

Key Provisions of Occupant Restraint Laws through July 1, 2006

State	Safety belt Enforcement	1st Belt Fine	Child Restraint Required ²	1 st Child Restraint fine	Safety belt required ¹ Seats	Ages ³	Vehicles Exempted ⁴	and other Information
AL	Primary	\$25	4 yrs & younger & < 40 lbs. - child restrain; booster seat until age 6	\$25 ⁵	Front	< 15 all seats	Designed for >10 passengers; model year <1965; rural mail carriers, newspaper delivery.; vehicles normally operating in reverse.	Child restraint law: rear-facing seats until 1 yr or 20 lbs; forward-facing child restraint until 5 yrs <u>or</u> 40 lbs; booster seat until age 6. .
AK	Primary {But see add. info.}	\$15	3 yrs & younger	\$50 ⁶	All	All	School bus, emergency vehicles, mail or newspaper delivery, non-highway vehicles generally.	To enforce safety belt law, the officer must personally observe the violation or have another reason to stop the vehicle.
AZ	Secondary	\$10	4 yrs & younger	\$50	Front	≤15 all seats	Designed for >10 passengers; model year <1972, rural mail carriers.	
AR	Secondary ⁷	\$25	5 yrs & under & less than 60 lbs	\$25 -100	Front	≤14 all seats	School, church, or public bus; model year <1968.	Children 6 years or ≥60 lbs. may be in a safety belt.
CA	Primary	\$20	5 yrs. & under or less than 60 lbs.	\$100 ⁸	All	All	Emergency vehicles, postal service vehicles, newspaper delivery vehicles.	Less than 60 lbs. in a rear seat, if available.
CO	Secondary ⁹	\$17	5 yrs & under and < 55 inches. ¹⁰	\$50	Front	All	Passenger bus, school bus, ambulance, postal service vehicles; delivery and pickup services	Younger than 1 yr and < 20 lbs in a rear-facing infant seat; 1-3 and 20-40 lbs.- forward-facing child seat; 4-5 and < 55 inches - booster seat.
CT	Primary	\$15	1-6 yrs & less than 60 lbs in a child restraint system	\$60	Front	<16 all seats	Truck or bus >15,000 lbs; public, emergency or de livery vehicles Postal service vehicles; newspaper delivery vehicles.	Booster seats may only be used in a seating position with a lap & shoulder belt. Younger than 1 yr or less than 20 lbs in a rear-facing restraint system. 4-yrs and older in 'student transportation' {not a school bus} must be in child seat or belt.
DE	Primary	\$25	6 yrs & younger And< 60 lbs	\$25	All	All	Postal service vehicles, tractors, off-highway vehicles.	
DC	Primary	\$50 ¹¹	7 yrs & under	\$75 ⁶	All	All	Seating >8 people.	

¹ Note: virtually every state exempts persons who for medical reasons cannot use a safety belt, and vehicles not originally required to be equipped with safety belts.

² This may include rear-facing child restraint seats, forward-facing child restraint seats and booster seats.

³ Note: the word 'All' used in this category means everyone must be restrained – for children that may be in a child restraint.

⁴ Note: emergency vehicle and bus exemptions generally do not apply to the driver.

⁵ One point-first violation; second or subsequent violation - two points.

⁶ Two points for child restraint violation.

⁷ If motorist is wearing belt when stopped for another violation, the fine for that violation is reduced \$10.

⁸ One point for child restraint violation.

⁹ Primary enforcement if driver is under 17 years of age.

¹⁰ Secondary law for children 4-5 who are required to be in booster seats.

¹¹ Plus 2 points on license record.

