association and urged support for the 7 years amendment and passage of this legislation. The rationale for including this in law assures more uniformity of use.

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House Transportation Committee

Bill/Resolution Number HB 1253

Hearing Date January 30, 2003

Carol Thurne: North Dakota Department of Transportation Safety Coordinator spoke in support of the bill and her written testimony is attached.

Rep. Weisz: Were there any fatalities in the 4- 6 years of age range?

Carol Thurne: I don't have but will get it for you.

Rep. Ruby: ( 10.1 ) You hear a lot of statistics about children fatalities and injuries who were not restrained -- do you have any statistics of how many fatalities and injuries of those who were restrained?

Carol Thurne: I don't have these numbers with me right now. I will get that for you.

there being no one wishing to testify further either for or against HB 1253, Chairman Weisz closed the hearing.

End of record ( 11.4 ).

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1253

House Transportation Committee

☐ Conference Committee

Hearing Date 2-7-03

Tape Number	Side A	Side B	Meter #
2	xx		46.7-end
2		xx	0-26.3
Committee Clerk Signature <i>Laura L. Fisk</i>			

**Minutes:**

**Chairman Welsz:** What are the committee's wishes in regard to HB 1253.

**Carol Thurn, Safe Kids Coalition in Grand Forks:** Defined child restraint system, infant car seat, a pop up car seat, the second section says that the fee would be changed to \$50, right now there is no penalty, also remove a section of the law that says "no fee may be imposed by the state, city, or county." That was put in, in the 1999 session. Change the terminology from seatbelt to safety belt and that would make it consistent with the safety belt law. The other exception dealt with the child under 7 years of age, instead of Rep. Delmore's bill, said under 5 years of age. So this would take children to 6 years of age. The portion that is underlined, if the child weighs more than 40 lbs., a lap belt may be used instead of the child restraint system. The last one, there had been discussion about making this effective January 1, 2004, this gives the State Health Dept. and the local agency time to make sure they have enough booster seats available and education.

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*10/3/03*  
Date

Page 2  
House Transportation Committee  
Bill/Resolution Number HB 1253  
Hearing Date 2-7-03

**Rep. Delmore:** The one point is now in effect in current law, but not the \$50.

**Ms. Thurn:** Correct. Current law has 1 point against the driver.

**Rep. Delmore:** For a violation.

**Ms. Thurn:** It would be if you had 3 unrestrained children in the vehicle, that would be one point.

**Rep. Thorpe:** In section 2 of that amendment, \$50, doesn't that seem a little severe, I can appreciate, it isn't everybody that can throw \$50 out of their wallet. We do have a lot of single moms in the state with youngsters, and granted they should use the restraints, but isn't \$50 a little severe.

**Ms. Thurn:** I think the \$50 was put in, to make it comparable to other child safety legislation. From my standpoint, any type of a monetary fine would be appropriate in addition to the point on the license.

**Rep. Thorpe:** I guess personally I'm not convinced that \$50 is appropriate. I would much prefer to see like \$20 there.

**Ms. Thurn:** That would be okay for me.

**Rep. Delmore:** I move the amendments: \$50 fine and raising the age to under 7 years of age.

**Rep. Hawken:** Seconded.

**Rep. Delmore:** I make a motion to further amend the amendment to say \$25 fine rather than \$50, and where it says under 7 years of age, I would put under 40 lbs.

**Rep. Price:** Seconded.

Voice vote: Carried.

**Rep. Weller:** I make a motion to further amend to add under 4'8" and take out 40 lbs.

Page 3  
House Transportation Committee  
Bill/Resolution Number HB 1253  
Hearing Date 2-7-03

**Rep. Delmore:** Seconded.

Voice vote: Falls.

**Rep. Thorpe:** I make a motion to re-amend to remove the 40 lbs. and make it under 6 years of age instead of 7 years of age.

**Rep. Delmore:** Seconded.

Voice vote: Carried.

**Chairman Welz:** I will call the roll on the amended amendment. Amendment passes.

**Rep. Hawken:** I move a Do Pass as amended.

**Rep. Delmore:** Seconded.

**Chairman Welz:** We are changing the original bill from 5 years to 6 years of age, going from \$0 fine to \$25 fine, plus define child restraint and changing seatbelt to safety belts. The clerk will call the roll.

**6 YES 7 NO 0 ABSENT DO PASS AS AMENDED FAILED**

**Rep. Ruby:** I move a Do Not Pass as amended.

**Rep. Headland:** Seconded.

**6 YES 7 NO 0 ABSENT DO NOT PASS AS AMENDED FAILED**

**Rep. Delmore:** I make a motion to Do Pass as amended.

**Rep. Hawken:** Seconded.

**7 YES 6 NO 0 ABSENT DO PASS AS AMENDED CARRIER: Rep. Hawken**

**FISCAL NOTE**  
Requested by Legislative Council  
02/11/2003

Amendment to: HB 1253

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2001-2003 Biennium		2003-2005 Biennium		2005-2007 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$123,850		\$123,850
Expenditures				\$3,000		
Appropriations				\$3,000		

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2001-2003 Biennium			2003-2005 Biennium			2005-2007 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

**2. Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This amendment to section 39-21-41.2 would invoke a fee of \$25 for every violation where child restraint devices were not used. It also changes the term "seatbelt" to "safety belt", and defines the term "child restraint system". Finally, this bill changes the child definition requirement from "four" to "six" years of age for mandatory child restraint system use.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

During 2002, there were 2,477 violations for failure to have a minor in a child restraint device. Based on this information and the proposed \$25 fee per violation, the state could realize an approximate increase in the common schools trust fund of \$123,850 per biennium. It should be noted that because of the \$25 fee mandated by this bill and continued education efforts toward child restraint use, the amount of citations issued could conceivably decrease over time.

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

The only expenditure the NDDOT would incur is based on public notification of the new law, such as printing brochures and manual changes, PSAs, etc.

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

The proposed budget for the biennium did not include this proposed legislation. Additional funds would be necessary to accommodate the change in legislation.

<b>Name:</b>	Linda Mathern	<b>Agency:</b>	NDDOT
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*L. Costa Rickford*  
Operator's Signature

10/3/03  
Date

Phone Number: 328-4359

Date Prepared: 02/13/2003

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10/3/03  
Date

30470.0101  
Title.0200

Prepared by the Legislative Council staff for  
House Transportation  
February 10, 2003

VJR  
2/10/03  
1072

HOUSE AMENDMENTS to HB 1253 htrn 2-10-03

Page 1, line 1, after "reenact" Insert "subdivision c of subsection 2 of section 39-06.1-06, paragraph 34 of subdivision a of subsection 3 of section 39-06.1-10, and"

Page 1, line 2, after "devices" Insert "; and to provide an effective date"

Page 1, after line 3, Insert:

**"SECTION 1. AMENDMENT.** Subdivision c of subsection 2 of section 39-06.1-06 of the North Dakota Century Code is amended and reenacted as follows:

- c. A violation of section 39-21-41.2, ~~no a fee may be imposed by the state, a city, or a county including a city or county operating under a home rule charter of twenty-five dollars.~~

**SECTION 2. AMENDMENT.** Paragraph 34 of subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code is amended and reenacted as follows:

- (34) Failing to have a minor in a child restraint system or ~~seatbelt~~ safety belt in violation of section 39-21-41.2" 1 point

Page 1, line 7, replace "five" with "six"

Page 1, line 9, overstrike "The child restraint system must meet the standards adopted by the United"

Page 1, line 10, overstrike "States department of transportation for those systems [49 CFR 571.213]."

