

ENFORCEMENT OF THE CHILD PASSENGER PROTECTION LAW

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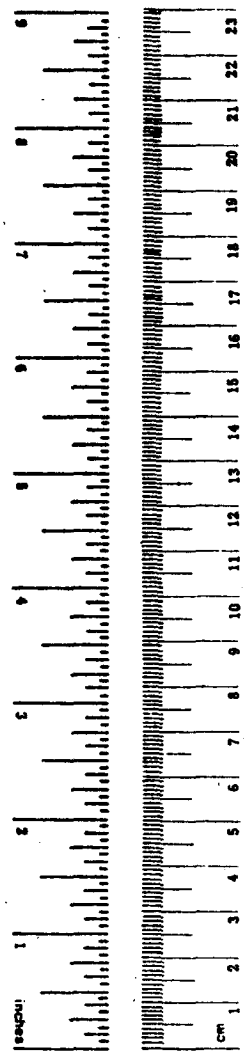
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16. Abstract <p>This report describes the Tennessee law enforcement agencies and their role in the enforcement of the child passenger protection law. Chapter I introduces the importance of protecting child passengers in motor vehicles, describes the child passenger protection law and outlines the objectives and tasks of the Child Passenger Safety Program. Chapter II briefly describes the three major enforcement systems in Tennessee, describing their chains of command and their methods of operation. Chapter III discusses particular characteristics of the child passenger protection law which make it difficult to enforce. Chapter IV provides an analysis of a survey taken to gather enforcement officers' opinions concerning the law. Chapter V describes two innovative enforcement programs. Chapter VI provides conclusions and recommendations.</p>					
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Approximate Conversions to Metric Measures

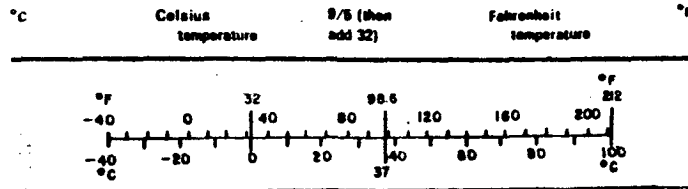
Symbol	When You Know	Multiply by	To Find	Symbol
LENGTH				
in	inches	2.5	centimeters	cm
ft	feet	30	centimeters	cm
yd	yards	0.9	meters	m
mi	miles	1.6	kilometers	km
AREA				
in ²	square inches	6.5	square centimeters	cm ²
ft ²	square feet	0.09	square meters	m ²
yd ²	square yards	0.8	square meters	m ²
mi ²	square miles	2.6	square kilometers	km ²
	acres	0.4	hectares	ha
MASS (weight)				
oz	ounces	28	grams	g
lb	pounds	0.45	kilograms	kg
	short tons (2000 lb)	0.9	tonnes	t
VOLUME				
tsp	teaspoons	5	milliliters	ml
Tbsp	tablespoons	15	milliliters	ml
fl oz	fluid ounces	30	milliliters	ml
c	cups	0.24	liters	l
pt	pints	0.47	liters	l
qt	quarts	0.95	liters	l
gal	gallons	3.8	liters	l
ft ³	cubic feet	0.03	cubic meters	m ³
yd ³	cubic yards	0.76	cubic meters	m ³
TEMPERATURE (exact)				
°F	Fahrenheit temperature	5/9 (after subtracting 32)	Celsius temperature	°C

*1 in = 2.54 (exactly). For other exact conversions and more detailed tables, see NBS Misc. Publ. 286, Units of Weights and Measures, Price \$2.25, SD Catalog No. C13.10.286.



Approximate Conversions from Metric Measures

Symbol	When You Know	Multiply by	To Find	Symbol
LENGTH				
mm	millimeters	0.04	inches	in
cm	centimeters	0.4	inches	in
m	meters	3.3	feet	ft
m	meters	1.1	yards	yd
km	kilometers	0.6	miles	mi
AREA				
cm ²	square centimeters	0.16	square inches	in ²
m ²	square meters	1.2	square yards	yd ²
km ²	square kilometers	0.4	square miles	mi ²
ha	hectares (10,000 m ²)	2.6	acres	
MASS (weight)				
g	grams	0.035	ounces	oz
kg	kilograms	2.2	pounds	lb
t	tonnes (1000 kg)	1.1	short tons	
VOLUME				
ml	milliliters	0.03	fluid ounces	fl oz
l	liters	2.1	pints	pt
l	liters	1.06	quarts	qt
l	liters	0.26	gallons	gal
m ³	cubic meters	35	cubic feet	ft ³
m ³	cubic meters	1.3	cubic yards	yd ³
TEMPERATURE (exact)				
°C	Celsius temperature	9/5 (then add 32)	Fahrenheit temperature	°F



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PREFACE

This report is one in a series of eleven reports on the Child Passenger Safety Program in Tennessee. These reports are:

1. The Tennessee Child Passenger Safety Program;
2. The Impact of a Child Passenger Restraint Law and a Public Information and Education Program on Child Passenger Safety in Tennessee;
3. Development of Materials in an Effort to Promote Child Passenger Safety;
4. Use of Telephone Surveys to Determine Awareness of Tennessee's Child Passenger Protection Law;
5. Organizational Networks for Promoting Child Passenger Safety;
6. Judicial Perspectives on Child Passenger Protection Legislation;
7. Enforcement of the Child Passenger Protection Law;
8. Development of a Child Passenger Safety Component for Driver Education Programs;
9. Parents' Knowledge, Attitudes and Behavior About Child Passenger Safety;
10. Child Restraint Device Loaner Programs; and
11. Compliance with the Child Passenger Protection Law: Effects of a Loaner Program for Low-Income Mothers.

This report describes Tennessee law enforcement agencies and their role in enforcing the child passenger protection law. The first six months of the law (January 1 to July 1, 1980) were set aside to provide intensive amounts of information to the public and to maintain a minimum level of enforcement. It was felt that the long-range effectiveness of the law would be enhanced through a strong public information and education (PI&E) program early in the program. After this initial PI&E effort, one might assume that enforcement of the law would occur naturally. However, due to certain weaknesses in the law, many officers were lax in enforcing it. Since it was felt that no enforcement seemed equivalent to no law, the Child Passenger Safety Program staff increased its efforts to get the law enforced to the fullest extent possible. A special enforcement campaign was developed, but immediate results of increased enforcement resulting in increased child restraint device (CRD) usage rates were not seen. In late 1979, the Tennessee Highway Patrol and the Chattanooga city police initiated their own special enforcement programs. Each agency actually loaned violators CRDs which were returned when the case went to court. While no study has yet been performed to

determine the impact this special enforcement program has had on CRD usage, the loaner programs have generated a dramatic increase in citations issued. In addition, officers' attitudes toward child passenger safety seem to be improving, and more officers are indicating that they will continue to issue citations to violators of the child passenger protection law.

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I. INTRODUCTION

Automobile accidents are the leading cause of death to children over one month of age. The National Highway Traffic Safety Administration reports that children in the birth to four-year-old group sustained 5,411 motor vehicle-related deaths and injuries in 1979. Of this number, 680 deaths were pedestrian accidents and 20 were accidents involving pedacycles. In Tennessee, 17 children under age five lost their lives in automobile accidents in 1978. During this same period, 1,000 injuries to small children in the state were reported by the Tennessee Department of Safety (1978).

It is believed that these reported cases underrepresent the actual number of children adversely affected by automobile accidents. Unrestrained children frequently are injured when the automobile stops suddenly, swerves or takes a sharp curve. Most parents are aware of the additional hazards of unrestrained children sticking their heads and hands out of automobile windows, opening car doors and distracting the driver. Furthermore, these dangers are compounded by the physical characteristics of young children. The head and upper torso of the young child are large and heavy in proportion to other parts of the body. This means that head and upper torso are likely to be the first parts of the body to strike objects when the child is thrown off balance.

Studies indicate that children who are unrestrained in passenger vehicles are more likely to be killed or injured in an accident than those who are restrained. A Washington state seat belt study indicated that if all children under the age of five years were restrained at the time of an accident, a reduction of deaths by 91 percent and of injuries by 78 percent might be expected (Scherz, 1974). However, seat belts used alone do not provide adequate protection for small children. Shelness and Charles (1975) document the need for small children to wear special CRDs. They discovered that seat belts (lap type) can slip on the child's abdomen and cause internal injury during a crash. They point out further that children (infants in particular), due to their proportionally short legs and large heavy heads, are far more likely than are adults to be thrown about in a vehicle upon collision.

An example of the ineffectiveness of seat belts for small children is demonstrated by the Australian experience. Since 1971, Australia has required the use of seat belts for all passengers in motor vehicles. During the period 1972 to 1974, a reported 25 percent reduction in fatalities and a 20 percent reduction in injuries in most categories occurred. However, statistics show no significant reduction in fatalities and injuries of small children during this period (Boughton, Lancashire and Johnston, 1977).

