

ALBERTA CHILD RESTRAINT LAWS

- 80(a)** “Child” means a child under 6 years old
- 82(1)** A person shall not drive or operate a motor vehicle in which a child who weighs 18 kg. (40 lbs) or less is a passenger unless:
- (a) the motor vehicle is equipped with a child restraint system.
 - (b) the child restraint system is properly installed, and
 - (c) the child is properly secured in the child restraint system.
- 82(3)** A person shall not drive or operate a motor vehicle that has a seatbelt assembly in the passenger seat position unless the passenger in the seat is wearing the complete seat belt assembly if the passenger:
- (a) is 6 years old or older but under the age of 16 years, or
 - (b) is a child who weighs more than 18 kilograms.
- 81** The Motor Vehicle Safety Act (Canada) and the regulations under that Act are adopted and apply to seat belt assemblies and child restraint systems in motor vehicles and other components of an occupant restraint system in motor vehicles.

Exempt vehicles: 82(1) does not apply to:

- Taxis
- Emergency vehicles
- Vehicles rented or leased for less than 14 consecutive days

It is incorrect if:

- A passenger between 6–16 years is not properly wearing the complete seat belt assembly [Sec. 82(3) over]
- A child passenger who weighs more than 18 kg (40 lbs.) is not properly wearing the complete seat belt assembly. [Sec 82(3) over]
- The child is < 18 kg. (40 lbs.) in a booster seat or a seat belt. [Sec. 82(1)a]
- The child restraint system does not comply with CMVSS 213. [Sec. 81]

A rear-facing seat is used incorrectly if:

- It has not been secured to the vehicle with the seat belt assembly or UAS system [Sec. 82(1)b]
- The vehicle seat belt or UAS is incorrectly routed or loose. [Sec. 82(1)b]
- The internal harness is loose, or not on shoulders. [Sec. 82(1)c]
- It is in a position where there is an activated air bag system [Sec.82(1)b]

A forward-facing seat is used incorrectly if:

- It has not been secured properly to the vehicle with the seat belt assembly or UAS system [82(1)b]
- The vehicle seat belt or UAS is incorrectly routed or loose. [Sec.82(1)b]
- The internal harness is loose or not on shoulders. [Sec. 82(1)c]
- The tether strap is loose or not secured to an acceptable anchorage assembly [Sec. 82(1)b]

*Adapted from Vehicle Equipment Regulations 122/2009: Part 5:
Occupant Restraints*

July 2009 (Reprinted 2011)

ALBERTA OCCUPANT RESTRAINT LAWS

- 82(2)** If a motor vehicle is being driven and it has a seat belt assembly.
- (a) in the driver’s seat position, the driver shall wear the complete seat belt assembly and,
 - (b) in the passenger seat position the passenger shall wear the complete seat belt assembly.
- 82(4)** A person who is required to wear a seat belt assembly under subsection (2) or (3) shall wear the seat belt assembly properly adjusted and securely fastened.

A driver or passenger may be charged if:

- Driver is riding unrestrained [Sec. 82(2)a]
- A passenger is riding unrestrained [Sec. 82(2)b]
- The shoulder belt is under the arm or behind the back [Sec. 82(4)]

Exempt Motor Vehicles:

- 84(1) Section 82 does not apply to:
- (a) Vehicles not designed/equipped with seat belts by manufacturers
 - (b) Vehicles driven in reverse
 - (c) Vehicles while in the course of making deliveries/picking up items driven at less than 40 km/hr
 - (d) Vehicles driven in a parade authorized by municipality

Exempt Drivers:

- Section 82(2) does not apply to:
- 85** (a) The operator of a taxi while the taxi is carrying a passenger for compensation or hire
- (b) The operator of a bus as part of a municipal transportation system while in service

- 86** An ambulance attendant while transporting a patient.

Special Exemptions

- 88(1)** Section 82 does not apply if a qualified medical practitioner has signed a letter certifying that the person:
- (a) for a period stated on the certificate for medical reasons,
 - (b) because of size, build or other physical reasons cannot use a seat belt or child restraint.

- 88(2)** The letter:
- (a) must be written on letterhead of practitioner,
 - (b) must include name, address, reason for exemption,
 - (c) must state start and end dates of exemption,

- 88(3)** cannot be for a period of more than one year
- 88(4)** driver carrying exempted person must have a copy of letter.

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July 2009 (Reprinted July 2011)