Page 1, line 12, after the period Insert "If a child weighs more than forty pounds [18.14 kilograms] and only lapbelts are available in the back seat of the vehicle, a lapbelt may be used in place of a child restraint system.

2."

Page 1, line 13, replace "five" with "six"

Page 1, line 15, overstrike "seatbelt" and insert immediately thereafter "safety belt" and after the period insert:

"3."

Page 1, line 16, overstrike "seatbelts" and insert immediately thereafter "safety belts"

Page 1, line 17, overstrike the first "seatbelts" and insert immediately thereafter "safety belts" and overstrike the second "seatbelts" and insert immediately thereafter "safety belts"

Page 1, after line 19, Insert:

- "4. As used in this section, "child restraint system" means a specifically designed device, seating system, or belt-positioning booster that meets the

Page No. 1

30470.0101

Lu Costa Rickford  
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10/3/03  
Date

HOUSE AMENDMENTS to HB 1253 htrn 2-10-03

federal motor vehicle safety standards and which is permanently affixed to a motor vehicle, is affixed to a vehicle by a safety belt or universal attachment system, or is combined with a federally compliant safety belt system.

Page 1, line 20, overstrike "2." and insert immediately thereafter "5."

Page 1, after line 22, insert:

"SECTION 4. EFFECTIVE DATE. This Act becomes effective on January 1, 2004."

Renumber accordingly

Page No. 2

30470.0101

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La Costa Rickford

Date

10/3/03

1 - voice vote

Date: 2-7-03  
Roll Call Vote #: 2-3-4  
x 0 -

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB 1253

House TRANSPORTATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken

Do Pass Amendment

Motion Made By

Bill

Han

Seconded By

Del

Representatives	Yes	No	Representatives	Yes	No
Robin Weisz - Chairman	0	1	Lois Delmore	X	0
Kathy Hawken - Vice Chairman	X	0	Arlo E. Schmidt	X	0
LeRoy G. Bernstein	X	0	Elwood Thorpe	0	X
Mark A. Dosch	X	0	Steven L. Zaiser	0	X
Pat Galvin	0	X			
Craig Headland	0	X			
Clara Sue Price	X	0			
Dan J. Ruby	0	X			
Dave Weiler	X	0			

Total Yes 9 No 4  
2 X 6 yes X 7  
Absent 3 0 6 0 7

Floor Assignment

failed

6

Rep. Hanke

If the vote is on an amendment, briefly indicate intent:

La Costa Rickford  
Operator's Signature

10/3/03  
Date

REPORT OF STANDING COMMITTEE (410)  
February 10, 2003 4:00 p.m.

Module No: HR-25-2190  
Carrier: Hawken  
Insert LC: 30470.0101 Title: .0200

**REPORT OF STANDING COMMITTEE**

HB 1253: Transportation Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1253 was placed on the Sixth order on the calendar.

Page 1, line 1, after "reenact" Insert "subdivision c of subsection 2 of section 39-06.1-06, paragraph 34 of subdivision a of subsection 3 of section 39-06.1-10, and"

Page 1, line 2, after "devices" Insert "; and to provide an effective date"

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Page 1, after line 19, insert:

REPORT OF STANDING COMMITTEE (410)  
February 10, 2003 4:00 p.m.

Module No: HR-25-2190  
Carrier: Hawken  
Insert LC: 30470.0101 Title: .0200

"4. As used in this section, "child restraint system" means a specifically designed device, seating system, or belt-positioning booster that meets the federal motor vehicle safety standards and which is permanently affixed to a motor vehicle, is affixed to a vehicle by a safety belt or universal attachment system, or is combined with a federally compliant safety belt system.

Page 1, line 20, overstrike "2." and insert immediately thereafter "5."

Page 1, after line 22, insert:

"SECTION 4. EFFECTIVE DATE. This Act becomes effective on January 1, 2004."

Renumber accordingly

2003 TESTIMONY

HB 1253

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10/3/03  
Date

# American Academy of Pediatrics



DEDICATED TO THE HEALTH OF ALL CHILDREN™

Testimony: Todd Twogood MD, FAAP

Representing: The ND American Academy of Pediatrics  
and the children of our great state.

## North Dakota Chapter

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Immediate Past President  
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25th St  
Forks, ND 58201-9231

## Support for House Bill 1253 Relating to child restraint devices.

Is it safety or misunderstanding? A pediatrician's day is mostly spent in preventative care, anticipatory guidance, and talking to parents about issues with their children. Safety for children is what parents want, yet the messages they are receiving are conflicting and confusing. Parents will state: "My pediatrician says" my child must be in a booster seat until they are around 80 pound or around 7-8 years old, but the "law says" it's ok to buckle my child into a regular seat belt when they turn 4 years old. Let's clear up the confusion and do what's not only the best, but life saving for the kids of North Dakota.

Accidents are the number one killer of children in the United States (US) and in North Dakota. In the year 2000, motor vehicle crashes killed 470 children between 4 and 8 years old and 200,000 were injured. Over 85% of those kids were NOT properly restrained. Booster seats can and will protect these kids.

Seat belts are inappropriate for children ages 4 to 8 years who have graduated from a child safety seat; they simply do not fit their bodies. In a crash, young children can slide underneath the seat belt and may bend forward, hitting their head onto their knees or the inside of a vehicle. The seat belt itself can cut into their abdomen and spinal cord. Booster seats position the seat belt so it rests against the child's breastbone (sternum), collarbone and pelvis. Children using booster seats are 3.5 times less likely to suffer major head, spinal cord and abdominal injuries.

Parents everywhere want what's safe for their children. By making this bill a law it will not only save the lives and reduce serious injury of North Dakota kids, but it will reassure their parents that you are looking out for them. Thank you for your support.

Sincerely,

Todd Twogood MD

Please feel free to contact me at any time  
for this, or any other pediatric issue.

