



Washington's Child Restraint Law requires the driver to properly secure all passengers under the age of 16 as follows:

A child must be restrained in a child restraint system if the passenger seating position equipped with a safety belt system allows sufficient space for installation, until

- the child is 8-years old
- unless, the child is 4 feet 9 inches or taller (**which ever comes first**).

A child who is 8-years of age or older, or 4 feet 9 inches tall or taller (**which ever comes first**)

- shall be properly restrained with the motor vehicle safety belt properly adjusted and fastened around the child's body¹
- or in an appropriately fitting child restraint system.

The driver of a vehicle transporting a child who is under 13-years old shall transport the child in the back seat positions in a vehicle where it is practical to do so (**See below for when it might be acceptable**).

The requirement to use a booster seat does not apply to any seating position where there is only a lap belt available and the child weighs more than 40 pounds.

Does not apply to: for hire vehicles; vehicles designed to transport 16 or less passengers, including the driver operated by auto transportation companies as defined in RCW 81.68.010; vehicles providing shuttle service between parking, convention and hotel facilities, and airport terminals; school buses.

When might it be acceptable for a child to ride in the front seat, keeping in mind the words "where practical"?

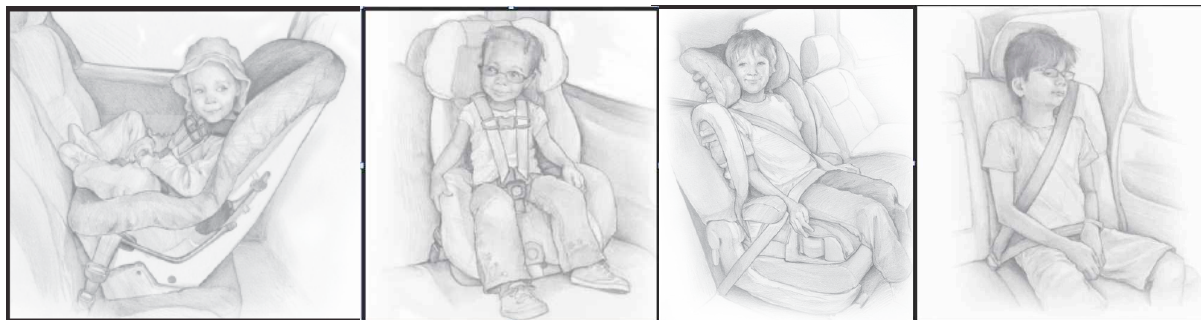
- A pickup truck with no back seat.
- A pickup truck with side facing jump seats (as these are not permitted for use with any child restraint).
- Any passenger vehicle where all rear seating positions are in use by other children and a child must, by default, ride in the front seat.
- Many two seat sports cars. Always read the vehicle owner's manual as some sport cars never permit a child under twelve to ride in the front seat.
- When a child rides in a booster seat (which must be used with a lap and shoulder belt) and the vehicle has lap-only belts in all rear seating positions.

When is it NEVER permitted for a child less than 13 years of age to ride in the front seat?

- A rear facing child restraint (infant or convertible) is placed where there is a frontal air bag **unless** an air bag on/off switch disables the air bag **AND** there is permission in the vehicle manual to place a rear facing child seat in that location.
- As a matter of privilege. For example: child sits up front to better visit with parent; as a reward for some action; or, because they called "shotgun!"

The adult seat belt fits a child correctly when: the child sits back against vehicle seat back and their knees bend comfortably over the front edge of the seat without slouching; the shoulder belt crosses the center of the shoulder; lap belt fits low on the hips touching the top of the thighs (not up on the tummy); and the child can ride this way in this vehicle for the whole trip.

Remember, each stage provides less protection for a child. Don't move to the next stage until you have to.



Rear Facing

Forward Facing

Belt-Positioning Booster

Adult Lap/Shoulder Belt

(See next page for complete law)

RCW 46.61.687

Child passenger restraint required – Conditions – Exceptions – Penalty for violation – Dismissal – Noncompliance not negligence – Immunity. (Effective June 1, 2007.)

(1) Whenever a child who is less than sixteen years of age is being transported in a motor vehicle that is in operation and that is required by RCW 46.37.510 to be equipped with a safety belt system in a passenger seating position, or is being transported in a neighborhood electric vehicle that is in operation, the driver of the vehicle shall keep the child properly restrained as follows:

(a) A child must be restrained in a child restraint system, if the passenger seating position equipped with a safety belt system allows sufficient space for installation, until the child is eight years old, unless the child is four feet nine inches or taller. The child restraint system must comply with standards of the United States department of transportation and must be secured in the vehicle in accordance with instructions of the vehicle manufacturer and the child restraint system manufacturer.

(b) A child who is eight years of age or older or four feet nine inches or taller shall be properly restrained with the motor vehicle's safety belt properly adjusted and fastened around the child's body or an appropriately fitting child restraint system.

(c) The driver of a vehicle transporting a child who is under thirteen years old shall transport the child in the back seat positions in the vehicle where it is practical to do so.

(2) Enforcement of subsection (1) of this section is subject to a visual inspection by law enforcement to determine if the child restraint system in use is appropriate for the child's individual height, weight, and age. The visual inspection for usage of a child restraint system must ensure that the child restraint system is being used in accordance with the instruction of the vehicle and the child restraint system manufacturers. The driver of a vehicle transporting a child who is under thirteen years old shall transport the child in the back seat positions in the vehicle where it is practical to do so.

(3) A person violating subsection (1) of this section may be issued a notice of traffic infraction under chapter 46.63 RCW. If the person to whom the notice was issued presents proof of acquisition of an approved child passenger restraint system or a child booster seat, as appropriate, within seven days to the jurisdiction issuing the notice and the person has not previously had a violation of this section dismissed, the jurisdiction shall dismiss the notice of traffic infraction.

(4) Failure to comply with the requirements of this section shall not constitute negligence by a parent or legal guardian. Failure to use a child restraint system shall not be admissible as evidence of negligence in any civil action.

(5) This section does not apply to: (a) For hire vehicles, (b) vehicles designed to transport sixteen or less passengers, including the driver, operated by auto transportation companies, as defined in RCW 81.68.010, (c) vehicles providing customer shuttle service between parking, convention, and hotel facilities, and airport terminals, and (d) school buses.

(6) As used in this section, "child restraint system" means a child passenger restraint system that meets the Federal Motor Vehicle Safety Standards set forth in 49 C.F.R. 571.213.

(7) The requirements of subsection (1) of this section do not apply in any seating position where there is only a lap belt available and the child weighs more than forty pounds.

(8)(a) Except as provided in (b) of this subsection, a person who has a current national certification as a child passenger safety technician and who in good faith provides inspection, adjustment, or educational services regarding child passenger restraint systems is not liable for civil damages resulting from any act or omission in providing the services, other than acts or omissions constituting gross negligence or willful or wanton misconduct.

(b) The immunity provided in this subsection does not apply to a certified child passenger safety technician who is employed by a retailer of child passenger restraint systems and who, during his or her hours of employment and while being compensated, provides inspection, adjustment, or educational services regarding child passenger restraint systems.