State	Enforcement	1st Belt Fine	Child Restraint Required	1st Child Restraint Fine	Safety belt required Seats	Ages	Vehicles Exempted --	and other Information
FL	Secondary	\$30	3 yrs & under	\$60 ¹²	Front	<17 all seats	School buses purchased before 1/1/2001; farm tractors, trash trucks, newspaper delivery vehicles, living space of RVs; public bus, truck >5,000 lbs	The number of passengers of a pick-up truck required to wear seat belt shall not exceed the number of installed front seat belts. (Extra passengers exempted)
GA	Primary	\$15-25	5 yrs & younger and 57" or less ¹⁵	\$50 ¹³	Front	≤17 ¹⁴ all seats	Designed for >10 passengers; pickups; off-road; vehicles used for frequent stops	5 yrs and younger must be in rear seat if available. Pick-up exemption applies to ≥18.
HI	Primary	\$55 ¹⁶	7 yrs and younger & < 57" {1/1/07}	\$100	Front	≤17 all seats	Bus or school bus >10,000 lbs; emergency vehicles; taxicabs Bus or school bus >10,000 lbs;	Exempts persons unable to use a seat belt because all available seat belt assemblies are in use. In this case, unsecured children must sit in the back seat.
ID	Secondary	\$10	6 yrs. and younger	≤\$100 ¹⁷	All	All	>8,000 lbs, mail carriers, implements of husbandry.	
IL	Primary	\$25	7 yrs. and younger	\$25	Front	≤15 all seats	Emergency vehicles, vehicles which frequently stop.	Everyone younger than 19 must be restrained if driver is less than 18 yrs. Children > 40 lbs. may use lap belt in rear seat if no combination belt..
IN	Primary	\$25	7 yrs. and younger ¹⁸	\$25 ¹⁹	Front	≤15 ²⁰ in all seats	Truck, tractor, RV, pickup truck, sport utility vehicle if registered as a pickup truck, postal vehicles, delivery vehicles, taxi, bus, emergency vehicles, antique cars.	
IA	Primary	\$25	5 yrs and younger ²¹	\$25 ²²	Front	≤10 all seats	Delivery vehicles that do not exceed 25 mph between stops, emergency vehicles, postal vehicles.	
KS	Secondary	\$10	7 yrs and younger < 80 lbs. & <5' 7" ²⁴	\$20 ²³	Front	< 14 all seats	Designed for >10 people; truck >12,000 lbs., off-road vehicles, postal vehicles, in all seats vehicles deliveries newspapers.	

¹² Three points are assessed against the driver's record.

¹³ One point assessed against the driver's record (two points for subsequent offenses).

¹⁴ Drivers may be fined up to \$100 and seat passengers \$50 for each passenger < 16 not wearing a safety belt.

¹⁵ But for children who are either age 3 or 4, child restraint requirement satisfied if restrained in a safety belt.

¹⁶ This includes a \$45 fine and a surcharge of \$10 for the neuro-trauma special fund.

¹⁷ This is an infraction punishable by a fine not exceeding one hundred dollars; typical total fine: \$60, including all add-on costs.

¹⁸ A child who weighs more than forty pounds may be restrained by a lap safety belt if: (1) the motor vehicle is not equipped with lap and shoulder safety belts; or (2) not including the operator's seat and the front passenger seat, all the lap and shoulder safety belts are being used to properly restrain other children who are less than sixteen years of age.

¹⁹ Four points also assessed on the driving record.

²⁰ This requirement {that the driver assure that children under 16 are belted in all seats} does not apply to holders of an Indiana driver's license.

²¹ Younger than 1 year and less than 20 lbs. in rear-facing child seat; children ≥3 but < 6 may be secured in a child restraint, safety belt or safety harness.

²² First offenders that prove purchase or acquisition of a child restraint system shall not be convicted.

²³ \$10 plus court costs are waived if offender purchases or obtains an appropriate child restraint.

²⁴ If the number of children subject to these requirements exceeds the number of passenger securing locations available for use by children and all of these securing locations are in use by children, the requirement is waived for the additional children.