Office: (701)-323-5437

Home: (701)-323-0748

home email: ttwogood@bis.midco.net

# Partners for Child Passenger Safety

Interim Report 2002

## IMPACT

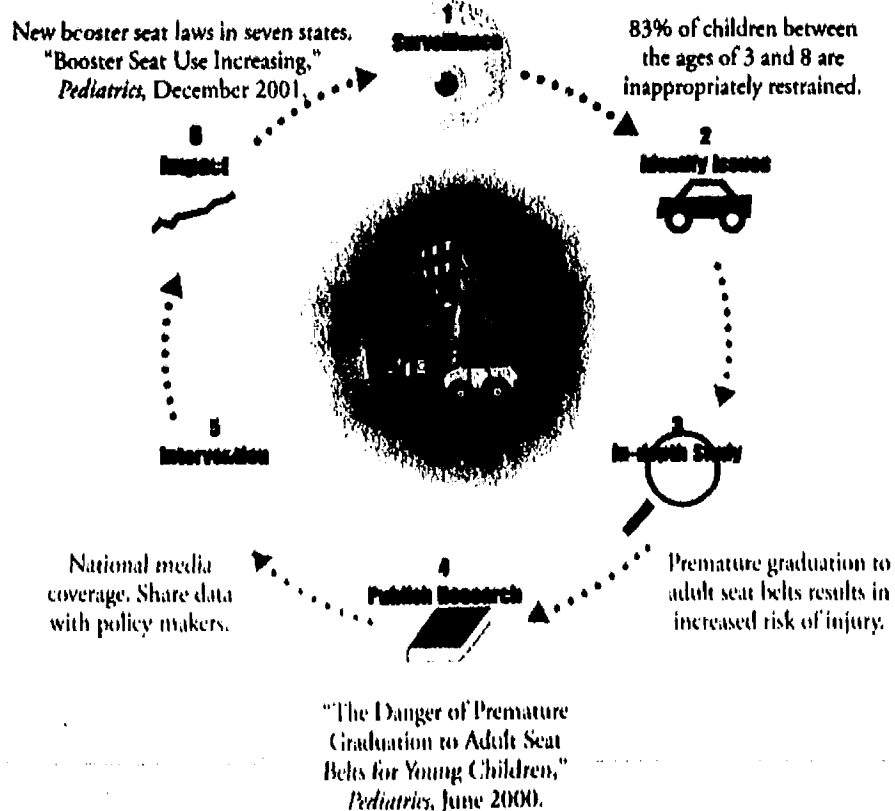
In 1997, The Children's Hospital of Philadelphia and State Farm Mutual Automobile Insurance Company chose to address an alarming national trend: the fact that motor vehicle crashes are the leading cause of death and disability in children over age 1 in the United States. Through a unique research partnership called Partners for Child Passenger Safety (PCPS), these two organizations began to (1) conduct surveillance of children in crashes to determine how and why children are injured or killed. This research (2) identifies key issues in child passenger safety (CPS), which leads PCPS researchers to a more (3) in-depth study of injury patterns.

Important findings from PCPS are (4) published in peer-reviewed journals. Unwilling to end outreach with scientific journal publications, PCPS seeks to impact parent behavior and safety design pertaining to child passenger safety through consistent (5) communication with targeted audiences, including medical providers, automobile and restraint manufacturers, public policy makers, advocates and parents.

Already, through ongoing surveillance of children in crashes, PCPS has (6) measured the impact of increased child passenger safety advocacy. Between 1998 and 2000, booster seat use among 4-year-old children increased from 14 percent to 34 percent. This discovery highlights an encouraging and rapid rise in booster seat use.

PCPS will continue to share new findings with target groups, who can use this information as a springboard for action to protect child passengers.

### Research-to-Action Cycle (Example: Inappropriate restraint finding)



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Date

# A Quick Review

## Research Team

The Partners for Child Passenger Safety (PCPS) study is led by a multidisciplinary research team of internationally recognized experts in medicine, biomechanics, engineering, health education, advocacy and behavioral science. Flaura Koplin Winston, M.D., Ph.D., serves as principal investigator; Dennis R. Durbin, M.D., M.S.C.E., is co-principal investigator. Both physician/scientists are from The Children's Hospital of Philadelphia and the University of Pennsylvania School of Medicine and are considered leaders in the field of child occupant protection.

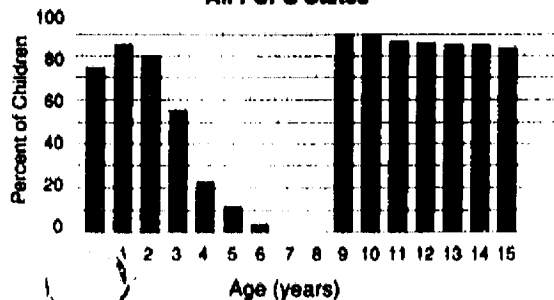
## Study Design

Each day, the PCPS research team collects information, with privacy safeguards, from State Farm Mutual Automobile Insurance Company on nearly 200 children involved in crashes in 15 states (AZ, CA, DE, IL, IN, MD, MI, NC, NJ, NV, NY, OH, PA, VA and WV) and the District of Columbia. This claims information represents State Farm insured children under age 16 who are involved in crashes in vehicles of model year 1990 or newer.

After policyholder consent is obtained, information is forwarded electronically from State Farm headquarters to the research team at Children's Hospital. Cases are manually selected for on-site crash investigations and automatically selected for detailed telephone interviews. Detailed crash investigations conducted by Dynamic Science, Inc. provide the research team with information to form hypotheses on injury mechanisms to children in crashes. In-depth telephone interviews conducted by RoperASW give researchers a comprehensive view of the range of crash and injury severity.

During its first three years, the PCPS study has collected information on nearly 150,000 crashes involving more than 220,000 children.

Children in the Recommended Restraint for their Age  
All PCPS States



## Major Findings 2000

In 2000, the PCPS team released a key finding: 83 percent of children between the ages of 3 and 8 (who should be using car seats or belt-positioning booster seats) are being inappropriately graduated to the adult seat belt. In addition, the PCPS team found that children ages 2 to 5 who are inappropriately restrained are 3.5 times more likely to suffer significant injuries, particularly head injuries, than children who are appropriately restrained. Data from the PCPS study show that an overwhelming number of children continue to be inappropriately restrained in vehicles. These findings set the stage for further research and outreach initiatives conducted in 2001-2002.

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10/3/02

# Research Findings 2001-2002

## Booster Seat Trends

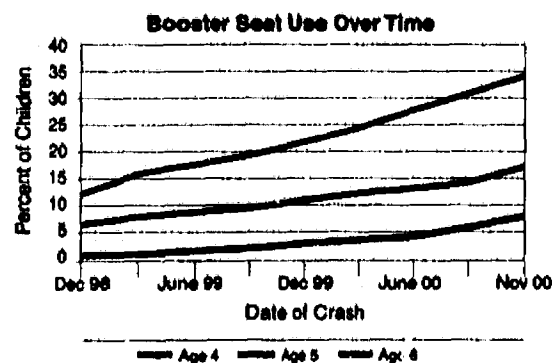
This paper assessed current trends in booster seat use to determine the effectiveness of public education initiatives, which emphasize the importance of booster seats.

