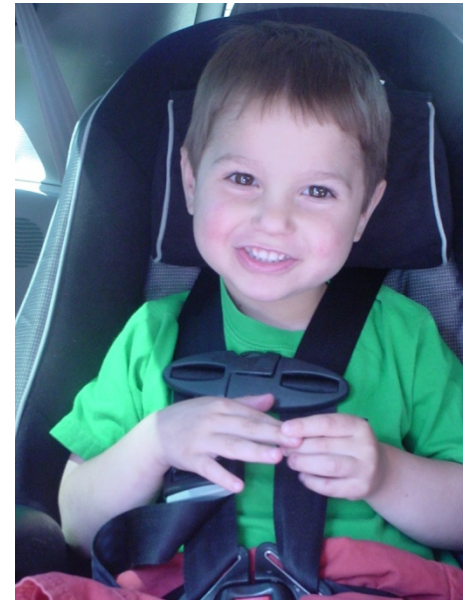


Child Restraint Information for Enforcement Members

Alberta Occupant Restraint Program
(AORP)



Purpose and Outcomes

- Purpose
 - Provide basic regulatory information and hands on experience with child safety (CR) & booster seats, allowing for better identification of chargeable offences
- Outcomes
 - Participants will understand basics of correct use, installation and child placement for rear facing and forward facing child safety seats and booster seats
 - Participants will understand appropriate sections under Vehicle Equipment Regulations

Overview

Child Restraint regulations

- Federal & Provincial

Provincial Legislation

- Vehicle Equipment Regulations

Role of Enforcement

- Strategies

Types of child restraints and Chargeable Offences

- Rear facing
- Forward facing
- Booster seats
- Seat belts

Option Four Program

Additional Resources

Practical session



Child Restraints Regulations

Transport Canada (Federal)

- Responsible for setting standards under CMVSS 213

Alberta Government (Provincial)

- Responsible for enacting legislation and implementing fines for non-use and/or incorrect use of child restraints

Manufacturers (International)

- Responsible for ensuring products meet standards

Child Restraints Regulations

Transport Canada

- Canadian standards require all child restraints to have a label of compliance
- Seats manufactured after **March 15, 1998** will have a National Safety Mark



Child Restraints Regulations

Alberta Government

- Provincial government responsible for enacting legislation and implementing fines for non-use and/or incorrect use of child restraints.



Sample Reference Card

Alberta Occupant Restraint Laws

- 82(2)** If a motor vehicle is being driven and it has a seat belt assembly:
(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 secured 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.

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

July 2009

Alberta Child Restraint Laws

- 86(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 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

Provincial Legislation

Vehicle Equipment Regulations 122/2009

Part 5: Occupant Restraints

Section 80

In sections 81 to 83,

- (a) “child” means a child under 6 years old;
- (b) “child restraint system” means a device that
 - (i) is installed by the manufacturer of a vehicle at the time of manufacture or is designed to be installed in the vehicle from time to time,
 - (ii) is capable of restraining the movement of a child in order to prevent or mitigate injury to the child, and
 - (iii) meets the standards prescribed under the *Motor Vehicle Safety Act* (Canada) and the regulations under that Act;
- (c) “motor vehicle” does not include a motor cycle or moped;
- (d) “occupant restraint system” means a seat belt assembly and other components installed in a vehicle for the purpose of restraining the movement of an occupant in order to prevent or mitigate injury, and includes a child restraint system;

Provincial Legislation

Vehicle Equipment Regulations 122/2009

Part 5: Occupant Restraints

Section 82(1)

A person shall not drive or operate a motor vehicle in which a child who weighs 18 kilograms 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

Provincial Legislation

Vehicle Equipment Regulations 122/2009

Part 5: Occupant Restraints

Section 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.

Section 82(3)

A person shall not drive or operate a motor vehicle that has a seat belt 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

Section 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.

Provincial Legislation

Occupant Restraint Systems

81 The *Motor Vehicle Safety Act* (Canada) and the regulations under that Act are adopted and apply to seatbelt assemblies, child restraint systems and other components of an occupant restraint system in a motor vehicle.