State	Enforcement	1st Belt Fine	Child Restraint Required	1st Child Restraint Fine	Safety belt required		Vehicles Exempted --	and other Information
					Seats	Ages		
KY	Primary	\$25	<40 inches tall	\$50 ²⁵	All	All	Designed for >10 people; truck >12,000 lbs. farm trucks, ≥ 2000 lbs. Postal vehicles.	Primary safety belt law: 'Courtesy notice' will be given as part of educational phase until 1-1-07 [when primary violation enforced]. Safety belt roadblocks prohibited. Belt violations not on driving record - no points.
A	Primary	\$25	5 yrs and younger ²⁶	\$50	Front	≤12 yrs all seats.	Designed for >10 people; utility vehicles traveling < 20 mph, model year-- <1981, postal vehicles, farm vehicles, persons delivering newspapers.	
ME	Secondary	\$25-\$50	< 40 lbs .in child restraint; 7 yrs. and younger and < 80 lbs in booster seat	\$25	All	All	Manufactured without safety belts. Postal vehicles.	Everyone in school bus equipped with safety belts must use them.
MD	Primary	\$25	5 yrs. and under or 40 lbs. or less	\$25	Outboard Front	≤15 all seats	'historical', for-hire vehicles, farm vehicles within 10 miles of farm, vanpool vehicles, ambulances, funeral limousines ,modified vehicles ≥ 25 yrs.	
MA	Secondary	\$25	<5 and 40 lbs or less	\$25	All	All	Truck >18,000 lbs; buses and taxis, emergency vehicles, postal vehicles.	
MI	Primary	\$25	3 yrs. and under	\$10 ²⁷	Front	≤ 15 all seats ²⁸	Taxi, bus, school bus, postal service vehicles, postal vehicles, commercial vehicles making frequent stops.	
MN	Secondary	\$25	3 yrs. and under	≤\$50	Front	≤10 all seats ²⁹	Farm pickup truck, postal vehicles, commercial vehicles making frequent stops if vehicles don't exceed 25 mph between stops.	
MS	Primary	\$25	3 yrs. and under	\$25	Front	< 16 all seats;	Farm vehicle, bus; postal vehicles, utility meter readers' vehicles, all-terrain vehicles, vehicles designed to carry >15 persons.	
MO	Secondary ³⁰	\$10	< 4 yrs.& < 40 lbs. In child restraint; 4-7 yrs. & < 80 lbs. & < 57" in booster seat.	\$≤50 ³¹	Front	<16 all seats	Designed for >10 people; truck >12,000 lbs; postal service vehicles, vehicles being used for agriculture	
MT	Secondary ³²	\$20	5 yrs. and under and < 60 lbs.	\$≤ \$100 ³³	All	All	Vehicles making frequent stops if exemption obtained from state; construction vehicles.	

²⁵ In addition to the fine, there is a mandatory \$10 assessment to the Traumatic Brain Injury Fund.

²⁶ Age <one or < 20 lbs. - rear-facing child seat; ages 1 but < 4 weighing at least 20 lbs. but < 40 lbs. - forward-facing child seat; ages 4 < 6, weighing 40-60 lbs - booster seat.

²⁷ Plus \$5 in court costs.

²⁸ A driver does not have to comply with this requirement if the number of children to be secured exceeds the number of safety belts available. Unsecured children have to be seated in other than the front seat and all front seat passengers must be secured. In the case of pickup trucks where all safety belts are being used and where such vehicles do not have an extended cab or jump seats, unsecured children may be transported in the front seat without a safety belt

²⁹ The safety belt requirement does not apply to persons who are riding in a vehicle where all of the available seat belt positions have been occupied.

³⁰ Primary for children under 16 years of age.

³¹ Plus court costs; but charges dismissed or withdrawn if driver prior to hearing provides evidence of acquisition of an appropriate child seat.

³² Exempted are to persons who cannot use a seat belt because all of the available seat belts are in use.

³³ Plus court costs.