Although many parents are aware of these dangers and the additional risks to young children because of their anatomical development, relatively few parents take active measures to protect their children while traveling in automobiles. The Insurance Institute for Highway Safety reported that 93 percent of children under ten years of age ride as passengers in vehicles without any type of restraint (Williams, 1976). On the basis of an observational study of child passengers traveling to and from amusement areas and

shopping centers in Maryland, Massachusetts and Virginia, it is documented that, of the children under four years of age who were riding in CRDs, only 27 percent were properly restrained against death or injury (Williams, 1976). Thus, even those who are aware of the benefits of using CRDs need education in their proper use.

Child Passenger Protection Legislation in Tennessee

In 1977, the Tennessee legislature passed legislation requiring parents or guardians to provide protection for children and infants under the age of four years while riding in a motor vehicle. The child passenger protection law specifically requires that the child or infant be restrained in a federally-approved CRD or be held in the arms of an older passenger (see Appendix A). Public health officers, legislators and the Tennessee Chapter of the American Academy of Pediatrics were instrumental in securing passage of the bill. Dr. Robert Sanders, Director of the Rutherford County Health Department in Murfreesboro, Tennessee, had served as a member of a state accident prevention task force and had begun efforts to introduce a child restraint bill as early as 1974.

On January 1, 1978, the law became effective, making Tennessee the first state in the nation to pass such legislation. There are six basic points to the law.

1. The law applies only to parents and legal guardians who are driving their own cars.
2. Only children under the age of four must be restrained.
3. The child can be held by an older passenger (the so-called "babes-in-arms" clause).
4. The CRD must be one that is federally approved.
5. The CRD must be used properly.
6. The law does not apply to recreational vehicles of the truck or van type or to trucks having a tonnage rating of one ton or more.

The Tennessee Child Passenger Safety Program

Since mere passage of the law did not ensure a reduction of deaths and injuries to Tennessee children, the Tennessee Governor's Highway Safety Program and the National Highway Traffic Safety Administration jointly sponsored the Child Passenger Safety Program. The broad goals of this program were (1) to publicize the law, (2) to educate the people of the state of Tennessee about the importance of CRDs and (3) to evaluate the effectiveness of these efforts and the overall impact of the legislation on reducing deaths and injuries to children under the age of four years involved in automobile accidents in Tennessee. The Child Passenger Safety Program began three months prior to January 1, 1978,

to permit collection of baseline data on CRD usage. The program continued for a 36-month period. The Transportation Center of The University of Tennessee and the Tennessee Governor's Highway Safety Program worked jointly to accomplish the program's objectives and tasks.

Objectives of the Tennessee Child Passenger Safety Program

The project was divided into three major activity areas: (1) public information and education--PI&E, (2) evaluation and (3) management. Sixteen specific objectives were identified; these are listed in Table 1. In order to accomplish these objectives, 34 specific tasks were developed (see Table 2) concerning topics such as enforcement, adjudication, child restraint systems, child passenger accident records, legislation, advertising, education and support of various groups and organizations. Objectives I-V related to the evaluation area of the project; Tasks 1-13 were developed to meet these objectives. Objectives VI-XIV related to the PI&E component of the project; Tasks 14-33 were identified to satisfy these objectives. Management activities were encompassed by Objective XVI and Task 34. An effective integration of all these activities and tasks was pursued to ensure the greatest positive impact of the law.

In order to evaluate the effectiveness of the PI&E campaign in increasing CRD usage, it was necessary to determine how many parents and guardians used CRDs prior to January 1, 1978, when the law took effect and the PI&E activities began. A data collection plan was developed to obtain information on usage of CRDs before and after January 1, 1978. The data collection involved a complex procedure, with data collection intervals staggered throughout the duration of the program at six selected target areas. These areas included five major urban centers (Memphis, Nashville, Chattanooga, Knoxville and the Tri-Cities area) and one rural area (composed of merged data from Dyersburg, Columbia and Morristown). These areas are shown in Figure 1. The baseline data collected prior to January 1, 1978, provided information on the use of CRDs, the number of people using seat belts, demographic characteristics of the population surveyed and other information vital to the evaluation activities of the program.

The intent of the PI&E program was to determine effective educational efforts for increasing CRD usage rates and market segments with which they could be successful. The PI&E program consisted of two parts--the basic state plan (which included low profile statewide activities throughout the duration of the program) and the comprehensive plan (consisting of intensive promotional activities). The basic state plan required only the distribution of brochures and posters to hospitals, doctors' offices, clinics and other strategic places to which parents with small children may visit frequently. The comprehensive plan not only included the same activities, but also utilized television and radio public service announcements, outdoor advertising, displays and contact with special interest groups and driver education programs. Newspapers were encouraged to run editorials and feature stories and to cover events such as CRD related press conferences. A loaner program to help low-income families acquire CRDs supplemented the comprehensive plan in Memphis and Chattanooga. Comparisons of the impacts of the comprehensive plan with those of the basic state plan were made.

TABLE 1
CHILD PASSENGER SAFETY PROGRAM OBJECTIVES

Objective	Description
I.	Determine the compliance with the enforcement of Tennessee's child passenger protection law.
II.	Determine the number of convictions for violation of the Tennessee child passenger protection law.
III.	Determine the attitude of adults toward and availability of CRDs.
IV.	Determine the number of deaths and injuries of children (under the age of four) resulting from being a passenger in an automobile involved in an accident.
V.	Determine the public awareness of the law and attitudes toward it.
VI.	Increase the usage of CRDs and encourage the enforcement of the Tennessee child passenger protection law through press coverage in newspapers across the state.
VII.	Promote an awareness of the child passenger protection law and increase proper usage of CRDs through television advertising.
VIII.	Increase public awareness of the child passenger protection law and encourage CRD usage through public service announcements on the radio.
IX.	Select an image slogan with emphasis on easy visual and audio identification to be used on all printed materials, radio and television.
X.	Promote proper use of CRDs and knowledge of the child passenger protection law through outdoor advertising.
XI.	Educate as many people as possible about the proper use of CRDs and the law by utilizing printed materials (posters, brochures, handouts, etc.).
XII.	Encourage the increased use of CRDs and provide knowledge of the child passenger protection law by utilizing audiovisual presentations.

TABLE 1 (continued)

Objective	Description
XIII.	Develop an awareness of the child passenger protection law and its implications in driver education classes in secondary public schools throughout the state by designing an instructional packet for class use.
XIV.	Provide CRDs for selected citizens who cannot afford them by making the national CRD manufacturers aware of the Tennessee child passenger protection law and encouraging each manufacturer to donate approximately 25 CRDs to local law enforcement agencies, civic groups, etc., across the state.
XV.	Develop and generate support and endorsement from organizations such as enforcement agencies, civic groups, pediatricians, hospitals, etc.
XVI.	Ensure that the project is managed in an effective and efficient manner.

TABLE 2
CHILD PASSENGER SAFETY PROGRAM TASKS

Task	Description
1.	Observational Survey of CRD Usage
2.	Survey of CRD Proper/Improper Use
3.	Survey of Number of Arrests
4.	Attitudinal Survey of Enforcement Agencies
5.	Survey of Number of Convictions
6.	Survey of Judges' Attitude Toward Law
7.	Survey of CRD Availability (Manufacturers, Wholesalers, Retailers)
8.	Attitudinal Survey of Owners of CRDs (Personal Interview)
9.	Attitudinal Survey of Owners of CRDs (Telephone Survey)
10.	Safety Agencies Survey of Accident Data
11.	Survey of Hospital Records
12.	Determination of Public Awareness (Personal Interview)
13.	Determination of Public Awareness (Telephone Survey)
14.	Newspaper Coverage
15.	Public Service Television Spots
16.	Television News Spots
17.	Radio News Spots
18.	Radio Feature Programs
19.	News Interviews with Project Participants

TABLE 2 (continued)

Task	Description
20.	Image/Slogan Selection
21.	Designing of Billboards
22.	Designing of Brochures and Posters
23.	Development and Reproduction of Audiovisual Presentations
24.	Instructional Packet for Driver Education Programs
25.	Establishment of a CRD Loaner System
26.	Identification of Sources of Endorsement and Support
27.	Exchange Information and Materials
28.	Communication with Tennessee Department of Safety
29.	Communication with the National Safety Council
30.	Provide Materials to Prenatal Groups
31.	Development of Portable Exhibit
32.	Department Store Advertisement
33.	System of Communication with CRD Manufacturers
34.	Management of Project

