

Traffic Safety Facts

Traffic Tech – Technology Transfer Series

Enforcement of Booster Seat Laws: Examples From Delaware, New Jersey, Pennsylvania, and Washington

The leading cause of death in the Nation for children age 3 to 6 and 8 to 14 is motor vehicle crashes. The most effective strategy for preventing injury and death to children involved in crashes is using age- and size-appropriate restraints. Although child restraint use is over 90% for children younger than 4, only 50% of children 4 to 7 are appropriately restrained in booster seats or child restraints despite the fact that most States (45) and the District of Columbia have booster seat laws in place. States differ on age, weight, and height requirements for booster seat occupants.

While there is evidence that occupant protection laws and enforcement (with publicity) do promote child restraint and booster seat use, there is a need to better understand the most effective strategies law enforcement agencies (LEAs) can use to encourage higher levels of booster seat use in their communities. This study included topics relating to training, logistics, types of techniques, legal issues, socio-demographic and highway safety concerns, education, and other issues that can affect LEAs' abilities to enforce booster seat laws.

Recruitment of Law Enforcement Agencies

NHTSA recruited law enforcement agencies that had access to NHTSA Section 2011 booster seat grant funds or were able to allocate some Section 405 grant funds to the effort to participate in this study. State Highway Safety Offices in Delaware, New Jersey, Pennsylvania, and Washington recommended candidate agencies.

Enforcement Activities

All of the LEAs participated in training activities; used an enforcement card with a description of all CR laws; followed enforcement schedule and reporting requirements; and attended debriefings. Although not a project requirement, many departments conducted car seat checkup events and other child passenger safety education programs as part of their regular community initiatives.

Police used three types of enforcement strategies: checkpoints that stopped or slowed traffic so that officers could observe child passengers, dedicated roving patrols that searched for child passengers in traffic, and stationary patrols where police observed traffic from a single location without interfering with the traffic.

Law Enforcement Agency	Child Restraint Citations	Booster Seat Citations	Enforcement Hours	Enforcement Type
Passaic, NJ	364	68%	244	Checkpoints
Westhampton Township, NJ	232	84%	387	Checkpoints
Galloway Township, NJ	151	85%	373	Dedicated Roving Patrol
Grant County, WA	120	n/a	145	Dedicated Roving Patrol
Exeter Township, PA	22	32%	136	Stationary & Roving Patrols
New Castle City, DE	21	86%	192	Dedicated Roving Patrol
Georgetown, DE	18	72%	108	Stationary Patrol
Millsboro, DE	6	33%	160	Stationary Patrol
Haverford Township, PA	4	25%	64	Stationary & Roving Patrols

Barriers to Enforcement

Police officers cited several barriers that inhibit the enforcement of booster seat and other CR laws:

- Weak booster seat laws (secondary laws).
- Inefficient methods (routine patrol, limited staff resources).
- Physical barriers (obstructed views).

- Officer discretion issues (extra costs to the drivers associated with multiple CR law tickets).
- Inability to identify age of booster-seat-age children, especially 6- and 7-year-olds.
- Roadway environment (suitable locations to safely enforce).

Effective Enforcement Approaches

Officers reported that the most effective approaches for enforcing booster seat laws depend on the following elements:

- Support from top management as well as resources to support dedicated booster seat law enforcement programs;
- Primary booster seat laws;
- Enforcement methods that are dedicated to booster seat and other CR laws;
- Enforcement strategies that include checkpoints, dedicated roving patrols, or stationary spots; and
- Child passenger training and use of enforcement cards.

Other Issues

Police indicated that increasing fines and penalties for CR law violations might have adverse effects on a department's motivation to enforce the booster seat law, if such increases result in more court appearances for police officers when the cited motorists try to lower the fines and penalties.

Officers expressed mixed feelings about detaining motorists cited for child restraint violations who did not have child restraints or booster seats in their vehicles. While they had no problem detaining motorists, they could only do so when they focused enforcement on CR laws and when there was a safe place on the roadside to park the stopped vehicle.

Officers strongly believed that the officer writing the ticket should not also have the role of educating the driver about child passenger safety. The officers believed their role should be limited to explaining the reason for the ticket and providing information about CR laws and car seat checkup events. The officers

recommended that if an enforcement detail includes education, additional staff dedicated to education should work alongside the officers issuing citations.

Interpreting the Findings

- The keys to effective booster seat and CR law enforcement programs are top management support, funding resources, and a dedicated enforcement program.
- Booster seat laws need to be primary laws.
- The most effective approaches were dedicated checkpoints and roving patrols.
- To effectively spot booster seat and other CR law violators, police need to slow motorists to identify child passengers and stop vehicles carrying children to check the children's ages and restraints.
- Minimal training of 1 to 2 hours on topics relating to best practices for booster seat and CR use and CR laws is sufficient for officers to enforce these laws.
- Brief videos and enforcement cards should complement training.
- The task of booster seat enforcement and education should be separate. If education is part of the enforcement program, then one set of officers should only issue citations and a second set of officers in a separate safe parking area should provide the education and give away car seats.
- In order to collect data to study the problem further, law enforcement agencies need to record specifics of CR law code (e.g., subsection of code relating to booster seat law) or age of child in the comments field of tickets.

The report includes a description of various booster seat types, a summary and inventory of State child occupant restraint laws, and examples of program publicity.

How to Order

For a copy of the report (32 pages plus appendices), prepared by TransAnalytics, write to the Office of Behavioral Safety Research, NHTSA, NTI-130, 1200 New Jersey Avenue SE., Washington DC 20590, send a fax to 202-366-7394, or download from www.nhtsa.gov. John Siegler was the contract manager.



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