Exempt motor vehicles

84(1) Section 82 does not apply to the following motor vehicles:

- (a) that were not designed or equipped with seat belt assemblies by their manufacturers;
- (b) while they are driven in reverse
- (c) when they are used in the course of making deliveries or picking up items, while they are driven at a speed of not more than 40 km/hr
- (d) while they are driven in a parade authorized by a municipality

(2) Section 82(1) does not apply to the following vehicles:

- (a) taxis;
- (b) emergency vehicles;
- (c) motor vehicles that are rented or leased for periods of not more than 14 consecutive days at a time.

Provincial Legislation

Special exemptions

- 88(1)** Section 82 does not apply to a person if a duly qualified medical practitioner has signed a letter certifying that the person,
- (a) for the period stated in the certificate, is unable for medical reasons to be secured in a child seating assembly or seat belt assembly, or
 - (b) because of size, build or other physical characteristics, cannot be secured in a child seating assembly or seat belt assembly.
- 88 (2)** A letter referred to in subsection (1) must
- (a) be written on the letterhead of the medical practitioner,
 - (b) include the name and address of the person exempted and the reasons for the exemption, and
 - (c) state the dates on which the exemption begins and ends.
- 88(3)** An exemption under subsection (1) must be for a period of not more than one year.
- 88(4)** The driver of a motor vehicle carrying a person who is exempted under subsection (1) must have a copy of the letter referred to in subsection (1).

Training Available

In Alberta there is no mandatory training for child restraints. The Alberta Occupant Restraint Program's position is that the level of detail provided by certification courses is greater than required for general enforcement activities. Individual policing agencies will determine their specific training requirements.

Enforcement Training

- Focus on legislation and visual detection of offences and laying of appropriate charges

St. John Ambulance Certificate Programs

- Instructor Certificate (13 hours)
 - Instruct courses for Technicians, Re-certification, Community Education, Sign-off, mentoring of technicians, Coordinate/Supervise at Clinics. Prerequisite
- Technician Certificate (13 hours)
 - Coordinate/Supervise at Clinics, facilitate community education, provide info/resources

Enforcement

Role of Enforcement

- Identify offenders and enforce legislation

Common enforcement strategies

- Targeted Safety Checks

Enforcement-directed activity. Vehicles with children under six are directed to a safe location for further visual inspection. (see Safety Check Guidelines at www.albertaseatbelts.ca)

- Traffic Stops

Seat belts or child safety seats are visually checked during regular traffic stops