### KEY FINDINGS:

- Over a two-year period, booster seat use among the booster seat-age population (children ages 4 to 8) increased 74 percent per year. In 1998, only 4.6 percent of children enrolled in the study were restrained in a booster seat at the time of a crash. In 2000, the percentage of children restrained in booster seats had risen to 13 percent.
- The 4-year-old age group saw the largest increase – from 14 percent in 1998 to 34 percent in 2000. This translates to an 80 percent increase per year of the study.
- The rapid increase over a short period of time indicates a heightened awareness among parents regarding optimal restraint for children.

"Trends in Booster Seat Use Among Children in Crashes," *Pediatrics*, December 2001  
To download abstract: [traumalink.chop.edu](http://traumalink.chop.edu). Click on publications.

## Recommendations



## Side-Impact Collisions

In-depth crash investigations were used to identify injury mechanisms to children in side-impact collisions. Ninety-three children in 55 side-impact crashes were studied. Twenty-three percent of the children evaluated received serious injuries. In these 22 children, 40 percent suffered head injury, 23 percent suffered extremity injury and 21 percent suffered abdominal injury.

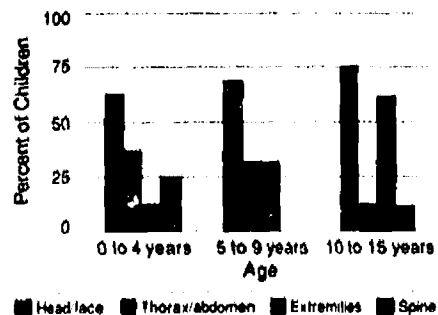
### KEY FINDINGS:

- This study identified a changing pattern of injury with age that is specific to side impact collisions. As children age, head and extremity injuries become more common, while injuries to the thorax and abdomen decrease in frequency.
- Children interact differently with vehicles in a side-impact crash than adults. Biomechanical differences between a child and an adult, such as smaller stature and lower sitting height, result in different injury patterns.
- Children who were properly restrained suffered less severe injuries than children not properly restrained.

"Factors Influencing Pediatric Injury in Side Impact Collisions," *Journal of Trauma*, October 2001.  
To download abstract: [traumalink.chop.edu](http://traumalink.chop.edu). Click on publications.

## Recommendation

**Pediatric Injuries from Side Impact Collision**



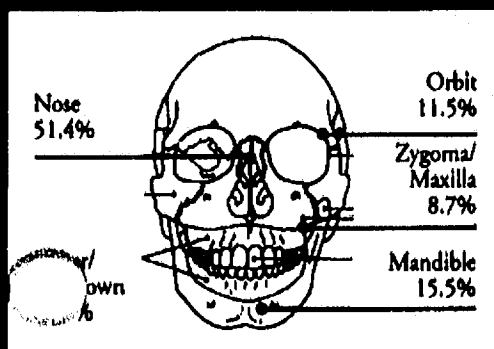
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## Search Findings 2001-2002

### Recommendations



### Recommendations

### Facial Fractures in Children in Car Crashes

Incidence of facial fracture was estimated using PCPS surveillance data. Mechanisms of injury were explored with cases involving in-depth crash investigation.

#### KEY FINDINGS:

- Inappropriately restrained children were almost twice as likely to suffer a facial fracture than those appropriately restrained due to increased forward head movement.
- Nasal fractures were the most common injury, followed by orbital fractures, mid-face fractures and jaw fractures.
- Data suggest that these children's injuries resulted from high-energy impact with the vehicle's interior.
- The most frequent source of injury for those seated in the rear was contact with the rear of the front seat; for those in the front, contact with the instrument panel.
- The combination of rear-seating with age-appropriate restraint provided the best protection against serious facial injuries.

"Facial Fractures in Children in Car Crashes," *Journal of Trauma*, April 2002

"Pediatric Facial Fractures: Implications For Regulation," *Society Of Automotive Engineers World Congress Proceedings*, March 2002.

To download abstracts: [traumalink.chop.edu](http://traumalink.chop.edu). Click on publications.

### Risk of Injury in Pickup Trucks

This study evaluated the risk of injury to children in compact extended-cab pickup trucks to determine if any unique hazards exist.

#### KEY FINDINGS:

- Children in the rear seat of compact extended-cab pickup trucks were nearly five times as likely to be injured as rear-row seated children in other vehicles.
- The increased risk appears to be caused, at least in part, by contact with the interior of the vehicle at impact. Unique hazards include the relatively small rear occupant compartment, limitations of the two-point (lap belt) restraints, and inadequate vehicle padding.
- IMPLICATION: Compact extended-cab pickup trucks are not optimal transport for families with children.

"Risk of Injury to Child Passengers in Compact Extended-cab Pickup Trucks," *Journal of American Medical Association*, March 2002

To download abstract: [traumalink.chop.edu](http://traumalink.chop.edu). Click on publications.



This simulation depicts a 6-year-old child in a compact extended-cab pickup truck. Note the head impact as a result of a 35 mph frontal crash.

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### Seat Belt Syndrome in Children

Seat belt syndrome is a pattern of intra-abdominal and spinal injuries caused by improper fit of seat belts. PCPS researchers presented an exemplary case of seat belt syndrome involving a 4-year-old boy and reviewed the current knowledge on this mechanism of injury.

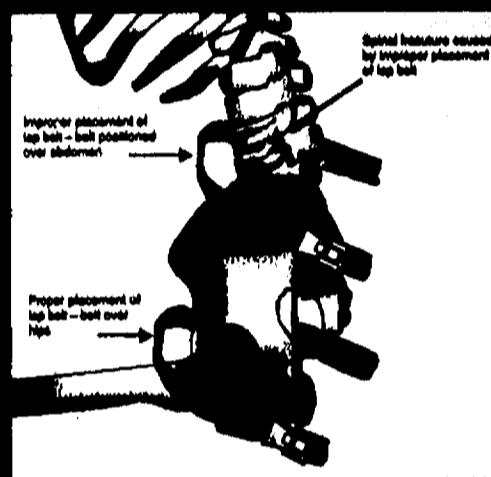
#### KEY FINDINGS:

- One percent of children who seek medical attention following a car crash suffer from seat belt syndrome.
- Children between the ages of 3 and 9 years are at greatest risk for seat belt syndrome, due to the improper fit of both the lap and shoulder portions of the belt.

"Seat Belt Syndrome in Children," *Pediatric Emergency Care*, December 2001.

To download abstract: [traumalink.chop.edu](http://traumalink.chop.edu). Click on publications.

#### Recommendation



#### Recommendations:

### Related Research

#### Premature Graduation to Safety Belts

This qualitative study by researchers at The Children's Hospital of Philadelphia for the National Highway Traffic Safety Administration (NHTSA) explored reasons for booster seat use and non-use. Methods employed included parent and child focus groups, in-depth interviews and a review of existing CPS literature and programs.