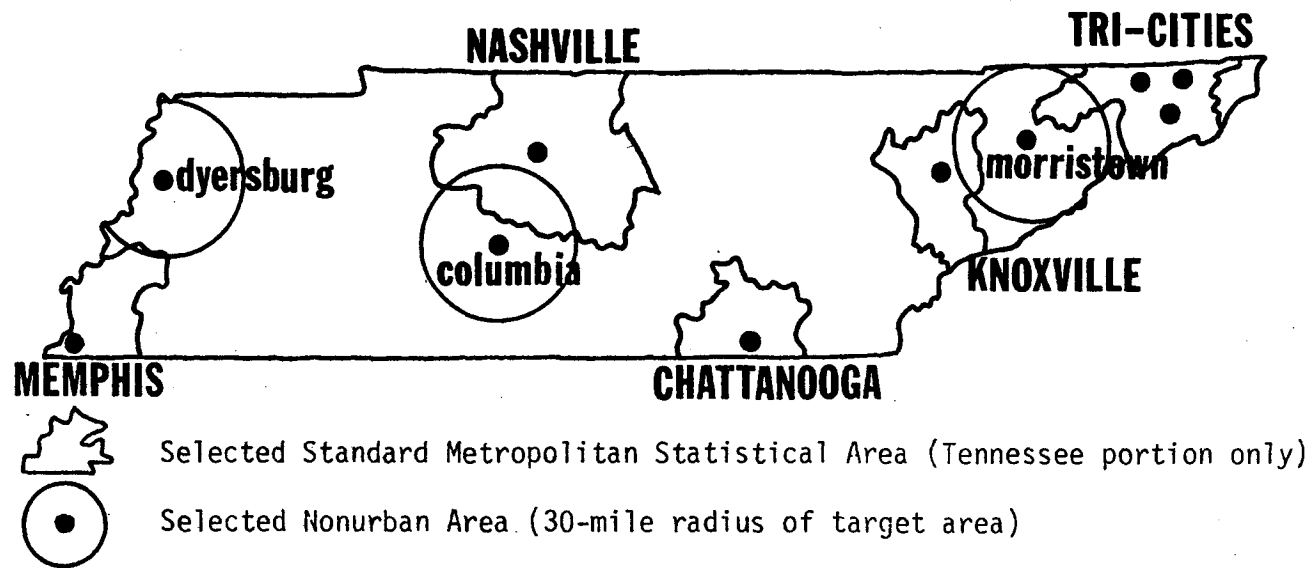


FIGURE 1

LOCATION OF TARGET AREAS FOR DATA COLLECTION

Figure 2 shows the data collection and PI&E implementation schedule of the two plans in the various target areas. The initial data collection occurred prior to the effective date of the law and PI&E program. This data collection was taken to obtain baseline usage rate data. The samplings, taken every six months after the implementation of the law and PI&E program, were called semiannual surveys. The comprehensive plan was first implemented in Nashville. The implementation schedule shown in Figure 2 permitted a comparison of the impact of the basic state plan and the comprehensive plan.

In the study, the number of target areas receiving the comprehensive plan (Figure 2) was to be increased each six-month interval until all target areas were included. A loaner program (Figure 2) designed to provide CRDs to selected citizens who could not afford them was implemented in Memphis beginning six months after the effective date of the law. Chattanooga received a loaner program six months after the Memphis loaner program was established. The objective of the loaner programs was to develop administrative procedures for establishing area-wide loaner programs rather than to attempt to reduce deaths and injuries. There were not a sufficient number of CRDs available through the loaner program to impact the death and injury rate.

Community Descriptors

Physical Environment. Tennessee is divided into 95 counties, grouped for geographic and cultural reasons into three regions--East, Middle and West. To facilitate planning and programming, the state consists of nine economic development districts.

Population. The population of Tennessee at the time of the 1970 census was about 3,926,018; the most recent estimate (1979) showed the population to be 4,380,000. Populations of the study areas are shown in Table 3.

Licensed Drivers and Registered Vehicles. In 1976, Tennessee had 2,532,672 drivers with valid licenses; in 1977, 2,611,558; in 1978, 2,696,652, and in 1979, 2,755,445. In 1976 there were a total of 3,420,097 motor vehicles registered in the state; in 1977 a total of 3,666,757 motor vehicles were registered; in 1978 this total increased to 3,799,193.

Special Factors. The 1970 census showed that there were 256,650 children in Tennessee in the under-four age group. The most recent estimate (1979) showed there were 325,966 children under four years of age in Tennessee. Table 4 shows the number of children under four years of age who were injured in passenger vehicle accidents from 1974 through 1979. Data on injuries to children under one year of age were unknown. It is estimated that injuries for this category were approximately the same as the one year old category.

Summary

The Child Passenger Safety Program was created to publicize the child passenger protection law, to educate the people of Tennessee about the importance of CRDs, to evaluate these efforts and to evaluate the overall

Target Area	Oct. 77	Jan. 78	July 78	Jan. 79	July 79	Jan. 80	July 80	Oct. 80
Memphis		BSP	CP + LP	CP + LP	CP + LP	CP + LP		
	BLD	SAS	SAS	SAS	SAS			
Nashville		CP	CP	CP	CP	CP		
	BLD	SAS	SAS	SAS	SAS			
Knoxville		BSP	CP	CP	CP	CP		
	BLD	SAS	SAS	SAS	SAS			
Chattanooga		BSP	BSP	CP + LP	CP + LP	CP + LP		
	BLD	SAS	SAS	SAS	SAS			
Tri-Cities		BSP	BSP	CP	CP	CP		
	BLD	SAS	SAS	SAS	SAS			
Nonurban Dyersburg Columbia Morristown		BSP	BSP	CP	CP	CP		
	BLD	SAS	SAS	SAS	SAS			

Analysis and Report Preparation

Legend: BLD = Baseline Data CP = Comprehensive Plan (includes BSP)
 SAS = Semiannual Survey LP = Loaner Program
 BSP = Basic State Plan

FIGURE 2
 DATA COLLECTION AND PUBLIC INFORMATION AND EDUCATION
 IMPLEMENTATION PLAN

TABLE 3
COMMUNITY DESCRIPTORS

Descriptors	1976	1977	1978
A. Population			
Tennessee	4,234,000	4,292,000	4,332,954
Memphis	667,880	668,443	663,769
Nashville	430,941	428,957	425,424
Knoxville	185,649	184,942	185,236
Chattanooga	162,077	165,280	162,778
Tri-Cities	100,234	101,327	100,532
Columbia	22,583	22,944	23,258
Dyersburg	15,673	15,573	15,768
Morristown	20,799	20,673	20,479
B. Licensed Drivers	2,532,672	2,611,558	2,696,652
C. Registered Vehicles	3,420,097	3,666,757	3,799,193
D. Children Under Four Injured in Motor Vehicle Accidents	1,054	979	1,000

TABLE 4
TENNESSEE MOTOR VEHICLE ACCIDENT DATA
FOR CHILDREN UNDER AGE FOUR

Year	Number Injured
1974	702
1975	899
1976	1,057
1977	979
1978	1,000
1979	874

impact of the child passenger protection law on reducing deaths and injuries to children. Specific objectives and tasks were developed among three activity areas--PI&E, evaluation and management.

This report describes the Tennessee law enforcement agencies and their role in the enforcement of the child passenger protection law. Chapter II of this report briefly describes the three major enforcement systems in Tennessee, describing their chains of command and their methods of operation. Chapter III discusses the particular characteristics of the law which make it difficult for officers to enforce. Chapter IV provides an analysis of a survey taken to gather enforcement officers' opinions concerning the law. Chapter V describes two innovative enforcement programs. Chapter VI provides conclusions and recommendations.

II. TENNESSEE ENFORCEMENT SYSTEMS

Tennessee's highway safety laws are enforced through a complex network created by the separate jurisdictions of three levels of law enforcement agencies--the Tennessee Highway Patrol, city police departments and county sheriff departments. Each of these agencies differs in its organizational structure as well as in the responsibilities of its officers.

Tennessee Highway Patrol

The Tennessee Department of Safety has the broadest responsibility of any law enforcement agency in the state through the Tennessee Highway Patrol. The Tennessee Highway Patrol is made up of four field divisions, each of which includes two districts: First Division, Knoxville-Kingsport; Second Division, Chattanooga-Lawrenceburg; Third Division, Nashville-Cookeville; Fourth Division, Memphis-Jackson (Thomas, 1979). The primary responsibilities of the Tennessee Highway Patrol are: (1) to patrol the state highways and promote their safe use through a combined program of education and traffic law enforcement; (2) to supply information and assistance to the traveling public; (3) to administer first aid; (4) to investigate accidents and (5) to assist other law enforcement agencies in maintaining law and order (Thomas, 1979).

The Commissioner of Safety is the overall administrator and policymaker for the Tennessee Highway Patrol. Other positions in descending order of rank are Colonel, Lieutenant Colonel, Division Major, District Captain, Administrative Lieutenant, Field Lieutenant, Sergeant and Trooper. Currently, the Tennessee Highway Patrol has a sworn strength of 628 officers. Officers must meet or exceed the qualifications listed in Appendix B. After employment, each recruit must complete eight weeks of training at the Tennessee Law Enforcement Training Academy in Donelson, Tennessee (Tennessee Law Enforcement Planning Commission, 1973). After this initial training, the troopers are required to complete at least one week of in-service training, conducted at the district levels by Tennessee Highway Patrol training staff.

In addition to the four field divisions, the Tennessee Highway Patrol has a Division of Staff and a Division of Driver Control. The Division of Staff functions in a support capacity to the field operations and is made up of the following sections--Personnel, Training, Safety-Education-Public Information, Supply, Maintenance, Communications and Fiscal Services. The Division of Driver Control is responsible for driver license issuance, processing and enforcing the financial responsibility laws, driver education and improvement and maintenance of all related records (Tennessee Law Enforcement Planning Commission, 1973).

