

Illinois Child Passenger Protection Act

2003 Updates

Effective January 1, 2004



Public Act #83-8, The Child Passenger Protection Act, has been in effect in Illinois since July 1, 1983. The law, amended effective January 1, 2004 requires anyone who transports children in Illinois in non-commercial vehicles to do so in the following manner:

- Children **under the age of eight years** must be secured in an appropriate child restraint system, more commonly called a child safety seat. Child safety seats include infant seats, convertible seats (rear-facing for infants and forward-facing for toddlers) and booster seats that are used with the vehicle lap and shoulder belt system.
- Children **weighing more than 40 pounds** may be transported in the back seat of a motor vehicle while wearing only a lap belt if the back seat is not equipped with a lap and shoulder belt system.
- Children and young people **eight and up to 16 years of age** must be secured in a properly adjusted safety belt in any position in the vehicle.
- The parent or legal guardian of a child **under the age of eight years** is responsible for providing a child safety seat to anyone who transports his or her child.
- Every person **under the age of 18 years** who transports a child **eight years of age or older (up to 18 years)** is responsible for securing that child in a properly adjusted and fastened safety belt or child safety seat.

Those found in violation of the law the first time will be fined \$50, which is waived upon proof of possession of an approved safety seat. Subsequent violations are punishable by a \$100 fine.

Children with physical disabilities that prevent the use of standard safety seats are exempt from the provisions of the law if the disability is duly certified by a physician.

This information summary is provided by the Illinois Department of Transportation, Division of Traffic Safety, located at 3215 Executive Park Drive, PO BOX 19245, Springfield, IL 62794-9245, 1-217-785-3038.

The Illinois Safety Belt Law

Revised July 3, 2003

REQUIREMENTS

Each driver and front seat passenger of a motor vehicle operated on a street or highway in this State shall wear a properly adjusted and fastened seat safety belt; except that, a child less than 16 years of age shall be protected as required pursuant to the Child Passenger Protection Act.



Each driver under the age of 18 years and each of the driver's passengers under the age of 18 years of a motor vehicle operated on a street or highway in this State shall wear a properly adjusted and fastened seat safety belt.

Each driver of a motor vehicle transporting a child 6 years of age or more, but less than 16 years of age, in the front seat of the motor vehicle shall secure the child in a properly adjusted and fastened seat safety belt.

EXEMPTIONS

- A driver or passenger frequently stopping and leaving the vehicle or delivering property from the vehicle, if the speed of the vehicle between stops does not exceed 15 miles per hour.
- A driver or passenger possessing a written statement from a physician that such person is unable, for medical or physical reasons, to wear a seat safety belt.
- A driver or passenger possessing an official certificate or license endorsement issued by the appropriate agency in another state or country indicating that the driver is unable for medical, physical, or other valid reason to wear a seat safety belt.
- A driver operating a motor vehicle in reverse.
- A motor vehicle with a model year prior to 1965.
- A motorcycle or motor driven cycle.
- A motorized pedal cycle.
- A motor vehicle which is not required to be equipped with seat safety belts under federal law.
- A motor vehicle operated by a rural letter carrier of the United States Postal Service while performing duties as a rural letter carrier.

Violations

Failure to wear a seat safety belt in violation of this Section shall not be considered evidence of negligence, shall not limit the liability of an insurer, and shall not diminish any recovery for damages arising out of the ownership, maintenance, or operation of motor vehicle.

A violation of this Section shall be a petty offense and subject to a fine not to exceed \$25.

A law enforcement officer may not search or inspect a motor vehicle, its contents, the driver, or a passenger solely because of a violation of Section 12-603.1 of the Illinois Vehicle Code.

- Safety Belts must be worn by all drivers.
- Safety Belts must be worn by all passengers.
- Drivers responsibility to see that all front seat passengers are belted in.
- Children under the age of 8 years must be secured in an approved child restraint system.

