

## NEW YORK STATE'S OCCUPANT RESTRAINT LAW

Seat belts save lives and help prevent serious injuries in a traffic crash. This is why New York State requires seat belt use by adults in motor vehicles, and seat belts, booster seats, or child safety seats for children.

New York is a "primary enforcement" state. A law enforcement officer can issue a traffic ticket just for failure to wear a seat belt. A ticket can be issued to the driver who fails to make sure a child passenger is properly secured in a safety seat or with a seat belt. This law also applies to visitors from outside New York State.

### HIGHLIGHTS OF NEW YORK STATE'S OCCUPANT RESTRAINT LAW:

- In the front seat, the driver and each passenger must wear a seat belt, one person per belt. The driver and front-seat passengers aged 16 or older can be fined up to \$50 each for failure to buckle up.
- Every occupant, regardless of age or seating position, of a motor vehicle being operated by the holder of a Class-DJ Learner Permit, a Limited Class-DJ, or Class-DJ Driver License must be restrained by a safety restraint.
- Each passenger under age 16 must wear a seat belt or use an **appropriate child safety restraint system**. The restraint system must comply with the child height and weight recommendations determined by the manufacturer. Depending on the size of the child, the restraint system may be a safety seat or a booster seat used in combination with a lap and shoulder belt.
- The driver must make sure that each passenger under age 16 obeys the law. The driver can be fined \$25 to \$100 and receive three driver license penalty points for each violation.
- Seat belt use is not required in taxis or livery vehicles, emergency vehicles, 1964 or older vehicles, or by passengers in buses other than school buses (seat belt use may be required by the school district). Rural letter Carriers are also exempt while they are delivering mail.

**Tip: Keep your seat belt tight but comfortable.**

### AN APPROPRIATE CHILD SAFETY RESTRAINT SYSTEM:

- Is required for all children until their 8th birthday and,
- Must meet the size and weight requirements for the child based on the Federal requirements and the recommendations of the manufacturer, and
- Can be a child safety seat, a harness, a vest or a booster seat attached with the vehicle seat belt or latch system, but not the vehicle seat belt alone, and
- Should *not be used in the front seat of the vehicle*.
- If the child is eight years old and is under 4'9" tall or weighs less than 100 lbs, it is *recommended* that you continue to use a child restraint system.



### CHILDREN IN SEAT BELTS

Every child under age 16 in the vehicle must use a safety restraint. If under age four, he or she must be properly secured in a federally-approved child safety seat that is attached to a vehicle by a safety belt or universal child restraint anchorage (LATCH) system. A child under age four who weighs more than 40 pounds may be restrained in a booster seat with a lap and shoulder belt. A child of age 4, 5, 6 or 7 must use a booster seat with lap and shoulder belt or a child safety seat (The child and safety restraint system must meet the height and weight recommendations of the restraint manufacturer).

**Exception:** A child more than four feet nine inches

tall or more than 100 pounds is allowed to use a seat belt that has both a lap belt and a shoulder harness. To use the seat belt, the child must be able to sit straight up against the vehicle's seat back with his or her knees bent comfortably over the edge of the seat. The lap belt should be placed low and tight across the upper thighs; the shoulder belt should rest tightly but comfortably across the child's chest and shoulder (collar bone) without touching the throat. If the seat belt does not fit properly, the child should use a booster seat with a lap and shoulder belt.

**A booster seat can be used only with a lap and shoulder belt together.** If all the combination lap and shoulder belt positions in the vehicle are already occupied by children using child safety seats or booster seats, a child who ordinarily would use a booster seat should be restrained using only the lap belt.

### SEAT BELTS ON SCHOOL BUSES

New York State law requires that large school buses manufactured after July 1, 1987, be equipped with seat belts, and that schools make them accessible to each vehicle occupant. Every school bus driver is required to wear a seat belt, and children under the age of four must ride in properly installed, federally-certified child safety seats. Each school district sets its own policy for seat belt use by the other passengers.

In a school vehicle which is not built to meet federal school bus construction standards, New York State Law requires that all children must ride in a properly installed, federally-certified child safety seat or booster until their 7th birthday. Vehicles of these types include school cars, vans, Suburbans and SUVs.

### WHY YOU NEED TO WEAR A SEAT BELT

A seat belt absorbs the force of impact in a traffic crash and reduces your risk of being killed or injured. It holds you securely to help prevent you from striking hard objects inside the vehicle while being tossed around. You are less likely to be thrown (ejected) through the vehicle's windshield or doors - and vehicle ejection usually results in death.

Your seat belt offers the most protection when you sit upright. Most seat belts easily adjust to allow

some comfort and free movement until you need it for protection. To properly wear your seat belt, the lap belt portion should be tight but comfortable across your upper thighs at your hip joints and the shoulder belt should rest snugly across your chest and shoulder, away from your face or neck. Never place the shoulder belt behind your back or under your arm. Improper use of a seat belt or shoulder belt can cause internal injuries in a crash.