City Police Departments

The many incorporated cities throughout Tennessee generally have their own city police organizations to enforce the laws within their political boundaries. The size of these city police forces varies with the size of the particular municipality. Each city is required by law (TCA 6-2128) to appoint a chief of police and any additional personnel (clerical, regular officers) as necessary.

The duties of the members of the police force as described by law (TCA 6-2129) are: (1) to preserve order in the city; (2) to protect the inhabitants and the property owners therein from violence, crime and all criminal acts; (3) to prevent the commission of crime and violations of the law and city ordinances; and (4) to perform general police duties. Many city police forces are made up of the following officers, listed in descending order of rank--Chief of Police, Division Chief, Assistant Chief, Chief Inspector, Major or Inspector, Captain, Lieutenant, Warrant Officer, Sergeant, Patrolman. In addition, civilian personnel and groups like the School Mothers Patrol are part of police forces in larger metropolitan areas.

Each of the four major metropolitan police departments (Memphis, Nashville, Chattanooga and Knoxville) conduct basic training classes, averaging ten weeks in duration, for their newly employed officers. The other police departments throughout the state generally send their new recruits to the state training academy for their basic training. In-service training (up to 40-hours) and specialized courses are offered by each police agency as the need requires.

County Sheriff's Department

Within each of Tennessee's 95 counties is a sheriff who has complete police jurisdiction within that county (except Davidson County, which is encompassed by the Nashville city police, due to its metropolitan form of government for city and county). The size of each sheriff's department (in terms of manpower) is based on the population of the particular county.

Tennessee sheriffs are constitutional officers elected by the voters of the county and serve for two-year terms. Sheriffs are limited to three two-year terms within any successive eight years. The sheriff may appoint chief deputies and regular deputies, their numbers being determined by the county court clerk.

The duties of the sheriff and the deputies are: (1) to suppress all affrays, riots, routs, unlawful assemblies, insurrections or other breaches of the peace (TCA 38-202, 8-833); (2) to enforce other laws as prescribed by state statute, including the areas of conservation, gambling, arson and the importation of diseased animals; (3) to maintain the county jail and work-house and to provide for the care and custody of prisoners placed there by the court; and (4) to supervise activities of the court, baliff, jury selection, and attendance of witnesses.

The sheriff's departments in the major metropolitan areas offer their own in-service training programs as the need arises. Other sheriff's departments utilize the Law Enforcement Training Academy for their in-service training needs.

III. CHARACTERISTICS OF THE LEGISLATION

The child passenger protection law (see Appendix A) has been criticized by law enforcement officers and other professionals because of the exemptions in the law. There are five basic points to the law.

First, the law, which applies only to Tennessee residents, requires that parents or legal guardians restrain their children while riding in their own motor vehicles. Grandparents, uncles and aunts, babysitters and friends all may carry the child in a motor vehicle without providing any protection at all. This clause in the law makes it difficult to enforce, since it requires enforcement officers to make an assumption that the children are traveling with their parents/guardians and that the parents/guardians are driving their own cars.

Second, only children under four years of age are covered in the law. Thus, officers must make an assumption that the child is under four years of age. This is very difficult to do while the child or officer is riding in a moving vehicle. In addition, if the car is stopped by the officer, there is no way to prove the child's age at that particular time. The officer often must rely on the parent/guardian.

Third, the most controversial part of the law is an amendment to the original bill which permits a child to be held by an older passenger. Any older passenger, even a child over four, may hold a young child and be in compliance. This "babes-in-arms" clause as it is called is totally inconsistent with the original intent of the law. The clause was seen as a political compromise to appease those legislators who saw the law as an infringement of people's rights due to governmental interference. The addition of this clause makes the child passenger protection law even more difficult to enforce.

A fourth point to the law requires that the CRD used to be one which is federally approved and that the CRD be used properly. This requires that officers be familiar with the various federally approved CRDs and that they know when the seats are being used improperly.

Fifth, the law does not apply to children being transported in recreational vehicles of the van or truck type and trucks having a tonnage rating of one ton or more.

As one can see, an officer is required to exercise an extraordinary amount of judgment when attempting to enforce the child passenger protection law. These exemptions in the law make it quite difficult for an officer to provide an adequate level of enforcement to ensure a high level of compliance with the law.

IV. ENFORCEMENT OF THE CHILD PASSENGER PROTECTION LAW

Attitudes of Officers

Since the inception of the child passenger protection law, increases in observed usage of CRD have been statistically significant in all areas of the state (see Table 5). However, these increases have not been as great as desired despite the extensive PI&E efforts of the Child Passenger Safety Program and of other groups in the state.

It is known that enforcement agencies often have been reluctant to cite violators of the law. Due to the lack of a central traffic citation file at the state level, no data are available to indicate the number of arrest and/or convictions actually made since the enactment of the child passenger protection law in 1978. Law enforcement officials with encouragement from the Child Passenger Safety Program declared the first six months of 1978 to be a "grace period" to allow parents to become familiar with the law. However, during the last six months of 1978, only about 50 citations or warnings were issued. The net effect was relatively little enforcement in 1978. The absence of routine enforcement of the law appeared to have weakened its initial impact as suggested by the observed CRD usage rates. The ability to increase CRD usage rates in Tennessee appeared to be related to the level of enforcement of the law. (However, since enforcement and PI&E were never mutually exclusive, an increase or lack of increase cannot be attributed to either variable.)

The Child Passenger Safety Program developed a special enforcement campaign as a way of impressing upon the officers the need for increased enforcement of the law. "You Could Save A Child's Life Today" (Exhibit 1) was a brochure that was mailed to more than 5,000 members of the Fraternal Order of Police. Included in the brochure were two copies of the general information brochure (Child Passenger Safety . . . A Matter of Love) and two copies of reprinted newspaper articles which described accidents where CRDs were and were not used. Also included in the mailing was an Officer's Survey Card (see Exhibit 2) to be returned by the officers as a way of gathering their opinions concerning the child passenger protection law. However, due to the number of questionnaires returned being small (only 52), an additional 750 questionnaires were sent to Tennessee Highway Patrol enforcement officers during December 1979. This time, the turnout appeared to be more encouraging; 221 forms were received by March 1980. Briefly, five questions were asked on the questionnaire.

1. How many citations or warnings for child restraint violations have you given since the law went into effect?
2. Does your agency have a policy concerning child restraint law enforcement (e.g., only in case of an accident)?
3. Do you intend to give warnings or citations for child restraint violations in the future?
4. If you answered "No" on question 3, is there a primary reason why you will not issue child restraint warnings or citations?

TABLE 5
TENNESSEE CRD USAGE RATES¹

Target Area	Baseline Nov. 1977	First Operational Period May 1978	Second Operational Period Nov. 1978	Third Operational Period May 1979	Fourth Operational Period Nov. 1979
Nashville	14.0	22.1	19.0	19.1	24.56
Memphis	10.9	13.5	16.5	22.6	18.86
Knoxville	12.8	20.4	22.3	21.5	26.92
Chattanooga	10.9	16.5	9.2	15.0	23.67
Tri-Cities	10.7	17.9	15.1	19.9	20.62
Urban Average ²	11.8	18.3	17.0	20.0	22.9
Rural	6.5	12.5	9.7	13.0	14.51
Statewide Estimates ³	9.2	15.4	13.4	16.5	18.7

¹ Final figures based on combined Tier 1 and Tier 2 observations.

² Weight according to sample size.

³ Estimate = $\frac{1}{2}$ (Rural + Urban Average)

