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# **ASCP**

# **INFORMATION BULLETIN**

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**Date:** *March 7, 2012*

**Attention:** *ASCP Members*

**Subject:** *SB 929 Child Passenger Restraint Systems*

Recently, ASCP has received numerous inquiries from member districts with regard to Senate Bill 929. This information bulletin provides a summary of the new requirements imposed by this bill.

Senate Bill 929; Child Passenger Restraint Law was effective January 1, 2012. This bill revised previous law that required a child under the age of 6 or weighing less than 60 pounds to be secured in a child passenger restraint system in the rear seat of a motor vehicle. Senate Bill 929 changed the age requirement from 6 to 8 and specifies that a child or ward under 8 years of age who is 4 feet 9 inches in height or taller may be properly restrained by a safety belt rather than a child passenger restraint system. Child restraint systems are defined as seats designed specifically to protect children from injury or death during collision. A motor vehicle, as defined by this section, means a passenger vehicle, a motortruck, or a truck tractor, but does not include a motorcycle. A motor vehicle is also defined as a farm labor vehicle, regardless of the date of certification under Section 31401 of the Vehicle Code.

Given the above, this new law would require child passenger restraints in motor vehicles (including passenger vehicles with a capacity of nine or fewer passengers, plus the driver) used for student transport. Member districts that require student transportation assistance from parents and volunteers using private vehicles to transport students to special events or field trips must adhere to this new law. In addition, districts should also check their Individualized Education Program files to verify if transportation outside the district's program is utilized so as to ensure compliance with the new law.

Any child passenger that has a physically disabling condition or medical condition that would prevent appropriate restraint in a safety belt may be exempt from the use of child passenger restraints. To be exempt, the child passenger must have a release from a duly certified licensed physician, surgeon or licensed chiropractor state the nature of the condition and reason the restraint is inappropriate.

School buses are not defined in this section.

If you would like to discuss in more detail, please do not hesitate to contact one of ASCP's Risk Control staff members at (562) 404-8029.