

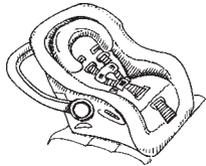
# ALASKA'S CHILD RESTRAINT LAWS AND CONSEQUENCES

## ALASKA CHILD RESTRAINT LAWS (as of September 15, 2009)

\* Sec. 2. AS 28.05.095(b):  
(b) Except as provided in (c) of this section, a driver may not transport a child under the age of 16 in a motor vehicle unless the driver has provided the required safety device and properly secured each child as described in this subsection.



A child:

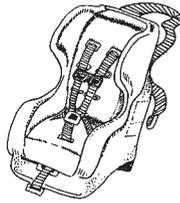


(1) less than one year of age or a child one year of age or older who weighs less than 20 pounds shall be properly secured in a **rear-facing child safety seat** that meets or exceeds standards of the United States Department of Transportation and is used in accordance with the manufacturer's instructions;

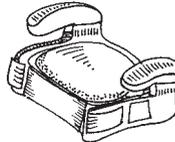
accordance with the manufacturer's instructions;

*The American Academy of Pediatrics recommends that you keep your child rear facing until s/he outgrows the weight or height limits of your child seat. You lose protection when the child is turned from rear facing to forward facing.*

(2) one or more years of age but less than five years of age who weighs 20 pounds or more shall be properly secured in a **child restraint device** that meets or exceeds the standards of the United States Department of Transportation and is used in accordance with the manufacturer's instructions;



(3) over four years of age but less than eight years of age who is less than 57 inches in height and weighs 20 or more pounds but less than 65 pounds shall be properly secured in a **booster seat** that is secured by a seat belt system or by another child passenger restraint system that meets or exceeds the standards of the United



States Department of Transportation and is used in accordance with the manufacturer's instructions;

(4) over four years of age who exceeds the height or weight requirements in (3) of this subsection shall be properly secured in a **seat belt**;

(5) eight years of age but less than 16 years of age who does not exceed the height and weight requirements in (3) of this subsection shall be properly secured in a child safety device approved for a child of that size by the United States Department of Transportation or in a safety belt, whichever is appropriate for the particular child as determined solely by the driver.



## ALASKA'S NEW CHILD RESTRAINT LAW (EFFECTIVE SEPTEMBER 15, 2009)

Children, by law, must use a car seat or a booster seat if they are: under 8 years old, AND under 65 pounds, AND under 4'9".

If the child is over any of the above criteria it is up to the driver to decide what type of restraint to use.

The fine for improperly restrained children in motor vehicles is at least \$50 for the first offense per child.

For best protection in motor vehicles, the National Highway Traffic Safety Administration (NHTSA) and safety experts recommend booster seat use until the child is 4'9".

Always read the child seat instruction and vehicle manuals. Each vehicle and child manufacturer provides specific instructions regarding proper use and installation of their child seats in and in their vehicle.

*What are the consequences of not using a booster under AS 28.05.095?*

**A:** A person convicted of a violation of AS 28.05.095 (b) is guilty of an infraction, and may be fined up to \$50. The person may also be assessed demerit points as determined by regulations of the department, notwithstanding the provisions of AS 28.15.231 (b). A person who violates AS 28.05.095 (b) by failing to provide a child safety device or safety belt may provide a peace officer, including a village safety officer, proof of purchase or acquisition, and installation, of an approved child safety device or safety belt. If the proof is provided within 30 days after the issuance of a citation for the infraction, the court shall dismiss the citation and no points shall be assessed under this subsection unless the person has

- (1) been convicted previously for violating AS 28.05.095 by failing to provide a child safety device or safety belt;
- (2) been cited for failure to provide a child safety device or safety belt and has forfeited the bail required by the citation; or
- (3) provided proof under this subsection on a prior occasion.

**THE CONSEQUENCE FROM THE LAW OF PHYSICS IS NOT AS KIND. In a crash, a child that should be in a booster but is seated in a seat belt only can suffer death or serious injury. Injuries associated with poor seat belt fit include ejection and internal injuries, including serious abdominal and spinal damage.**



## "BOOSTER UP" ALASKA – It's the Law