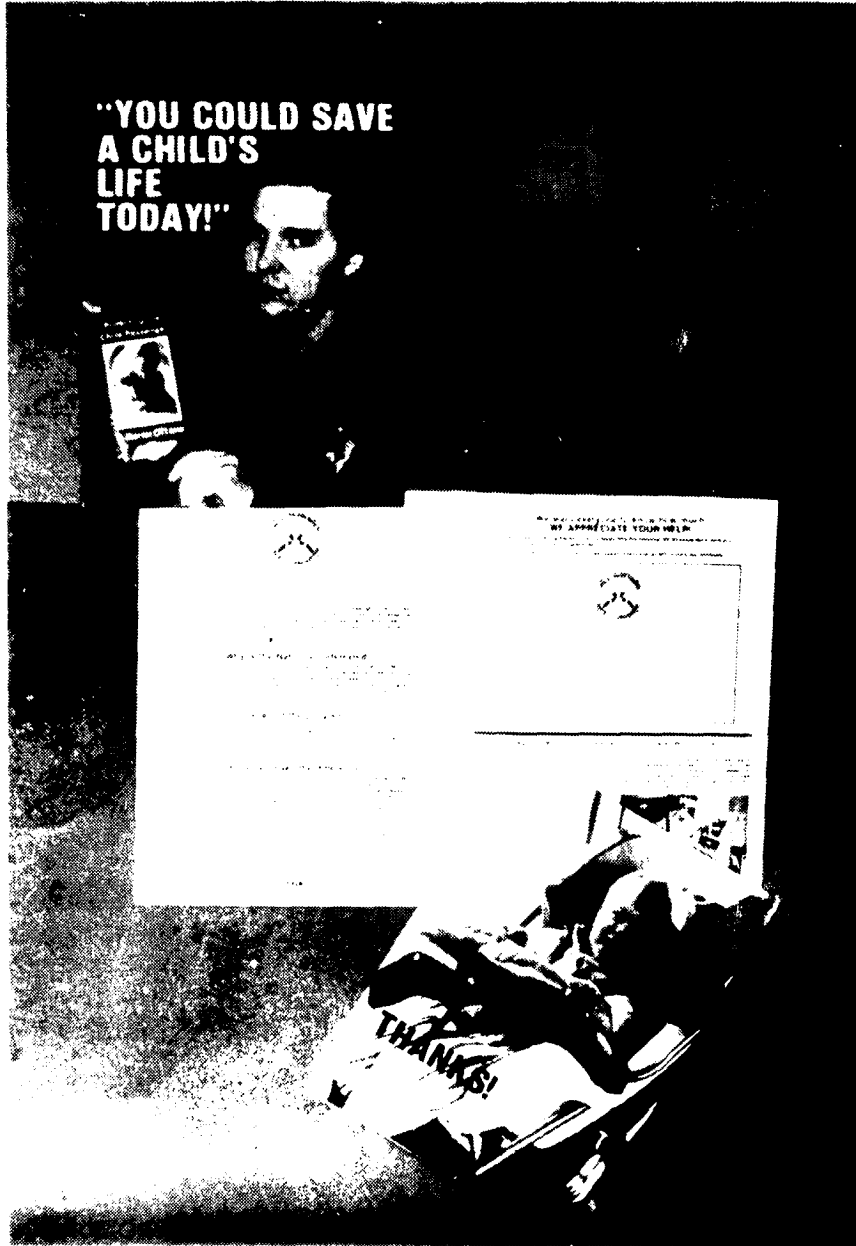


EXHIBIT 1
ENFORCEMENT CAMPAIGN BROCHURE

INTRODUCTION



It's not just your car, it's your family. The National Highway Traffic Safety Administration (NHTSA) is committed to making sure that every child who travels in a car is protected. This is why we've developed a series of brochures to help you understand the correct way to use child restraint devices. These brochures are available in both English and Spanish. They cover the most common types of child restraint devices: infant carriers, child safety seats, and booster seats. Each brochure includes a clear illustration of the device and a list of important safety tips. Please take the time to read these brochures carefully. They could save lives.

USING THE DEVICE CORRECTLY



Remember to use the correct type of child restraint device for your child's age, weight, and height. Always use the device in the correct way. Read the instructions carefully. If you're not sure, ask a professional. It's always better to be safe than sorry.



MOTHERS AND OTHER DEVICES WILL MAKE THEM VIRTUALLY USELESS

Be sure to ask your dealer questions so that you will be assured of selecting the device that best suits your child - you and your automobile.

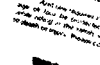
INFANT CARRIER

Infant carriers are designed for use in vehicles with LATCH or seat belts. They are not to be used in vehicles with air bags. Always use the carrier in the correct way. Read the instructions carefully.



CHILD SAFETY SEAT

Child safety seats are designed for use in vehicles with LATCH or seat belts. They are not to be used in vehicles with air bags. Always use the seat in the correct way. Read the instructions carefully.



BOOSTER SEAT

Booster seats are designed for use in vehicles with seat belts. They are not to be used in vehicles with air bags. Always use the seat in the correct way. Read the instructions carefully.



Protecting The Child Passenger

A Matter Of Love

WHY USE A RESTRAINT DEVICE?

Child restraint devices are designed to protect children in vehicles. They are not to be used in vehicles with air bags. Always use the device in the correct way. Read the instructions carefully.

TEENAGE LOVERS & CHILDREN

Child restraint devices are designed to protect children in vehicles. They are not to be used in vehicles with air bags. Always use the device in the correct way. Read the instructions carefully.

EXHIBIT 1 (continued)

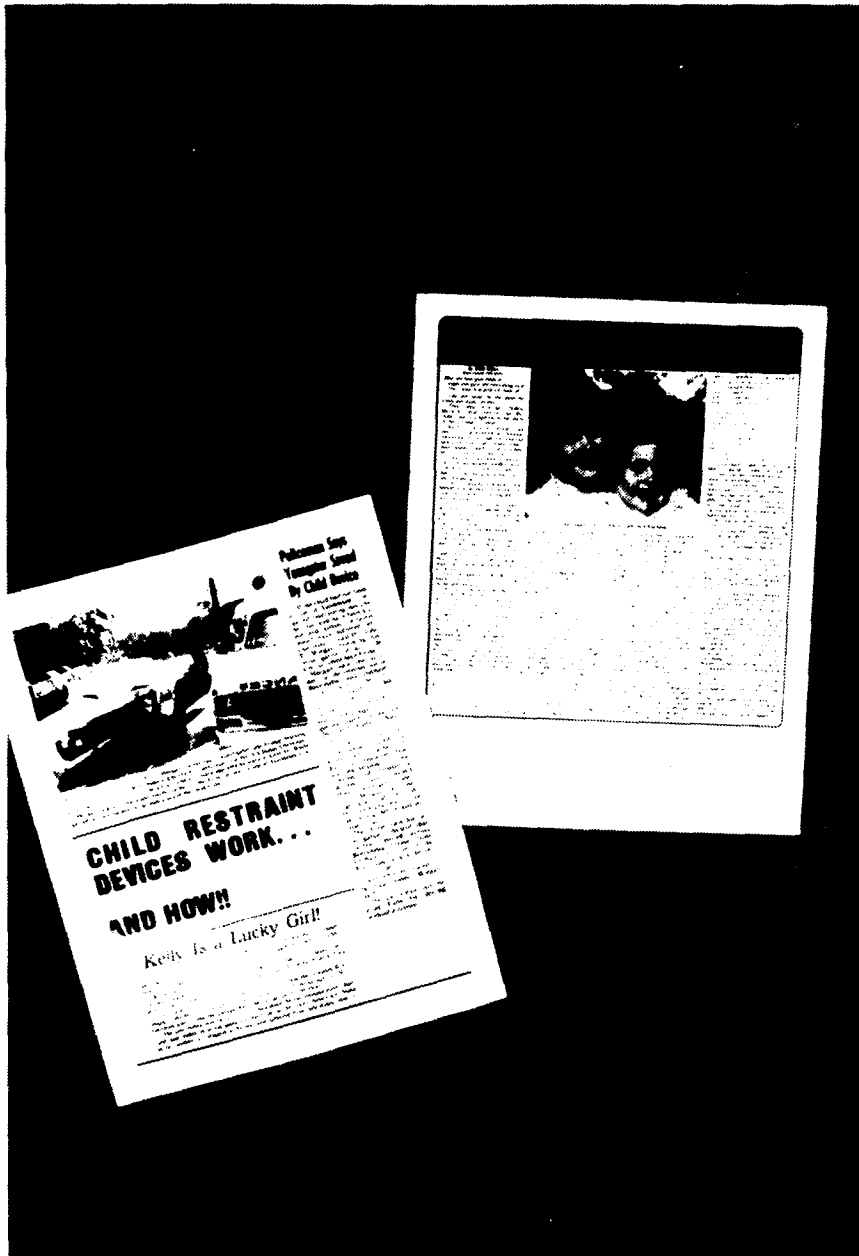


EXHIBIT 1 (continued)

Officer's Survey

Please help us! We need feedback from officers in the field concerning enforcement of the Child Passenger Restraint Law. Please answer the following items and mail this postage paid card as soon as possible.

1. How many citations or warnings for child restraint violations have you given since the law went into effect?
Citations _____ Warnings _____

2. Does your agency have a policy concerning child restraint law enforcement (e.g., only in case of an accident)? _____

3. Do you intend to give warnings or citations for child restraint violations in the future? Yes _____ No _____

4. If you answered "No" on question 3 is there a primary reason why you will not issue child restraint warnings or citations? _____

We would very much appreciate your comments. _____

Thanks!

EXHIBIT 2

OFFICER SURVEY

5. We would very much appreciate your comments.

The answers were coded, and the Statistical Package for Social Sciences was used to analyze the responses. Two methods were adopted. The first was a frequency run which gave a broad picture of each respective answer. The second was a cross tabulation run which examined the correlation between variables, if there was any. The two sets of forms were run separately and independently. The respective analysis of each period is described on the following pages.

For the first survey period, more than 86 percent of the officers (Table 6) did not give any citations, but they were more willing (more than 60 percent) to give warnings (Table 7). Most officers (62 percent) said that their agencies had a policy about CRD use (Table 8). However, they were not able to specify the policy. The majority (87 percent) indicated that they were willing to give warnings or citations in the future (Table 9). Those who answered "no" (only four) believed their effort was not strengthened by the judicial decision. Finally, their attitude towards the law was supportive. Appendix C lists their comments. Overall, the officers felt that (1) it was difficult to guess the age of the child passenger, (2) many violations could be detected only in the case of an accident which could be too late (the law gives no delegation to an officer to stop a vehicle except in case of a moving violation) and (3) some officers felt that the judges were too lenient toward the accused.