State	Enforcement	1st Belt Fine	Child Restraint Required	1st Child Restraint Fine	Safety belt required		Vehicles Exempted -- and other Information
					Seats	Ages	
NE	Secondary	\$25	5 yrs. and under	\$25 ³⁴	Front	≤15 all seats	Model year <1973, farm tractors and other agricultural equipment, buses, postal vehicles, ambulance or rescue service vehicles.
NV	Secondary	\$25	5 yrs. and under and 60 lbs. or less	\$50 ³⁵	All	All	Taxi, bus, school bus, postal service vehicles, emergency vehicles, delivery vehicles not exceeding 15 mph, any vehicle or seating position if the state determines compliance is impractical.
NH	No adult law	\$25	5 yrs. and under if less than 55" tall	\$25	<18 only- All seats (primary law)		School bus, vehicle for hire; model year<1968, antique cars, vehicles in parade traveling at ≤ 10 MPH
NC	Primary	\$25 ³⁶	7 yrs. and under less than 80 lbs. ³⁸	\$25 ³⁷	Front All (7-1-07)	≤15 all seats All (7-1-07)	Designed for >11 people; farm vehicles, postal vehicles, designated commercial vehicles, emergency vehicles. {If no lap and shoulder belt, children 40-80 lb may be in lap belt. }
ND	Secondary ³⁹	\$20	6 yrs. and younger and less than 57" or less than 80 lbs. ⁴¹	\$25 ⁴⁰	Front	≤17 yrs	Designed for >10 people, farm vehicles, rural mail carriers; all seats or when all front seat safety belts are used by other occupants.
NJ	Primary	\$20	7 yrs. and younger and less than 80 lbs. ⁴³	\$25 ⁴²	Front	≤17 all seats	Manufactured before 1966, rural letter carriers.
NM	Primary	\$25 ⁴⁴	6 yrs. and under, or less than 60 lbs. ⁴⁵	\$25 ³⁸	All	All	Vehicles >10,000 lbs, rural letter carriers.
NY	Primary	\$50-\$100 ⁴⁶	6 yrs. and under	\$25-\$100 ⁴⁷	Front	<16 all seats	Bus, school bus ⁴⁸ , taxi, emergency or delivery vehicle, rural letter carriers.
OH	Secondary	\$30 driver \$20 passenger	3 yrs. and younger or less than 40 lbs.	≤ \$100	Front	---	Postal service vehicles, vehicles delivering newspapers.

³⁴ Only secondary enforcement unless the violation involves a person under the age of eighteen years riding in or on any portion of the vehicle not designed or intended for the use of passengers.

³⁵ Conceivably, the fine could be as high as \$500, but \$50 is the typical fine.

³⁶ On July 1, 2007 the fine for a rear seat passenger will be \$10 and no court costs, with secondary enforcement of violations occurring in the rear seat.

³⁷ Two points assessed for a conviction; but entire penalty waived upon proof of acquisition of child restraint device.

³⁸ In vehicles with front side passenger air bags, a child <5 years old and weighing <40 lbs shall be properly secured in the rear seat unless the child restraint system is designed for use with air bags.

³⁹ Primary enforcement for all positions if occupant is under 18 years of age.

⁴⁰ One point assessed.

⁴¹ The requirement to use either a child restraint system or a safety belt does not apply either (1) to a child if all of the available safety belts in the vehicle are in use by other family members or to a child being transported in an emergency situation.

⁴² The fine shall be suspended upon proof of possession of a child restraint system.

⁴³ Seated in rear seat if seats available.

⁴⁴ Plus two points on driving record.

⁴⁵ < 1 yr. in a rear-facing infant seat, seated in the rear seat if available; 1-4 yrs. or less than 40 lbs. in a child safety seat; 5 - 6 or less than 60 lbs. in a booster seat.

⁴⁶ Plus 3 points on the license record if the violation involves a child under the age of 16. Front seat passengers 16 and older can be fined up to \$50 and drivers can be fined up to \$100 for each passenger under 16 not wearing a safety belt.

⁴⁷ Plus three points for any violation involving the use of safety belts or seats by a child under the age of 16.

⁴⁸ School buses sold in the State must be equipped with seat belts. Board of Education, via regulations, may provide that on school buses under its jurisdiction, safety belts be used when such vehicles are in operation.

