

Senator Luann Ridgeway

Capitol Report

Child Booster Seats – Good Idea or Big Brother?

March 15, 2006

Summary: New requirements debated that mandates booster seats for older children.

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There is a bill pending in the Missouri Senate (SB 916) that modifies the law with respect to how motorists must restrain children in automobiles.

As you know, Missouri already requires small children to be restrained in child safety seats. This law expands the current law. The most significant proposed expansion requires children up to age 8, 80 pounds or less than 4'9" tall (whichever is later), to be restrained in a booster seat. The only time a booster seat would not be required for children in this classification is (1) when they are traveling in a bus or (2) when traveling in a vehicle in which the back seat of the vehicle is not equipped with a combination lap and shoulder belt for booster seat installation. As it now stands, these mandates would apply to any child under age 16 traveling in your motor vehicle. The current law only applies to children age 4 and under.

Most of us are familiar with a "child passenger restraint system". This is the plastic baby car seat that you install in your car's backseat. A booster seat is different. It is basically a molded plastic seat that raises the child up higher so that the lap and shoulder harness of the seat belt fits the child better.

The proposal creates the following age/weight classifications in the child passenger restraint law:

1. GREATER THAN 80 POUNDS OR TALLER THAN 4'9" - Children who are at least 80 pounds or children taller than 4'9" shall be secured by a booster seat or safety belt.
2. LESS THAN 8 YEARS OLD/80 POUNDS OR UNDER 4'9" - Children (ages 4-7) and who weigh at least 40 pounds but less than 80 pounds, or such children that are less than 4'9" tall must be secured in a child passenger restraint system or booster seat.

3. LESS THAN 40 POUNDS or LESS THAN FOUR YEARS OF AGE - The act requires children weighing less than 40 pounds, regardless of age, or children less than four years old, regardless of weight, to be secured in a child passenger restraint system.

Proponents of the bill argue that it is too drastic of a step to merely take a child out of a baby car seat and start strapping them in the car with an adult seat belt system. They argue that there have been accidents where children sustained internal injuries from seat belts because they were too small for the adult seat belts to fit properly. By requiring booster seats and increasing the age of the child that must be restrained inside an auto, we could reduce the number and severity of injuries.

Opponents argue that, while this may be a good idea, the answer is not a government mandate, but rather to educate parents and pediatricians so that parents can make a reasonable choice for the safety of their children. They argue that driver inattention is a primary cause of collisions. Booster seats and backward facing baby car seats result in irritated, cranky children, leading to driver inattention and unnecessary collisions. Opponents say that it is overreaching government intervention to expose a parent to a traffic ticket with up to a \$50 fine and court costs for failure to use booster seats for children. The bill removes the medical exemption and the agricultural use exemption. Thus, even if there is a medical reason for not using a booster or baby seat, the driver could still be ticketed. Current law also exempts children traveling in agricultural related vehicles. The new law includes agriculture uses within the mandate. For example, if the new law passes, fourteen year old driving a tractor would need a seat belt or booster seat. This effectively prevents youngsters under age 16 from helping on the farm.

The bill was changed quite a bit from the way it was worded when originally introduced. The bill will be voted on this week in the Missouri Senate. I hope you will take the time to send me your thoughts on this measure.

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