Cross tabulations were used to determine whether or not the officers would uphold their agency's policy. The officers were divided into two groups--those who gave some warning or citations and those who did not. The purpose was to examine if the two groups differed in their intent to give future warnings or citations. The difference was not significant.

For the second survey (December 1979 to February 1980), Tennessee Highway Patrol officers were asked to give their opinions of the law. About 60 percent of the officers replied that they gave some citations (Table 10) and warnings (Table 11). This was expected since the law had been in effect for almost two years at the time of the survey, and the grace period for citations had long since ended. In addition, a new emphasis had recently been placed on increasing enforcement of the child passenger protection law by the newly appointed Commissioner of Safety through General Order #372 (Exhibit 3). As expected in the survey, the Tennessee Highway Patrol officers indicated that their agency had a policy about CRD use. They also showed more determination to give out warnings or citations in the future (Table 12). Of these, eight stated that they would not issue citations, primarily due to loopholes in the law. Most agreed the idea of the law was good, but that the law itself was hard to enforce due to loopholes. Many of the officers felt that the law discriminates against the poor. In terms of the CRD loaner program, some Tennessee Highway Patrol officers resented having to carry and issue the CRD because it was troublesome and because it may create liability problems in the event of an accident. They all wanted a stricter penal system. Appendix C lists their actual comments.

Again, cross tabulations were run against the two groups of officers differentiating between those who gave citations or warnings and those who did not. The purpose was to determine if the two groups differed in their

TABLE 6
 NUMBER OF CRD CITATIONS GIVEN
 SINCE LAW WENT INTO EFFECT
 AS REPORTED BY OFFICERS
 (First Data Collection)

Category Label	Absolute Freq.	Relative Freq. (%)	Adjusted Freq. (%)	Cum. Freq. (%)
None	45	86.5	86.5	86.5
One	3	5.8	5.8	92.3
Three	1	1.9	1.9	94.2
Ten	1	1.9	1.9	96.2
Eleven	1	1.9	1.9	98.1
Twenty	1	1.9	1.9	100.0
Total	52	100.0	100.0	100.0

Valid Cases = 52 Missing Cases = 0

Note: The majority (over 86%) did not give any citations. Only one officer gave as many as 20 citations.

TABLE 7
 NUMBER OF CRD WARNINGS GIVEN
 SINCE LAW WENT INTO EFFECT
 AS REPORTED BY OFFICERS
 (First Data Collection)

Category Label	Absolute Freq.	Relative Freq. (%)	Adjusted Freq. (%)	Cum. Freq. (%)
None	20	38.5	38.5	38.5
One	1	1.9	1.9	40.4
Two	6	11.5	11.5	51.9
Three	1	1.9	1.9	53.8
Four	3	5.8	5.8	59.6
Five	2	3.8	3.8	63.5
Six	3	5.8	5.8	69.2
Ten	6	11.5	11.5	80.8
Twelve	1	1.9	1.9	82.7
Fourteen	1	1.9	1.9	84.6
Fifteen	2	3.8	3.8	88.5
Eighteen	1	1.9	1.9	90.4
Twenty-five	1	1.9	1.9	92.3
Thirty	1	1.9	1.9	94.2
Fifty	2	3.8	3.8	98.1
Ninety-nine	1	1.9	1.9	100.0
Total	<u>52</u>	<u>100.0</u>	<u>100.0</u>	

Valid Cases = 52 Missing Cases = 0

Note: Though a lot of officers did not give any warnings, it appears that they are more willing to give warnings than citations.

TABLE 8
 AGENCY POLICY ABOUT CHILD PASSENGER PROTECTION
 LAW ENFORCEMENT
 (First Data Collection)

Category Label	Absolute Freq.	Relative Freq. (%)	Adjusted Freq. (%)	Cum. Freq. (%)
Yes	32	61.5	61.5	61.5
No	17	32.7	32.7	94.2
No Response	3	5.8	5.8	100.0
Total	52	100.0	100.0	

Valid Cases = 52 Missing Cases = 0

Note: Most officers indicated that their agencies have a policy about enforcing the law, but they were unable to identify the specific policy.

TABLE 9
 INTENT TO GIVE WARNINGS OR CITATIONS
 (First Data Collection)

Category Label	Absolute Freq.	Relative Freq. (%)	Adjusted Freq. (%)	Cum. Freq. (%)
Yes	45	86.5	86.5	86.5
No	4	7.7	7.7	94.2
No Response	3	5.8	5.8	100.0
Total	<u>52</u>	<u>100.0</u>	<u>100.0</u>	

Valid Cases = 52 Missing Cases = 0

Note: Over 86 percent of the officers replied that they were willing to give more warnings or citations in the future. It is good sign of cooperation.

TABLE 10
NUMBER OF CRD CITATIONS GIVEN SINCE LAW
(Second Data Collection)

Category Label	Absolute Freq.	Relative Freq. (%)	Adjusted Freq. (%)	Cum. Freq. (%)
None	79	35.9	40.1	40.1
One	45	20.5	22.8	62.9
Two	32	14.5	16.2	79.2
Three	10	4.5	5.1	84.3
Four	8	3.6	4.1	88.3
Five	8	3.6	4.1	92.4
Six	4	1.8	2.0	94.4
Seven	2	0.9	1.0	95.4
Eight	1	0.5	0.5	95.9
Nine	1	0.5	0.5	96.4
Ten	3	1.4	1.5	98.0
Twelve	1	0.5	0.5	98.5
Fifteen	2	0.9	1.0	99.5
Thirty	1	0.5	0.5	100.0
Missing Data	<u>23</u>	<u>10.5</u>	<u>Missing</u>	100.0
Total	220	100.0	100.0	

Valid Cases = 197 Missing cases = 23

TABLE 11
NUMBER OF CRD WARNINGS GIVEN
SINCE LAW WENT INTO EFFECT
(Second Data Collection)

Category Label	Absolute Freq.	Relative Freq. (%)	Adjusted Freq. (%)	Cum. Freq. (%)
None	59	26.8	28.9	28.9
One	24	10.9	11.8	40.7
Two	33	15.0	16.2	56.9
Three	26	11.8	12.7	69.6
Four	10	4.5	4.9	74.5
Five	12	5.5	5.9	80.4
Six	5	2.3	2.5	82.8
Ten	16	7.3	7.8	92.6
Twelve	2	0.9	1.0	93.6
Fifteen	3	1.4	1.5	95.1
Eighteen	1	0.5	0.5	95.6
Twenty	3	1.4	1.5	97.1
Twenty-five	5	2.3	2.5	99.5
Thirty	1	0.5	0.5	100.0
Missing Data	16	7.3	Missing	100.0
Total	220	100.0	100.0	

Valid Cases = 204 Missing Cases = 16

Note: Over 70 percent of the officers indicated that they had given some kind of warning (compared to 60 percent of first period). Again, officers are more willing to fill out warning citations.

CHILD PASSENGER RESTRAINT DEVICES
DONOR/LOANER PROGRAM

General Order
Effective Date

No. 372
Page 1
1 Oct. 79

I. PURPOSE:

To establish policy and procedures of the Tennessee Highway Patrol for Troopers concerning the above captioned subject.

II. POLICY:

It is a policy of the THP to concentrate efforts toward reducing deaths and the severity of injuries to children under four (4) years of age by encouraging public compliance with the Child Passenger Restraint System Law, 59-930 T.C.A. and by accepting donated Child Restraint Devices (CRDs) and loaning them to indigent families or to those cited for not having one.

III. PROCEDURE:

A. Citizens who have CRDs they no longer need may donate them to the THP by giving them to a Trooper or by phoning the nearest THP office. If the CRD is offered by phone, the THP will send a representative by the Donor's home to pick it up.

B. A Donor Log Book will be maintained by District Captains, listing the date received, name, address and phone number of persons donating CRDs. He will also maintain a Loaner Log Book listing the date device loaned, and the name, address and phone number of the persons receiving loaned CRDs.

C. Donated CRDs will be numbered before being loaned out.

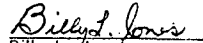
1. They will be cleaned, disinfected and inspected for defects before re-loaning them out.

D. Donated CRDs will be inspected for safety and appearance before using them in the loaner program. They must comply with Federal Motor Vehicle Standard 213, April 1, 1971.

1. If a donated CRD is rejected it will be returned to the Donor or disposed of at the District Captain's discretion. Donated devices that do not meet Standard 213 should be destroyed.

E. The District Captains will send a weekly memo to the Supply Section with a copy to the Commissioner's Office on all accepted CRDs giving the following information:

1. Name, address and phone number of Donor;
2. Date received;
3. I.D. number given the device;
4. A statement on its safety - does it meet the Standard 213?
5. A statement on its appearance - is it suitable for use by the general public?


Billy L. Jongs
COLONEL


Gene Roberts
COMMISSIONER

All Personnel:

I have read the above Order and fully understand it.

