



Ohio Children's Hospital Association

Progress is a healthy child

HB 320 – Frequently Asked Questions

How do booster seats work to prevent injury?

Lap and shoulder belts are designed to minimize risk of injury and death by holding you into the car and spreading the energy of a crash over the strongest parts of the skeleton. Seat belts are designed for adults; because seat belts do not fit well on many children, they can distribute crash forces over soft tissue, rather than bone, leading to so-called seat-belt syndrome. Depending on the age and size of the child, car seats or booster seats provide the best protection for young occupants and do the job of holding children securely in a vehicle and managing deceleration forces.

What is seat belt syndrome?

The term seat belt syndrome describes the spectrum of intra-abdominal and spinal injuries associated primarily with the use of lap belt restraints. For smaller passengers, including many children, seat belt syndrome injuries may also be associated with lap-shoulder belts. Placing larger, older children in lap-shoulder belts and younger, smaller children in car seats or booster seats are the best ways of avoiding seat belt-associated injuries.

Where did this 8 year/4'9" figure come from?

Children are ready for lap and shoulder belts alone when they can place their backs firmly against the vehicle seat back cushion with their knees bent comfortably over the vehicle seat cushion. Lap belts should fit low and snug on the upper thighs and shoulder belts should rest over the shoulder and across the chest. Biometric research and peer-reviewed scientific studies have shown that for most children, that good fit is achieved by the time a child reaches 8 years of age, or earlier if the child has reached 4'9".

Why is a primary law necessary?

The bill would make enforcement of the booster seat provision primary, which research has shown to be the best incentive to encourage restraint use. Research conducted by Partners for Child Passenger Safety and the Children's Hospital of Philadelphia has found that children ages 4 through 7 years in states with booster seat laws are 39 percent more likely to be appropriately restrained in a booster seat or child safety seat than children in states without such laws, with usage rates highest in states with primary laws; three of the four states with the lowest booster seat use (Ohio, Michigan, and Texas) do not have booster seat laws (although Michigan's Governor signed a booster seat bill into law on March 27). There's also an economic incentive to support primary legislation. The federal transportation reauthorization of 2005, SAFETEA-LU, provides Child Passenger Safety grants to states that enact and enforce primary booster seat laws. According to an estimate by Safe Kids Worldwide, over \$1 million would be available to Ohio if a primary booster seat law were enacted this year. Up to 50 percent of those funds could be used to provide boosters for low-income families.

Will requiring booster seats present a financial hardship to families?

While the bill has the potential to save lives and prevent thousands of injuries each year, the cost to parents for taking this important step in protecting their children is minimal: booster seats can be purchased for less than \$15. Further, passing this law in Ohio would make the state eligible for federal funds that would help to publicize the new law and provide free booster seats to low-income families. In addition, two of the largest manufacturers of booster seats—Graco Products and Evenflo—have manufacturing facilities right here in Ohio. Putting more Ohio children in booster seats means protecting more children from injury or death in motor vehicle crashes, while simultaneously supporting Ohio jobs.

What about concerns of differential enforcement?

Some people may view a primary restraint law as just another excuse for police to pull people over or may fear that the law will not be evenly enforced across socioeconomic strata. However, as the National Safety Council notes, "Everyone would agree that protecting lives with seat belts is at least as important as a broken tail light or littering." Yet, while Ohio has primary laws that allow police officers to stop and ticket a violator for having a broken tail light or for tossing trash out the window, we do not have primary laws for seat belt use. In states with primary seat belt laws, there have been no validated complaints of racial profiling or harassment. There is no evidence to support the notion that police officers would use nonuse of booster seats as an excuse to stop a vehicle for some other reason.

Children restrained in booster seats still die in crashes. Is mandating booster seat use really in the best interest of Ohio's kids?

Opponents of child restraint laws may point to cases where children restrained in car seats, booster seats, or seat belts were killed or paralyzed to support their arguments. The fact of the matter is that risk to passengers in motor vehicle crashes is never zero. Mandating booster seat use for child passengers who are too big for car seats but too small for seat belts alone is not about removing all risk entirely, but about taking common sense, empirically proven measures to decrease risk. Some crashes are simply not survivable, and each year some children who are restrained will still be seriously injured or killed in motor vehicle crashes; however, the risk of serious injury or death is substantially lower for children who are restrained in age and weight-appropriate ways, compared to those who are not.

How will police know if a passenger is under 8 years/4'9"?

Many of the things police officers do in the daily course of business require officer discretion and some specialized training. Laws pertaining to probationary drivers' license holders are quite different than those applying to other drivers, for example, and officers have to make informed decisions about the age of a driver before stopping him or her for a suspected infraction of graduated licensing laws. A variety of tools are available to assist police officers in the complex decisions they are called upon to make every day. For example, the National Highway Traffic Safety Administration has released a six-minute roll call video designed to assist officers in enforcing booster seat requirements during traffic stops. "Booster Seats—The Missing Link" provides meaningful details about the need for booster seat use and includes suggestions for effectively enforcing booster seat laws.