State	Enforcement	1st Belt Fine	Child Restraint Required	1st Child Restraint Fine	Safety belt required		Vehicles Exempted -- and other Information
					Seats	Ages	
OK	Primary	\$20	≤5 years old ⁴⁹	\$25	Front	≤ 12 all seats	Farm vehicles, truck, truck tractor, RV, postal service vehicles, school buses, taxicabs, emergency vehicles
OR	Primary	≤\$75	≤5 years old and weighing ≤60 lbs ⁵⁰	\$75	All	All	Newspaper, mail, meter, transit vehicle, for-hire vehicles, Trash trucks, emergency vehicles, taxicab operators.
PA	Secondary	\$10 ⁵¹	7 yrs. and under ⁵²	≤ \$100	Front	≤17 all seats	Truck >7,000 lbs, rural letter carriers, delivery vehicles traveling ≤15 MPH.
RI	Secondary ⁵³	\$75	<7 years, <54 inches and <80 lbs	\$75	All	All	Postal service vehicles. Children ≤6 yrs. must be in rear seat, if seat available.
SC	Primary ^{54, 55}	\$25	1 yr. <6 yr, 40-80 lbs ⁵⁶	≤ \$150	All	All	Emergency vehicles, buses,; Postal Service Vehicles, delivery vehicles, vehicles carrying >10 passengers, Parade vehicles, vehicles in which all seating positions with safety belts are already occupied, persons occupying the rear seat of a vehicle unless the vehicle is equipped with a shoulder harness.
SD	Secondary ⁵⁷	\$20	4 yrs. and younger, less than 40 lbs.	\$20	Front	≤ 17 all seats	Passenger bus, school bus, rural mail carriers, newspaper or periodical deliveries.
TN	Primary	\$10 ⁵⁸	< 1 & < 20 lbs- RF child seat; 1-3 & 20 lbs. FF child seat; ≤ 8 yrs & <57 inches	\$50	Front	<16 ⁵⁹ all seats	>8,500 lbs. rural letter carriers, utility workers, newspaper delivery, vehicles in parades, hayrides or crossing a highway from one field to another if operated at < 15 miles per hour mph.
TX	Primary	\$25-\$50	≤ 4 & < 36 inches	\$100-\$200	Front	≤16 all seats ⁶⁰	Designed for >10 people; truck>15,000 lbs, farm vehicles, Postal service vehicles, meter readers.
UT	Secondary ⁶¹	≤\$45 ⁶²	4 yrs. and younger	≤\$45	All	All	Passengers exempted if all seats occupied, or person riding in a seating position not equipped with safety belts.

⁴⁹ Children > 40 lbs. may be belted in the rear seat by a lap belt if the vehicle is not equipped with lap and shoulder belts or when the lap and shoulder belts are being used by other children.

⁵⁰ Children ≤ age 3 and <40 lbs. in a child restraint seat; ages 4-5 or 40-60 lbs in a booster seat..

⁵¹ Pennsylvania 's fine is \$10, but with court, EMS, judicial, and computer costs the ticket total is \$51.50.

⁵² Secondary enforcement for ages 4-7 who must be in booster seats.

⁵³ Primary enforcement for drivers and occupants <18.

⁵⁴ Safety belt law may not be enforced by checkpoints designed for that purpose.

⁵⁵ Safety belt law does not apply to an occupant if all belts in the vehicle are used by other occupants.

⁵⁶ Younger than 1 yr. or less than 20 lbs. in a rear-facing infant seat; five years and under in rear seat if seating available; 1 through 5 yrs. up to 80 lbs. in a child safety sea unless the knees bend over the seat edge when sitting up straight seated against the seat back. In the latter case, use of the safety belt is permitted.(up to \$150 fine, but may be waived with acquisition of child restraint)

⁵⁷ Primary enforcement for all seating positions if occupant is under 18 years

⁵⁸ Drivers 18 and older pay \$10 if they do not contest the citation; 16-17 year old pay \$20; \$50 if unsuccessfully contested in court.