#### KEY FINDINGS:

- Premature graduation of children from child safety seats to seat belts occurs for a variety of reasons, including parents' low-risk perception of crash occurrence and/or child injury and parents' lack of knowledge regarding best practices for CPS and the potential consequences of inappropriate restraint.
- Barriers to booster seat use included situational circumstances (i.e. extra person in vehicle), child behavior, child discomfort, state laws, availability of booster seats, cost and convenience/ease of use.

"The Premature Graduation of Children from Child Restraints To Vehicle Safety Belts," National Highway Traffic Safety Administration, July 2001.

To order a copy of this report: <http://www.nhtsa.dot.gov/people/outreach/trafftech/TT253.htm>

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# Intervention & Impact

## Federal Policy Based on Science

### Sharing Findings with Local Communities

**STATE FACT SHEETS** In 2001, PCPS data were analyzed at the state level to create easy-to-read educational fact sheets. The initiative was the first to provide legislators and advocates with real-world crash data for 11 specific states. The fact sheets address where children are sitting, how they are restrained and how they are injured.

Fact sheets for California, Illinois, Indiana, Maryland, Michigan, North Carolina, New Jersey, New York, Ohio, Pennsylvania, and Virginia are available at [traumalink.chop.edu](http://traumalink.chop.edu) to download as pdf files. A comprehensive fact sheet for all states in the PCPS study is also available.

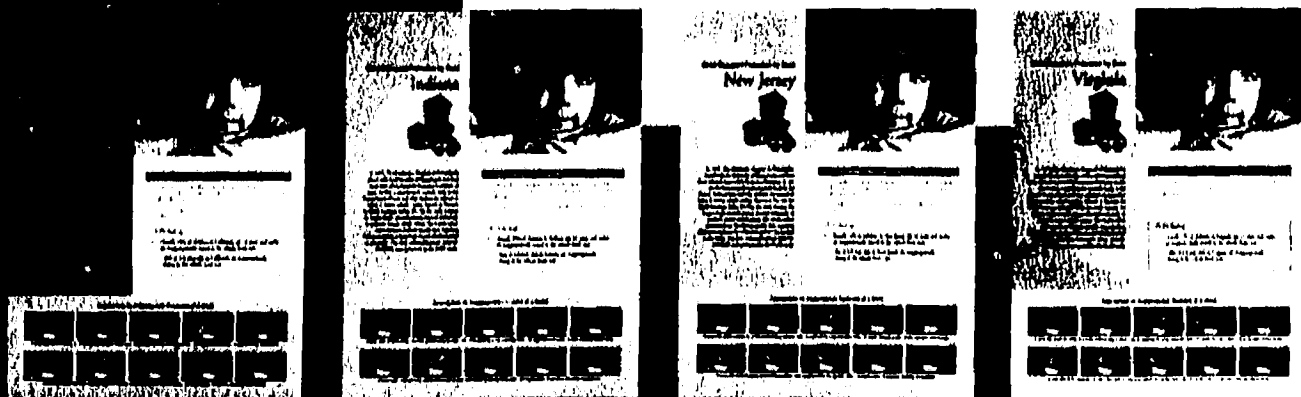
**PRESENTATIONS & RESOURCES** Since April 2001, the PCPS research team has presented findings at more than 50 conferences and meetings – targeting medical professionals, engineers, health educators and public policy makers, as well as the media.

Most recently, PCPS presented findings and made presentation materials available to the National Association of Children's Hospitals and Related Institutions (NACHRI) via a Web-based teleconference. NACHRI members, as well as National Safe Kids Coalition members, are using these Web-based materials to educate legislators, medical professionals and parents in their respective states.

**MODEL LAW** State Farm has spearheaded a movement among key advocates and child passenger safety experts to develop a model child restraint law that will be shared with legislators who are attempting to improve child restraint laws in their own states. The model law is based on current peer-reviewed science, primarily data from PCPS.

**STATE FARM EDUCATIONAL MATERIALS** With assistance from PCPS researchers, State Farm has developed an array of collateral materials for education called **Best Practices for Child Passenger Safety**. Materials include brochures and posters that are available in English and Spanish and a booster seat education curriculum directed at booster age children that includes an activities book, *Safe Cruisin' With the Good Neigh Bear*. Also available is a video incorporating elements from State Farm's CPS public service announcement and video news release, as well as PCPS's animated crash models.

State-specific fact sheets for California, Indiana, New Jersey and Virginia.



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### State Farm Child Safety Day

Prompted by the PCPS finding that 83 percent of children between the ages of 3 and 8 are incorrectly restrained in adult seat belts (instead of child restraints or belt-positioning booster seats), State Farm sponsored its first annual Child Safety Day on May 12, 2001. Nearly 3,000 State Farm associates and community volunteers hosted free child safety seat checkpoints at more than 200 locations across the United States.

Certified child passenger safety technicians checked and installed more than 8,000 car and booster seats. This event to promote child passenger safety was such a success that State Farm plans to hold its second annual Child Safety Day on May 18, 2002.

For more information or to volunteer, contact Jason Kercher at [jason.kercher.tl@statefarm.com](mailto:jason.kercher.tl@statefarm.com)

### Child Safety Seat Check Saves a Baby's Life

Rebecca Renner is living proof that properly installed car seats can save lives. Last summer at 4 weeks of age, she was sleeping peacefully in the back car seat of her parent's car, Jimmy, when her mother Jennifer became momentarily distracted behind the wheel. Looking up, Jennifer suddenly had to swerve to avoid hitting a trailer in front of her. But it was too late: her sport utility vehicle clipped the trailer and rolled two and half times before landing upside-down, completely totaled.

Suffering a broken wrist and numerous cuts and bruises, Jennifer was frantic to find her daughter. It took a full minute of searching before a volunteer emerged from the wreckage holding a child seat. Rebecca was still firmly strapped inside - sleeping peacefully without a scratch.

Jennifer credits State Farm's child seat safety program for this miracle. Months before Rebecca was even born, Jennifer had attended one of State Farm's Child Safety Day clinics. "I thought I knew how to install a car seat, but I realized I hadn't been doing it right," says Jennifer. She was happy to learn from the technician how to install the car seat tightly.

"It was something I did in passing and didn't think anything of it," says Jennifer. "But the car seat safety check saved Rebecca's life."

### STATE BOOSTER SEAT LEGISLATION (AS OF MARCH 2002)

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Date

*10/2/02*

# Research Review

## Research Publications (2001-2002)

*The Premature Graduation of Children from Child Restraints to Vehicle Safety Belts*, U.S. Department of Transportation, National Highway Traffic Safety Administration, July 2001.

*Child Occupant Protection: A Summary of Safety Recommendations, Primary Care Update for Ob/Gyns*, September 2001.

