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Texas Has a New Child Safety Seat Law

Effective September 1, 2009, Texas will have a new child safety seat law. The law states that children under 8 years of age – unless taller than 4 feet 9 inches – will need to be in a child safety seat system (this includes traditional child safety seats with harnesses and booster seats). Many are referring to this new law as the ‘booster seat law’ because it will extend the current law to cover older children who need to ride in booster seats. Until this law was passed, Texas was among only six remaining states that did not have a law to protect booster-age children.

According to the law, once a child reaches 8 years old OR a height of over 4 feet 9 inches he/she will not be legally required to use a child safety seat system. Thus, a child who 8 years old but is not yet 4 feet 9 inches tall will be able to legally use the vehicle lap/shoulder belt and not need to be in a child safety seat system. Best practice, however, is that children not ride in the vehicle lap/shoulder belt until they are at least 4 feet 9 inches tall.

Vehicle lap/shoulder belts are designed for adults at least 4 feet 9 inches tall. A booster seat ‘boosts’ the child up so the lap/shoulder belt will fit correctly and provide protection in a crash. Many parents are under the impression that a child can be moved to the vehicle seat belt system when they have outgrown the weight limits of their child safety seat. Most conventional forward-facing child safety seats have a 5-point harness system that can be used until the child reaches 40 pounds. However, most children weigh 40 pounds long before they are tall enough to fit in the vehicle lap/shoulder belt. These children, usually ages 4-8+ years old, do not fit well in the lap/shoulder belt. Instead of fitting properly over the lower hips, the lap belt rides over the soft tissues of the abdomen, and the shoulder portion of the belt hits the child’s neck or face rather than laying flat across the chest. Many children place the shoulder belt behind their back, leaving them with no upper body protection.

In a crash, children who are incorrectly restrained by a lap/shoulder belt are likely to sustain serious injuries to internal organs, as well as the head and spinal cord. In fact, these abdominal and spinal injuries are medically referred to as “Seat Belt Syndrome.” Correctly using a booster seat can protect a child from being thrown around the vehicle or being totally ejected in a crash.

In 2007, 179 Texas children of booster seat age died in motor vehicle crashes; 60 of these children were unrestrained, 77 were in a seat belt, 13 had unknown restraint use, and only 29 were in a child safety seat. The Texas EMS and Trauma Registry reports that vehicle crashes involving 4- to 7-year-olds resulted in more than \$16.7 million in hospital charges. Booster seats are an affordable solution to protect children in the 4-8+ age group. The cost of booster seats is low – generally between \$15-\$40. For low-income families, assistance is available through the Texas Department of State Health Services Safe Riders Program, as well as through the National Safe Kids Coalition and other state agencies. Safe Kids Worldwide estimates that a \$30 booster seat generates \$2,000 in benefit to society from reduced health-care expenses. Booster seats are a low-cost solution to a high-cost problem.

Clearly, there is a need for more child passenger safety education and awareness campaigns to promote booster seat use in Texas. Thankfully, Texas now has a law that will help protect its youngest citizens from injuries and deaths in motor vehicle crashes.

Parents are advised to have a free child safety seat inspection by going to <http://buckleup.tamu.edu> and finding a nearby certified child passenger safety technician.

For best practice, follow the National Highway Traffic Safety Administration's "4 Steps for Kids," which are listed below:

4 STEPS FOR KIDS

Step 1. Rear-facing seats: For the best possible protection, keep babies in the back seat in rear-facing child safety seats for as long as possible up to the height or weight limit of the particular seat. At a minimum, keep babies rear-facing until age 1 and at least 20 pounds.

Step 2. Forward-facing seats: When children outgrow their rear-facing seats (at a minimum of age 1 and at least 20 pounds), they should ride in forward-facing child safety seats, in the back seat, until they reach the upper weight or height limit of the particular seat (usually around age 4 and 40 pounds).

Step 3. Booster seats: Once children outgrow their forward-facing seat (usually around age 4 and 40 pounds), they should ride in booster seats, in the back seat, until the vehicle safety belts fit properly. Safety belts fit properly when the lap belt lays across the upper thighs and the shoulder belt fits across the chest (usually at age 8 or when they are 4 feet 9 inches tall).

Step 4. Safety Belts: When children outgrow their booster seats (usually at age 8 or when they are 4 feet 9 inches tall), they can use the adult safety belt in the back seat if it fits properly (lap belt lays across the upper thighs and the shoulder belt across the chest).

For more information, please contact the Texas AgriLife Extension Service office at 903-473-5000, ext. 157.

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