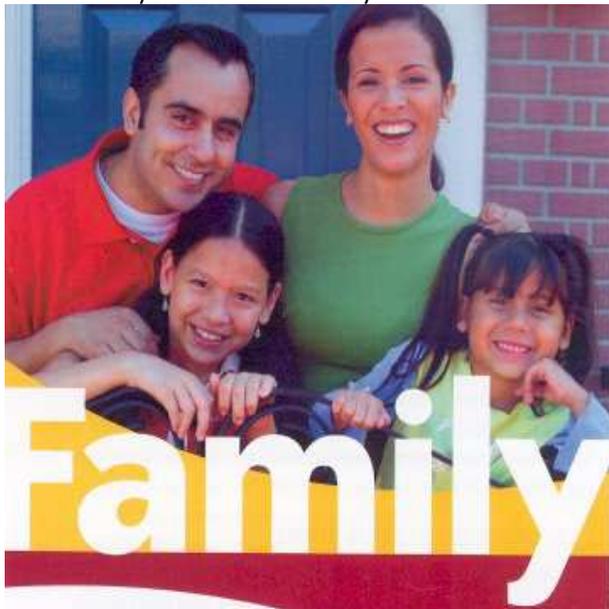
#### PREGNANT WOMEN

If you are pregnant, your seat belt can help protect yourself and the baby you are expecting. Make sure the lap belt is low on your hips, under your abdomen, and the shoulder belt is resting closely and comfortably across your chest and shoulder.

**Tip:** During wintry conditions, you may have to loosen a heavy coat or lift it out of the way so it does not interfere with the proper adjustment of the seat belt.

#### MEDICAL EXEMPTION

For almost every medical problem or physical situation, wearing a seat belt increases your protection against death or serious injury. However, if a physical condition inhibits the proper use of a seat belt, you may be exempt from the seat belt law if your doctor certifies your condition



and exemption in writing. Certification must be on the physician's letterhead and carried with you when you travel. For more information, see publication "Guidelines for Granting Medical Exemptions from Seat Belt Use" (C-58), available from the DMV Internet Office, by request from a DMV Call Center, and at any motor vehicle office.

#### AIR BAGS

An air bag provides extra protection against crash injuries. It works with seat belts, and does not replace them. An air bag helps protect a front seat occupant in a head-on or side crash by inflating upon impact. This rapid inflation cushions the occupant from collision with the steering-wheel, dashboard, windshield, side windows, or metal doorframe.

Air bags deploy (expand rapidly) from the steering wheel and/or dashboard, and, in some vehicles, from the side doors beneath or above the window. The force of an air bag deploying may injure those who sit too close to it. Make sure to sit with at least 10 inches between the center of your breastbone and the air bag cover. If you are the vehicle's driver, place your hands on the steering-wheel at the 3 and 9 o'clock positions to keep them out of the way of air bag deployment. For maximum protection, children age 12 and under should sit in the rear seat of the vehicle.

**Tip:** Never put an infant in a rear-facing child safety seat in the front seat of a vehicle that has an air bag on or in the dashboard.



To schedule a child safety seat inspection, call 426-1000 ext. 2440 or email [trafficsafety@aaahv.com](mailto:trafficsafety@aaahv.com)

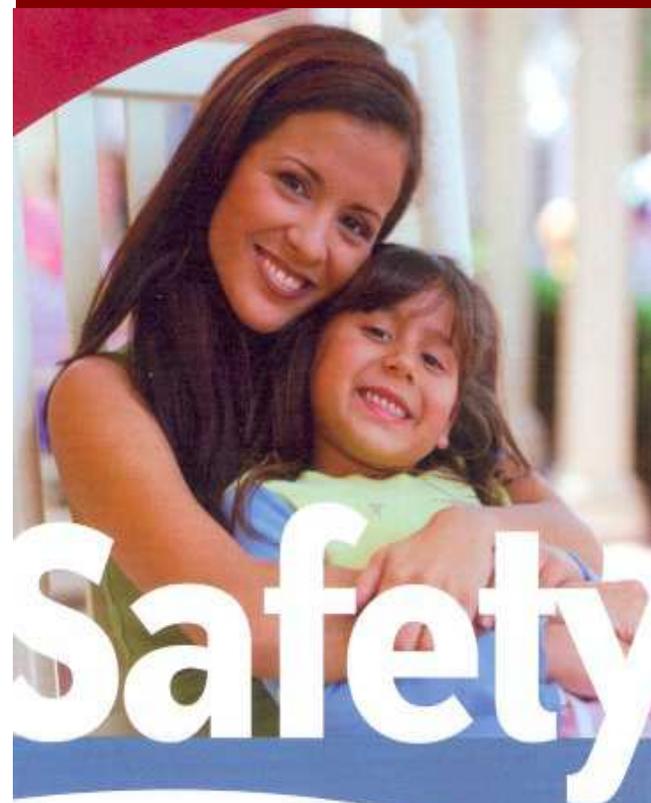
\*Free member child seat loaner program available\*

For a full listing of Fitting Stations and Child Passenger Safety Technicians: [SafeNY.com](http://SafeNY.com)

NEW YORK STATE  
DEPARTMENT OF MOTOR VEHICLES

ANDREW M. CUOMO GOVERNOR  
BARBARA J. FIALA, COMMISSIONER

# NYS DMV



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To schedule a child safety seat inspection, with AAA Hudson Valley, call: 426-1000 ext. 2440 or email: [trafficsafety@aaahv.com](mailto:trafficsafety@aaahv.com)

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