*The Effect of Seating Position on Risk of Injury to Children in Side-impact Crashes*, 45th Annual Proceedings of AAAM, September 2001.

*Factors Influencing Pediatric Injury in Side-impact Collisions*, *Journal of Trauma*, October 2001.

*Trends in Booster Seat Use Among Young Children in Crashes*, *Pediatrics*, December 2001.

*Seat Belt Syndrome in Children*, *Pediatric Emergency Care*, December 2001.

*Pediatric Facial Fractures: Implications for Regulation*, *Society of Automotive Engineers World Congress Proceedings*, March 2002.

*Risk of Injury to Child Passengers in Compact Extended-cab Pickup Trucks*, *Journal of the American Medical Association*, March 2002.

*Facial Fractures in Children in Car Crashes*, *Journal of Trauma*, April 2002.

## Partners for Child Passenger Safety Advisory Board

## Key Research Presentations

*Child Passenger Safety Testimony* to the U.S. Senate Committee on Commerce, Science and Transportation, Washington, D.C., April 2001.

*Effectiveness of Booster Seats*, *Booster Seats for Children: Closing the Gap Between Science and Public Policy* International Conference, Washington, D.C., April 2001.

*Booster Seats to Booster Seat Use*, *Booster Seats for Children: Closing the Gap Between Science and Public Policy* International Conference, Washington, D.C., April 2001.

*Social Needs Children in Crashes*, *Pediatric Academic Societies National Meeting*, Baltimore, MD, April 2001.

*Child Injury Patterns in Side-impact Collisions*, *Society of Automotive Engineers' Government and Industry Meeting*, Washington, D.C., May 2001.

*Facial Fractures Among Inappropriately Restrained Children in Crashes*, *International Center for Injury Prevention's National Child Passenger Safety Conference*, Indianapolis, IN, June 2001.

*Booster Seats: Evidence to Support an Educational Initiative*, *NHTSA Five Year Booster Seat Education Planning Meeting*, Washington, D.C., July 2001.

*Risk of Injury to Child Passengers in Compact Extended-cab Pickup Trucks*, *American Academy of Pediatrics Annual Meeting*, San Francisco CA, October 2001.

*Trends in Booster Seat Use*, *American Academy of Pediatrics Annual Meeting*, San Francisco, CA, October 2001.

*Child Passenger Safety and Children with Neuromuscular and Orthopedic Disabilities*, *Safe USA Conference*, Atlanta, GA, December 2001.

*Partners for Child Passenger Safety State-specific Fact Sheets*, *Safe USA Conference*, Atlanta, GA, December 2001.

*Using State-specific Crash Data in Advocating Child Occupant Restraint*, *National Association of Children's Hospitals and Related Institutions, Advocacy Conference Call Series*, January 2002.

## Media Highlights since April 2001

PCPS continues to reach out to broad audiences through the media to reinforce the message of "appropriate restraint for children on every ride." Through consistent publication of new peer-reviewed findings, PCPS has been featured in stories reaching national audiences: CNN and cnn.com, C-Span, Fox News, National Public Radio, *US News & World Report*, *Parenting*, Associated Press, Gannett News Service, Newhouse News Service, Scripps Howard News Service, Federal News Service, *The Washington Post*, *Los Angeles Times*, *New York Daily News*, *Philadelphia Inquirer*, *Boston Herald*, *Detroit News* and *Cleveland Plain Dealer*.

2/26/02/2-02

Views presented in this report are the interpretation solely of the Partners for Child Passenger Safety research team at The Children's Hospital of Philadelphia and are not necessarily the views of State Farm Insurance Companies.

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Child Passenger Safety

State Farm Insurance Companies  
The Children's Hospital of Philadelphia  
Neighbors working together



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*10/2/02*  
Date

# The Right Fit:



*Shoulder belt fits  
across the chest,  
not over face/neck.*

*Lap belt fits low  
and snug on hips,  
not across upper  
abdomen.*

**Highback Booster**

*Shoulder belt fits  
across the chest,  
not over face/neck.*

*Lap belt fits low  
and snug on hips,  
not across upper  
abdomen.*



**Lowback Booster**

**Lap and shoulder belt must be used.**

**PROBLEM:** Seat belts are made for adults.

**SOLUTION:** Use booster seats for  
children 40 to 80 lbs. and  
up to 4'8" tall.

# Seat Belt Booster?

Does your child's seat belt fit  
properly? Most children should  
use booster seats to help their  
seat belts fit properly if they:

- Are ages 4 through 8,
- Weigh from 40 to 80 pounds  
and
- Are up to 4'8" tall

## Try this five-step test:

1. Does your child sit all the way back against  
the vehicle seat?
2. Do your child's knees  
bend comfortably at the  
end of the vehicle seat?
3. Is the lap belt on the  
top part of the thighs?
4. Is the shoulder belt  
centered on the shoulder  
and chest?
5. Can your child stay  
seated like this for the  
whole trip?



*If your answer to any of these questions is "no"  
your child would be safer riding in a booster  
seat. Children like booster seats because they  
are more comfortable and they allow children to  
see out the car window.*

## BOOST, THEN BUCKLE



North Dakota Department of Health  
Injury Prevention Program

1.800.472.2286

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## HEADPOSITION IN CAR BED



In a car bed, infant's head must be in the center of vehicle, away from the door.

## SEATBELT FIT



...sitting upright against the seat back keeps the lap belt below hip bones, touching the upper thighs.



This 11-year-old is slouching; the lap belt goes over his stomach. In a crash, this could lead to serious or fatal internal injuries.

## USE OF SEATBELT WITH BOOSTER



A shield booster should be used when only a lap belt is available.

Do not use locking clip with belt positioning booster.



...but if your car has combination lap and shoulder belts, and the shield is detachable, the booster base should be used alone.

## BOOSTERSEAT FIT



If the child's ears are above the top of the seat back...



...a booster with a high back should be used.

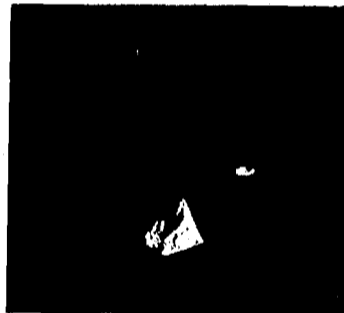
## IF YOU STILL HAVE PROBLEMS:

Call the Auto Safety Hotline toll-free number:

1-800-424-9393. Be sure you have the make, model number and year or date of manufacture of both your vehicle and child car seat when you call.



US Department of Transportation  
National Highway Traffic Safety Administration



...this booster ensures perfect fit of both lap and shoulder belt and provides comfort and support for the sleeping child.

## ARE YOU USING IT RIGHT?



As many as **half** of the child car seats in use today are installed **incorrectly** without parents realizing it.

## WHY?

Vehicle seats and seat belts are built for the comfort of adults, not to secure a child car seat correctly.