Types of Child Restraints

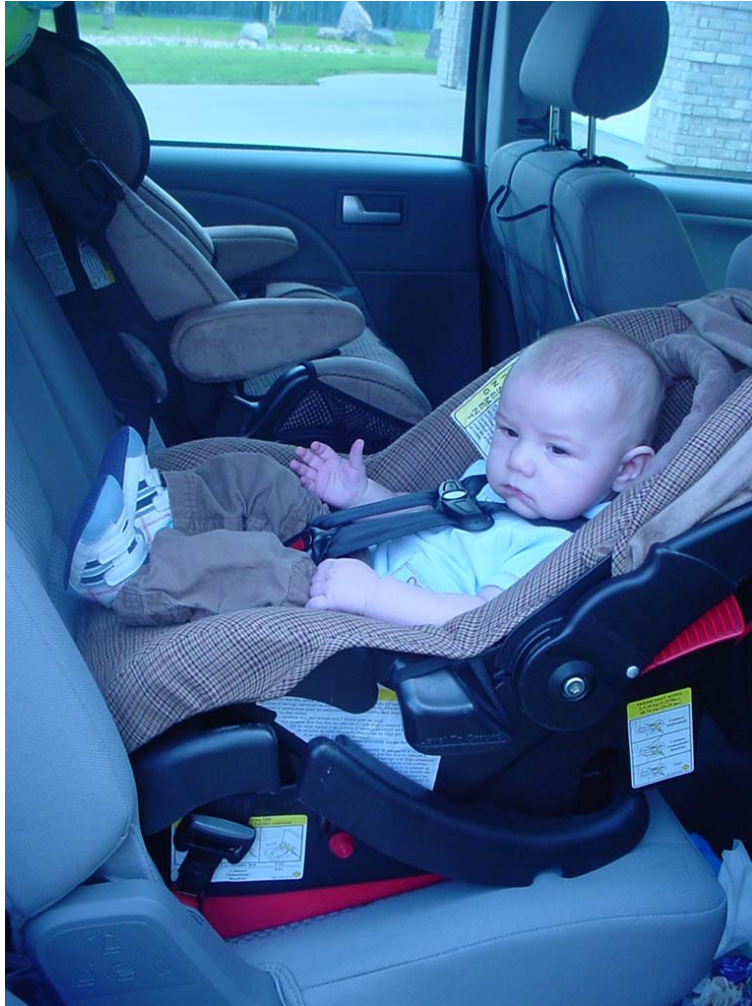
Rear facing seats

Forward facing seats

Booster seats



Rear Facing Seats



Question 1

☐ Is the child in the correct seat?
Generally children under 1 year of age should be in a rear facing seat.

Question 2

☐ Is the seat installed correctly into the vehicle?

Question 3

☐ Is the child secured properly in the seat?

Rear Facing Seats: Chargeable Offences

- Fail to provide proper restraint [Sec. 82(1)a]
- Fail to secure seat firmly to vehicle with the seat belt assembly or UAS system [Sec. 82(1)b]
- Placing seat in front of an active airbag [Sec. 82(1)b]
- Fail to properly secure internal harness [82(1)c]
 - Loose or not on shoulders
 - Fail to buckle latch plate into receiving buckle

Forward Facing Seats



Question 1

☐ Is the child in the correct seat?
Generally children over 1 year of age and under 6 years of age and under 40 lbs/18 kg should be in a forward facing seat.

Question 2

☐ Is the seat installed correctly into the vehicle?

Question 3

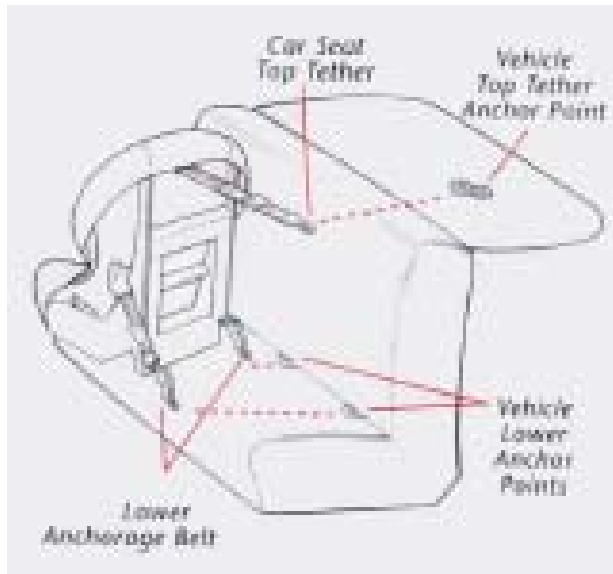
☐ Is the child secured properly in the seat?

Forward Facing Seats

Chargeable Offences

- Fail to provide proper restraint [**Sec. 82(1)a**]
- Fail to secure seat firmly to vehicle with the seat belt assembly or UAS system [**Sec. 82(1)b**]
- Fail to secure seat to vehicle with tether strap [**Sec. 82(1)b**]
- Fail to properly secure internal harness [**82(1)c**]
 - Loose or not on shoulders
 - Fail to buckle latch plate into receiving buckle
 - Fail to use chest clip (where required)

Universal Anchorage System UAS



Built-in system to secure car seat to vehicle.
Used in place of vehicle lap belt.

Booster Seats



Booster seats are recommended by safety experts and Alberta Transportation.