(Signature) _____

(Date) _____

FIGURE 3

GENERAL ORDER NO. 372

TABLE 12
 INTENT TO ISSUE WARNINGS OR CITATIONS
 (Second Data Collection)

Category Label	Absolute Freq.	Relative Freq. (%)	Adjusted Freq. (%)	Cum. Freq. (%)
Yes	206	93.6	96.3	96.3
No	8	3.6	3.7	100.0
Missing Data	6	2.7	Missing	100.0
Total	220	100.0	100.0	

Valid Cases = 214 Missing Cases = 6

Note: The majority of officers indicated that they are willing to give warnings or citations in the future.

intent to give future warnings or citations. There was no significant difference between the two groups.

Overall, the law received more publicity during the time the survey was taken. Officers were aware of the law and were willing to give tickets. However, due to the loopholes in the law and the perceived weakness of the judicial system, the enthusiasm among the officers may decline over time.

Arrests and Convictions

Because of the establishment of the Tennessee Highway Patrol enforcement program, more accurate records have been kept on child passenger protection law violators. According to a spokesperson for the Tennessee Department of Safety, 1,260 citations have been issued by Tennessee Highway Patrol officers since the program began in mid-September 1979. However, because of the lack of a central traffic citation file at the state level, no data are available to indicate the number of arrests or convictions made by law enforcement officers other than the highway patrol.

V. SPECIAL PROGRAMS OF ENFORCEMENT

As mentioned earlier, enforcement of the child passenger protection law was generally at a low level during the first year. In 1979, the new Commissioner of Safety took a special interest in the enforcement of the child passenger protection law. As a result, the Department of Safety developed and implemented an enforcement/loaner program through the Tennessee Highway Patrol. This program has also served as a model for a similar program implemented in the city of Chattanooga.

Supported by 402 funds from the Tennessee Governor's Highway Safety Program (\$15,000 for the highway patrol and \$2,300 for Chattanooga), these police agencies purchased CRDs to be loaned temporarily by enforcement officers when citations are issued to violators of the child passenger protection law. At the time of the court hearing on the violation, the arresting officer will ask that charges against the violator be dropped if the violator can provide evidence of having purchased a CRD or having obtained a CRD from a loaner program. In addition to having access to a CRD to loan, each officer is supplied with brochures entitled "Help Us Protect Tennessee's Child Passengers" (Exhibit 4). Both these enforcement brochures feature a letter from the Governor of Tennessee and a photo of his newborn son riding home from the hospital in a CRD. Also enclosed is the brochure "Protecting the Child Passenger . . . A Matter of Love" and a card that can be mailed to the Child Passenger Safety Program that entitles the child to a free storybook (see Exhibit 5) which concerns the use of CRDs. These brochures are distributed to drivers who have young children as passengers in their cars, even though drivers may not fall within the provisions of the law. The enforcement/loaner programs vary somewhat in their actual operation and in their program goals. These programs are described more completely below.

Tennessee Highway Patrol Child Restraint Device Enforcement/Loaner Programs

The Tennessee Highway Patrol program is operated in all eight districts. Each patrol car's equipment includes one CRD for temporary loan. (There are 750 seats in the program.) Officers involved in the program have undergone training concerning child passenger safety. In addition to the enforcement program, the Department of Safety has developed a public information program concerning child passenger safety. The Department also established and operates a CRD recycling program as a method of easing the financial burden of the law on low-income families.

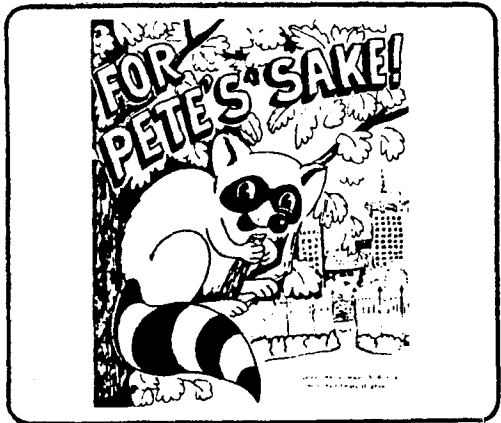
Chattanooga Child Restraint Device Enforcement/Loaner Program

The Chattanooga program is confined to the jurisdiction of the city police. They have 70 seats which are issued to supervising officers holding the rank of sergeant or above. When a patrol officer stops a car for violating the child passenger protection law, a supervisor is called to bring a CRD to the scene of arrest. The CRD is loaned to the violator who returns the seat when the case goes to court. Using the same approach as Tennessee Highway Patrol officers, Chattanooga officers issuing citations will request at the court hearings that charges against a motorist be dismissed if



EXHIBIT 4
 ENFORCEMENT OFFICER BROCHURE

FREE CHILD'S STORYBOOK !!



Please send my friend _____ (Child's name)

_____ (Street address)

_____ (City) _____ (Zip code)

a Free copy of Pete, the raccoon's storybook.

Nominated by:

_____ (Officer's Name) _____ (Date) _____ (Badge No.)

368



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

BUSINESS REPLY CARD
FIRST CLASS PERMIT NO 477 KNOXVILLE, TN

POSTAGE WILL BE PAID BY ADDRESSEE

Child Passenger Safety Program
Transportation Center
The University of Tennessee
Knoxville, TN 37916

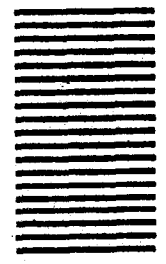


EXHIBIT 5

MAILBACK CARD FOR FREE STORYBOOK

the motorist can show proof of a CRD purchase. Like the Tennessee Highway Patrol, the Chattanooga police distribute a brochure containing the insert card for a free For Pete's Sake booklet (see Exhibit 5). Since their loaner program began in mid-September 1979, the Chattanooga police have issued 27 citations and 4 warnings. Twenty-six of the citations were dismissed upon proof of CRD purchase. Violators are sometimes referred by the court to the loaner program established by the Child Passenger Safety Program and operated by the Hamilton County Health Department.

Other City and County Enforcement Programs

As a method for encouraging increased enforcement of the law by other city and county enforcement officers, 110,000 copies of the brochure "Help Us Protect Tennessee's Child Passengers" were sent to enforcement agencies in and surrounding the research target sites (see Table 13). Personal communications with several of these agencies indicate that they are using the brochures in a variety of ways--as a handout to violators and those given warning citations, for in-service education and as an informational handout given to motorists with young children stopped for other violations (such as speeding). Since no central ticket file exists, it is impossible to determine the number of citations for child passenger protection law violations issued across the state.

Other Program Activities Relating to Enforcement

Later in the project, the need arose to develop an in-service training audiovisual presentation about the child passenger protection law for law enforcement officers. The 30-minute audiovisual program reviews the need for CRDs, discusses the main points of the law and shows a variety of brands and styles of CRDs. Eleven copies of the slide show were distributed to the Commissioner of Safety and to the various law enforcement training academies by staff members of the Tennessee Governor's Highway Safety Program. The audiovisual show has generated an enthusiastic response from training academy personnel and the officers who have viewed it. Indications are that they will continue to use the audiovisual program as a regular part of their training curricula.

TABLE 13
DISTRIBUTION SITES FOR ENFORCEMENT BROCHURE

County (Sheriff)	Metropolitan Area	City Police
Davidson	5,000	<u>Nashville Area</u> Nashville 10,000
Robertson	1,000	Springfield 1,000
Sumner	1,000	Gallatin 1,000
Wilson	1,000	Lebanon 1,000
Rutherford	1,000	Murfreesboro 1,000
Williamson	1,000	Franklin 1,000
Cheatham	1,000	Ashland City 1,000
Dickson	1,000	Charlotte 1,000
		<u>Chattanooga Area</u>
Hamilton	5,000	Chattanooga 10,000
Sequatchie	1,000	Dunlap 1,000
Marion	1,000	Jasper 1,000
		<u>Tri-Cities Area</u>
Washington	2,000	Johnson City 4,000
Hawkins	1,000	Rogersville 1,000
Unicoi	1,000	Erwin 1,000
Sullivan	1,000	Kingsport 1,000
		<u>Knoxville Area</u>
Knox	5,000	Knoxville 10,000
Blount	1,000	Maryville 1,000
Union	1,000	Maynardville 1,000
Anderson	1,000	Oak Ridge 1,000
		<u>Memphis Area</u>
Shelby	5,000	Memphis 10,000
Tipton	1,000	Covington 1,000

VI. CONCLUSIONS AND RECOMMENDATIONS

Conclusions

Enforcement of the child passenger protection law was not a spontaneous occurrence. Because of the many exemptions in the law, many officers felt it was unenforceable. For the first year the law was in effect, few citations were issued. With a new administration in the Department of Safety in 1979 came increased in-service training concerning the law and two special enforcement programs. This increased enforcement generated much publicity in the news media, which in turn brought a lot of attention to the law itself. The threat of enforcement, as well as actual enforcement, may be very important in increasing CRD usage.