⁵⁹ Drivers 16 or 17 years old must wear a safety belt; but a driver cannot be fined for the failure of a passenger >16 years old to wear a safety belt.

⁶⁰ Safety belt requirement does not apply to passengers occupying a position without a safety belt.

⁶¹ Primary enforcement for all seating positions if occupant is 18 years or younger.

State	Enforcement	1st Belt Fine	Child Restraint Required	1st Child Restraint Fine	Safety belt required		Vehicles Exempted -- and other Information
					Seats	Ages	
VT	Secondary	\$25	<7 in child seat ⁶³	≤ \$50	All	All	Bus, taxi, rural mail carriers, delivery vehicles traveling ≤15 MPH, emergency vehicles, farm tractor.
VA	Secondary	\$25	5 yrs. and under ⁶⁴	\$50	Front	<16 all seats	Designed for >10 people; taxi, police vehicles, rural mail carriers, newspaper delivery, utility meter readers, commercial vehicles making frequent stops.
WA	Primary	\$35	< 8 and less than 4'9"	\$35	All	All	Designed for >10 people, when all designated seating positions are occupied, and vehicles exempted by state, regulation, including farm construction, or commercial vehicles making frequent stops.
WV	Secondary	\$25 ⁶⁵	≤7 yrs. & <4'9" ⁶⁶	\$25 ⁶⁷	Front	<17 all seats	Designed for >10 people, rural mail carriers.
WI	Secondary	\$10	≤ 7 yrs, ≤ 80 lbs, <4 ft 9 inches. ⁷⁰	\$30-75 ⁶⁸	Front	All ⁶⁹	Safety belt exemptions: Taxis, farm trucks engaged in farming, emergency vehicles required to make more than 10 stops per mile, rural mail carriers, land surveyors. Booster seat required; 4-7 yrs, 40 lbs ≤ 80 lbs, & ≤ 4' 9".
WY	Secondary ⁷¹	\$25 ⁷²	≤ 8 in rear seat and weighing ≤ 80 lbs. in rear seat if available ⁷³	\$50	All	All	Postal vehicles; emergency vehicles, buses, excess passengers. exempted if all seats occupied.

⁶² Reduced to \$15 upon completion of class; standard enforcement for children 18 and younger.

⁶³ Less than one year old or less than 20 lbs. -- rear-facing child seat; Children 2-7 in a child passenger restraining system, but exemption from this requirement if the total number of safety belts available are in use, provided that children <5 years old are secured in a child passenger restraint system.

⁶⁴ Children at least 4 yrs. may be belted if the weight or size of the child makes the use of a child restraint device impractical.

⁶⁵ The fine for drivers is \$25; the fine for passengers over 12 years of age is \$10.

⁶⁶ If all seat belts in a vehicle are being used at the time of examination by a law officer and the vehicle contains more passengers than the total number of seat belts or other safety devices as installed in compliance with federal motor vehicle safety standards, the driver may not be considered in violation.

⁶⁷ Unlike the West Virginia safety belt law, court costs of approximately \$67 are also imposed.

⁶⁸ The assessment is \$10-25 for age 4 and less than 8; either first assessment waived upon proof of acquisition and installation of child restraint.

⁶⁹ Rear seat occupants must wear safety belt at any position where a shoulder harness is installed.

⁷⁰ Children < age 1 and all children < 20 lbs. in a rear-facing child seat; ages 1-3, weighing ≥ 20 lbs. but <40 lbs. in a forward-facing child seat; ages 4-7, <80 lbs. & <57" in booster seat.

⁷¹ If motorist is wearing belt when stopped for another violation, the fine for that violation is reduced \$10.

⁷² Passengers violating the safety belt requirements are subject to a fine of \$10.

⁷³ Children are exempted from booster seat requirement if the lap and shoulder belts fit properly across the collarbone, chest and hips of the child and the belts do not pose a danger to the neck, face or abdominal area of the child in the event of a crash or sudden stop.