Generally, booster seats are for children under 9 years of age who weigh 40 – 80 lb (18 – 36 kg)

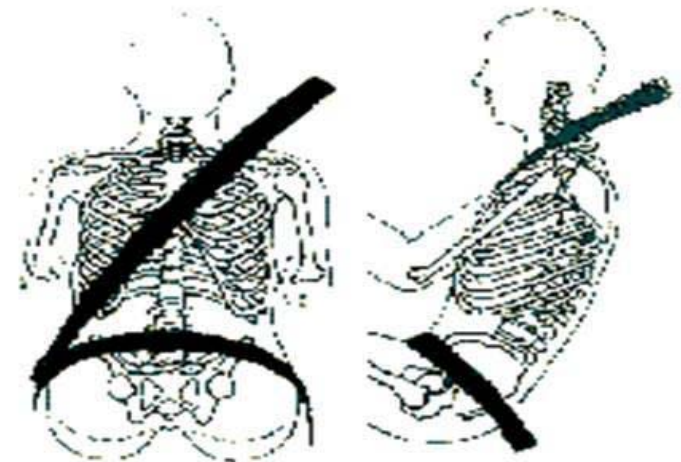
Booster Seats

- As of July 2010, Alberta does not have booster seat legislation
- In Alberta, for child passengers who are over 6 years of age or over 18 kg (40 lbs) the legislation allows two options
 1. The child passenger may be secured by the vehicle seat belt system (minimum standard)
 2. The child passenger may be secured by a booster seat (recommended)
- Regardless of option chosen, correct use of complete seat belt assembly is required.

Booster Seats

Chargeable Offences

- A child under 40 lb (18 kg) and under 6 years in a booster seat. [Sec. 82(1)a]
- A passenger in a booster seat not properly wearing the complete seat belt assembly [Sec. 82(3)]
 - Shoulder belt not restraining upper torso
 - Lap belt not restraining torso



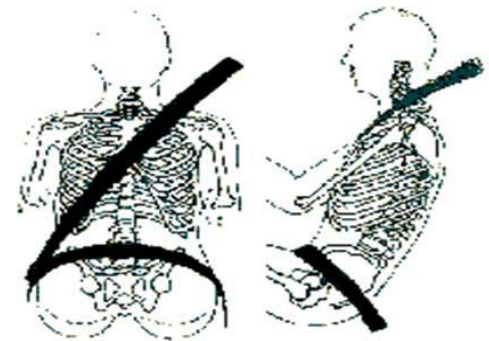
Children and Seat Belts



Children and Seat Belts

Chargeable Offences

- A child under 18 kg (40 lbs) and under 6 years in a seat belt [Sec 82(1)a]
- A passenger between 6 -16 years of age not properly wearing the complete seat belt assembly. [**Sec. 82(3)**]
 - Shoulder belt not restraining upper torso
 - Lap belt not restraining torso



“Option Four” Education

Health and Enforcement Partnership

- Option Four given at officers’ discretion to drivers during targeted safety checks or regular patrols for non-use/mis-use of child restraints.
- Option Four education sessions are scheduled as needed. To obtain session dates contact local health centres or saferoads.com
- Enforcement members should check with local health partners on coordinating program availability.
- Go to www.albertaseatbelts.ca for program materials

Additional On-Line Resources

On www.albertaseatbelts.ca look for:

- Safety Check Guidelines
- Child Safety Seat Yes Tests
- Option Four PowerPoint presentations
- Translated resources
- Communication materials
- Contact information for AORP

Other useful web sites:

- www.boosterseats.ca
- www.saferoads.com



Practical Session

- To gain practical experience, one of the following may be included as part of the training session:
 - Inspection Clinic (as observer, not inspector)
 - Roadside Safety Check

Partnerships

- Alberta Health Services
- Alberta Health and Wellness
- Alberta Centre for Injury Control & Research
- Alberta Solicitor General (Sheriffs)
- Alberta Transportation
- Calgary Police Services
- Edmonton Police Services
- Kidsafe Alberta
- Municipal police services
- Royal Canadian Mounted Police
- St. John Ambulance
- Transport Canada