Some seat belts need a different buckle or a special locking clip to safely secure a child car seat.

Some child car seats cannot be used safely in certain seating positions.

Air bags can cause serious injury or death to infants in REAR-FACING child car seats.

This booklet shows you how to solve problems you may have installing your child car seat correctly and securing your child safely in the car seat.

## WHAT SHOULD YOU DO?

Read this booklet to learn how to correct common mistakes.

Read your vehicle owner's manual and the instructions that come with your child car seat.

Try the child car seat in your vehicle, moving it to a different seating position if necessary.

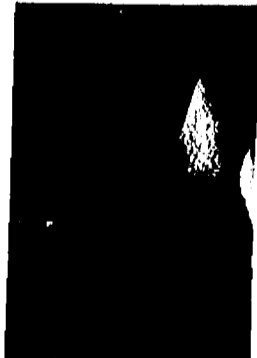
## READ LABELS



Look for and read labels on seat belts and sun visors and follow instructions. The information could save your child's life.



## CHILD RESTRAINT DOESN'T FIT SCOOPED OUT SEAT



Scooped out seat cushions and belts forward of the seat crack.

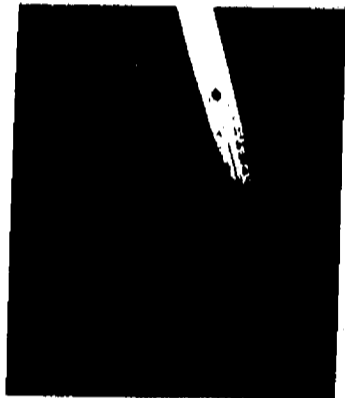


Can make it difficult or even impossible to install a child restraint.



Seat belt fit is also poor on this five-year-old. Lap belt crosses over stomach, shoulder belt is under chin.

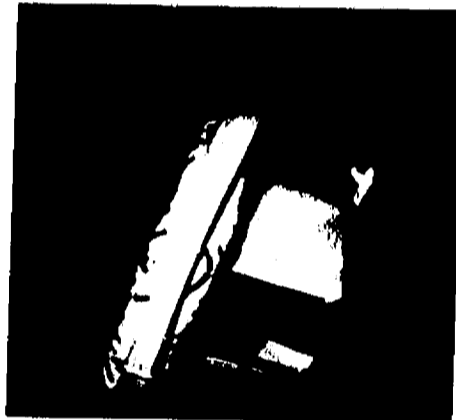
## SEAT BELTS FORWARD OF SEAT CRACK



Even if the seat of the car is flat, seat belts that come out forward of the seat crack.



Can make it difficult to secure a child restraint tightly.



A car bed should not be used at all with this type of seat belt.

## DOOR-MOUNTED BELTS

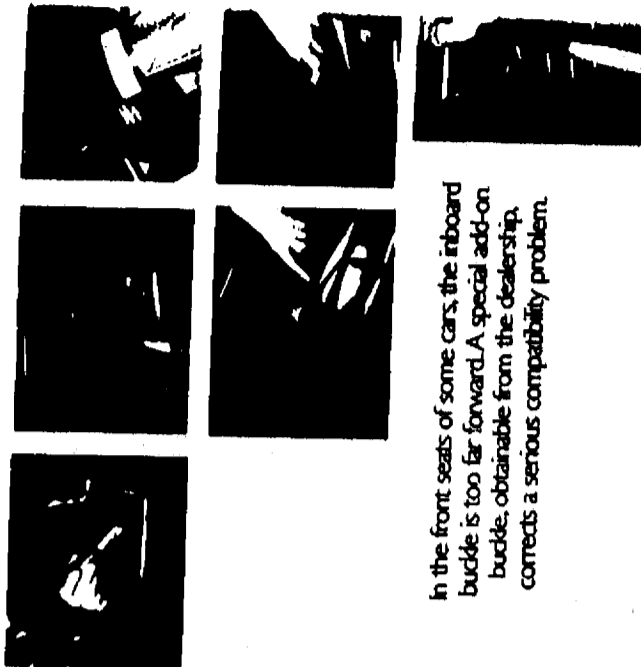


Door-mounted seat belts should not be used to anchor child restraints.



Your auto dealer can install a special lap belt designed to lock the child restraint in place.

## ADD-ON BUCKLE



In the front seats of some cars, the inboard buckle is too far forward. A special add-on buckle, obtainable from the dealership, corrects a serious compatibility problem.

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## LOCKING CLIP USE



This is a "free-sliding" latch plate. A locking clip is required to keep the lap belt tightly secured.



...this is a "locking" latch plate; once the belt is tightened it will keep the lap belt tightly secured without a locking clip.



This is the end of the belt that has the latch plate. The latch plate locks into the buckle.



...a locking clip should be installed just above the latch plate as shown here.



...NOT on the other side. Using the clip as shown here would not hold the child restraint in a crash.

## SEAT BELTS THAT CAN BE LOCKED



As the label explains, some seat belts can be locked.



...by pulling the shoulder belt all the way out and then releasing it.

## SELECTING SEAT FOR BEST FIT



A shield is a poor choice for a newborn. Straps don't fit.

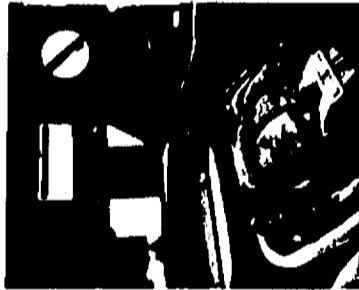


...a five-point harness provides a far better fit.



...for the first few months, an infant-only safety seat is a good choice.

## INFANTS AND AIRBAGS DON'T MIX



A rear-facing infant must NOT ride in a seat that has an airbag.

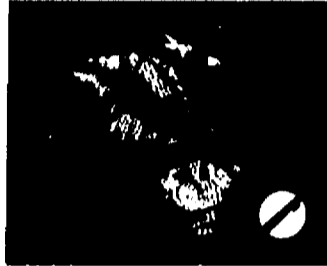


...at nine months, this baby is NOT old enough to ride facing forward.

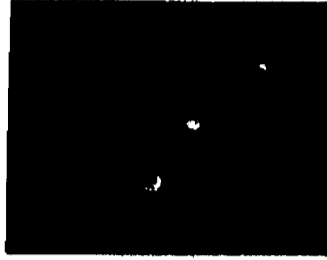


...when an airbag is present, a baby must be placed rear-facing in the back seat.

## COVERING BABY CORRECTLY



Don't wrap the baby up before putting on the harness.



...straps must go on first, covering must go on last.

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## CORRECT CARSEAT ANGLE



Child restraint is too upright for newborn. Baby's head flops forward.



A rolled towel tucked under the front of the restraint tips it back a little.

## HARNESSTOT LEVEL

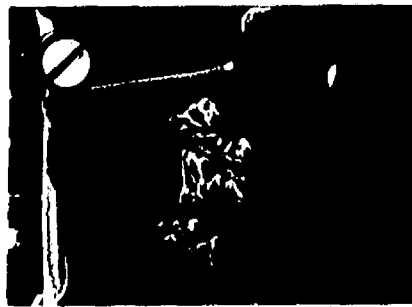


Rear-facing use harness slots below shoulder level.

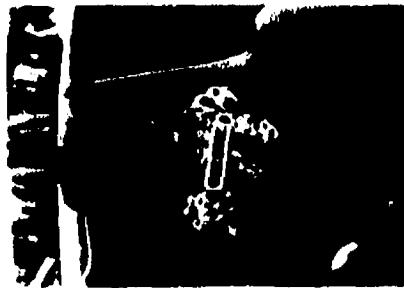


NOT above shoulder level.

## TWISTED HARNESSTRAPS



Twisted straps and missing harness retainer clip downgrade protection.



Straps must lie flat and be held on shoulders with a harness retainer clip.

## WHENTOCHANGE



At age two, this child is too young for a booster.



A regular child restraint should be used until outgrown.

## BUILTIN SEATS



Built-in child safety seats do away with installation problems.



The seat on the far side is used here as a booster, because this child weighs over 40 pounds.

## SHOULDERBELT FIT



This shoulder belt comes across the throat.



But tucking it under the arm isn't the answer; it could cause life-threatening injuries in a crash.



For a better fit of the lap and the shoulder belt, raise the child up on a belt-positioning booster.

**HOUSE TRANSPORTATION COMMITTEE**

**January 30, 2003**

**North Dakota Department of Transportation  
Carol Thurn, Traffic Safety Program Manager**

**HB 1253**

Mr. Chairman and members of the committee: I'm Carol Thurn, traffic safety program manager for the North Dakota Department of Transportation. I'm testifying on behalf of the department in favor of House Bill 1253. This bill deals with the age at which children must be in an approved child restraint system in a vehicle.

Booster seats play a critical part in preventing injuries or fatalities of young children. A child age 4-8 is often a "forgotten child" when it comes to safety restraints. Children under age 4 are in car safety seats, and children over age 8 are usually large enough to wear seat belts comfortably. Children age 4-8, however, need the protection offered by HB 1253.

According to the National Highway Traffic Safety Administration, in the U.S. an average of six children die and 797 children are injured in motor vehicle crashes each day. In North Dakota, there were 1 fatality and 113 injuries to children under age seven in 2001.

Through the Highway Safety Plan, NDDOT has provided funding to the Department of Health for the booster seat campaign and for booster seats in the past, and we expect to continue in the future.

That concludes my comments. I would be happy to answer any questions the committee may have.



# North Dakota Department of Transportation Drivers License and Traffic Safety Division

David A. Sprynczynatyk, P.E.  
Director

John Hoeven  
Governor

February 3, 2003

The Honorable Robin Weisz  
Chairman of the Transportation Committee  
House Chambers  
600 East Boulevard Avenue  
Bismarck, ND 58505

Dear Mr. Weisz:

During my testimony for HB 1253, you requested information on the number of children between the ages of 4-6 that were injured in a motor vehicle crash. You also requested the number of children between the ages of 0-6 who were injured in a motor vehicle crash, who were restraint in a child safety seat or a seat belt.

The data below is for children who were injured or fatally injured in 2001.

Age	0-3	4-6	Total (0-6)
Injured/ child safety seat	36	6	42
Injured/ seat belt	10	28	38
Unrestrained	10	24	34
Total	56	58	114

If you have any questions, you may contact me at 328-4354.

Sincerely,

*Carol Thurn*

Carol Thurn, Program Manager  
Drivers License and Traffic Safety Division

09/hs

c: David A. Sprynczynatyk, P.E., Director NDDOT  
Keith C. Magnusson, Director, Driver and Vehicle Services

608 East Boulevard Avenue • Bismarck, North Dakota 58505-0700  
Information: (701) 328-2600 • FAX: (701) 328-2435 • TTY: (701) 328-4156 • [www.discovernd.com/dot](http://www.discovernd.com/dot)  
**Please Drive Sober and Always Buckle Up**

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*La Costa Rickford*  
Operator's Signature

*10/3/03*  
Date

**SECTION 1.** A new subsection to section 39-01-01 of the North Dakota Century Code is created and enacted as follows:

"Child restraint system" means a specifically designed device, seating system, or belt-positioning booster which meets the federal motor vehicle safety standards and which is permanently affixed to a motor vehicle, is affixed to the vehicle by a safety belt or universal attachment system, or is combined with a federally compliant safety belt system.

**SECTION 2. AMENDMENT.** Subdivision c of subsection 2 of section 39.06.1-06 of the North Dakota Century Code is amended and reenacted as follows:

- c. A violation of section 39.21-41.2, ~~a no fee may be imposed by the state, a city, or a county including a city or county operating under a home rule charter of~~ fifty dollars.

**SECTION 3. AMENDMENT.** Paragraph 34 of subdivision a of subsection 3 of section 39.06.1-10 of the North Dakota Century Code is amended and reenacted as follows:

- (34) Failing to have a minor in a child 1 point  
restraint system or ~~seatbelt~~ safety belt in  
violation of section 39-21-41.2.

**SECTION 4. AMENDMENT.** Section 39-21-41.2 of the North Dakota Century Code is amended and reenacted as follows:

**39.21-41.2 Child restraint devices – Evidence.**

1. If a child, under ~~four~~ seven years of age, is present in any motor vehicle, that motor vehicle must be equipped with at least one child restraint system for each such child. The child restraint system must meet the standards adopted by the United States department of transportation for those systems (49 CFR 571.213). While the motor vehicle is in motion, each such child must be properly secured in the child restraint system in accordance with the manufacturer's instructions. If a child weighs more than 40 pounds and only lap belts are available in the back seat of the vehicle, a lap belt may be used in place of the child restraint system.
2. While the motor vehicle is moving, each child of ~~four~~ seven through seventeen years of age who is in the motor vehicle must be in an approved child restraint in accordance with the manufacturer's instructions or correctly buckled in a seatbelt safety belt.
3. Use of child restraint systems and seatbelts safety belts is not required in motor vehicles that were not equipped with seatbelts safety belts when manufactured. If all of the seatbelts safety belts are used by other family members in the vehicle or if a child is being transported in an emergency situation, this section does not apply.
4. Violation of this section is not, in itself, evidence of negligence. The fact of a violation of this section is not admissible in any proceeding other than one charging the violation.

La Costa Rickford  
Operator's Signature

10/3/03  
Date

**SECTION 5. Effective Date.** To provide an effective date of January 1, 2004.

**Note:** Not sure about this wording – would like the new sections/amendments to the law to be effective on January 1, 2004.

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La Costa Rickford  
Operator's Signature

10/3/03  
Date