Recommendations

1. The Tennessee Highway Patrol and the city police of Chattanooga should be encouraged to continue their enforcement/loaner programs.
2. The law enforcement training academies should continue to incorporate child passenger safety information in their curricula. Additional in-service training sessions should be provided as necessary to introduce officers to new CRDs as they are developed.
3. Efforts should be increased to encourage local city police and county sheriffs to enforce the law, especially around areas such as schools and shopping centers where young children are likely to travel with their parents.
4. Law enforcement officers should be encouraged to lend their support to efforts to remove the "babes-in-arms" clause and other exemptions which make enforcement difficult.

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APPENDIX A

CHILD PASSENGER PROTECTION LAW

59-930. Safety belts and child passenger restraint systems required—Violations—Penalties.—(a) It shall be unlawful for any person to buy, sell, lease, trade or transfer from or to Tennessee residents, at retail, an automobile which is manufactured or assembled commencing with the 1964 models, unless such automobile is equipped with safety belts installed for use in the left front and right front seats thereof. All such safety belts shall be of such type and be installed in a manner approved by the department of safety of the state of Tennessee. The department shall establish specifications and requirements of approved types of safety belts and attachments. The department will accept, as approved, all seat belt installations and the belt and anchor meeting the specifications of the Society of Automotive Engineers. Provided that in no event shall failure to wear seat belts be considered as contributory negligence, nor shall such failure to wear said seat belt be considered in mitigation of damages on the trial of any civil action.

(b) Effective January 1, 1978, every parent or legal guardian of a child under the age of four (4) years residing in this state shall be responsible, when transporting his child in a motor vehicle owned by that parent or guardian operated on the roadways, streets or highways of this state, for providing for the protection of his child and properly using a child passenger restraint system meeting federal motor vehicle safety standards, or assuring that such child is held in the arms of an older person riding as a passenger in the motor vehicle. Provided that the term "motor vehicle" as used in this paragraph shall not apply to recreational vehicles of the truck or van type. Provided further that the term "motor vehicle" as used in this paragraph shall not apply to trucks having a tonnage rating of one (1) ton or more. Provided that in no event shall failure to wear a child passenger restraint system be considered as contributory negligence, nor shall such failure to wear said child passenger restraint system be admissible as evidence in the trial of any civil action.

(c) Violation of any provision of this section is hereby declared a misdemeanor and anyone convicted of any such violation shall be fined not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00) for each violation of subsection (a) of this section and not less than two dollars (\$2.00) nor more than ten dollars (\$10.00) for each violation of subsection (b) of this section. [Acts 1963, ch. 102, §§ 1, 2; 1977, ch. 114, §§ 1, 2.]

Amendments. The 1977 amendment designated the former first paragraph as subsection (a), the former second paragraph as subsection (c), added subsection (b) and added the material at the end of subsection (c) following "fifty dollars for each violation."

Effective Dates. Acts 1977, ch. 114, § 3. January 1, 1978.

Law Reviews. Ellithorpe—Adoption of Crashworthiness Via Strict Products Liability (Gail O. Mathes), 4 Memphis State U. L. Rev. 497.

Cited: Ellithorpe v. Ford Motor Company (1973), — Tenn. —, 503 S. W. (2d) 516.

NOTES TO DECISIONS

1. Contributory Negligence.

Failure to wear seat belts does not constitute contributory negligence in Tennessee. *Mann v. United States* (1968), 294 Fed. Supp. 691.

In wrongful death action where defendant's automobile, after failing to yield right-of-way, struck the decedent's vehicle, an instruction as to possible

remote contributory negligence of decedent because of his failure to wear a seat belt was precluded by the proviso in this section that states that a failure to wear seat belt shall not be considered contributory negligence. *Stallcup v. Taylor* (1970), 62 Tenn. App. 407, 463 S. W. (2d) 416.

APPENDIX B

TENNESSEE HIGHWAY PATROL DUTIES AND MINIMUM QUALIFICATIONS

General Character of Duties

DEFINITION: Under immediate supervision of a patrol officer of higher classification; to patrol assigned State highways in the enforcement of traffic and related laws; to promote safety standards; to examine applicants for driver's licenses and to issue certificates to successful candidates; to serve revocations issued by the Department; to assist in the investigation of criminal cases; to perform related work as assigned.

EXAMPLES OF DUTIES: To patrol highways of the State, enforcing laws and regulations; to make arrests; to investigate wrecks on highways; to render first-aid and assistance to wreck victims; to recommend elimination of road hazards; to prosecute law violators; to assist other agencies in law enforcement; to direct traffic; to furnish information to the motoring public; to participate in all areas of driver licensing; to deter revoked drivers from driving; to perform duties as a radio dispatcher as required; to keep records and make reports.

Minimum Qualifications

EDUCATION AND EXPERIENCE: Graduation from a standard high school.

The above qualifications express the minimum standards of education and experience of an applicant for this class. Other combinations of education and experience, if evaluated as equivalent, may qualify an applicant for consideration.

KNOWLEDGE AND ABILITIES: Knowledge of business English, arithmetic, and spelling, of effective methods of investigation, and the basic rules of legal evidence; as evidenced by a passing grade on a practical written test.

Ability to ascertain facts by personal contact and observation and the examination of records; to explain and interpret pertinent provisions of laws and regulations; to enforce laws and regulations with firmness and tact; to prepare clear and concise reports; to establish and maintain effective working relationships in contacts with the public; to deal tactfully with the public and co-workers, to exercise good judgment in evaluating situations and making decisions, and to express ideas clearly, concisely and convincingly; as evidenced by an interview with the appointing authority.

AGE REQUIREMENT: Applicants must have passed their 21st birthday, but not have reached their 31st birthday on date of the examination.

PHYSICAL CONDITION: Applicants must be in good physical condition; as determined by an examination given by a competent physician who is licensed or eligible for license to practice medicine in the State of Tennessee and designated by the appointing authority.

HEIGHT AND WEIGHT: Applicants must be not less than 68 inches in height, and must weigh in reasonable proportion to height, but not less than 160 pounds.

OTHER REQUIREMENTS: Applicants must have reputation for integrity and good moral background; as determined by an investigation by the appointing authority or his representative. Those appointed must be willing to accept an assignment in any part of the State and must be willing to accept a transfer to any part of the State so designated by the appointing authority.

RELATIVE WEIGHTS OF EXAMINATION PARTS: Written Test, 10.

Revised for: State of Tennessee, May 1, 1972.

Those men employed by the Department are required to undergo an interview and written examination. Applicants must also pass a physical examination and a background investigation must be carried out prior to employment.

Source: Tennessee Law Enforcement Planning Commission. The Five Year Comprehensive Plan for the Improvement of Law Enforcement in the State of Tennessee. Nashville, 1973, pp. 17-18.

APPENDIX C

TENNESSEE HIGHWAY PATROL AND POLICE OFFICER
SURVEY RESPONSES

TENNESSEE HIGHWAY PATROL OFFICER SURVEY

We would very much appreciate your comments.

001 N/R

002 N/R

003 N/R

004 The child restraint program is indeed a program that should have been in effect years ago.

005 N/R

006 N/R

007 N/R

008 N/R

009 I think this child restraint law is a good law; the only hang-up is I think we should issue citations only, and let the violator purchase the seat and bring it to court.

010 All enforcement officers under my command are enforcing the child restraint law in the Chattanooga District.

011 N/R

012 The only program problems seem to be uncooperative children. On the two seats that I have issued, both the children pitched fits when the parents or myself tried to put them in.

013 N/R

014 N/R

015 N/R

016 N/R

017 N/R

018 I feel that it is a good law.

TENNESSEE HIGHWAY PATROL OFFICER SURVEY (continued)

019 N/R

020 N/R

021 N/R

022 The law needs to read all child passengers under four years regardless of whether the vehicle belongs to the driver or whether the child belongs to someone else. Protection for another person's child should be just as important as your own. Also should include all vehicles (except trucks) as defined in the law.

023 N/R

024 We could do something more important.

025 N/R

026 Waste of time.

027 N/R

028 N/R

029 N/R

030 N/R

031 N/R

032 O.K. Hard to enforce. Judges seem to not want to fine violators.

033 Write warning or violation o.k., but should not carry seat to give to subject.

034 Most are out of state and nothing can be done. Don't like it.

035 N/R

036 Needs improvement.

037 Bad.

038 Enforcement of law should be placed more in the hands of the city police officers due to the location of schools and shopping centers where frequent violations could be observed.

039 We feel that the publicity given this program has had a good effect on the public and they are voluntarily complying with this program.

TENNESSEE HIGHWAY PATROL OFFICER SURVEY (continued)

- 040 Is a very good law.
- 041 A good program, but should be assigned to police departments inside the cities where most of the cases are.
- 042 N/R
- 043 N/R
- 044 N/R
- 045 The law is not well written and is very difficult to enforce.
- 046 I feel there should be more information made public through television. It is very hard for the state trooper to enforce this due to the amount of out-of-state traffic.
- 047 Good law. Should be enforced, but state should not have the expense of loaning seats and troubles it creates in issuing and collecting. Should be enforced by citations and court appearances or fines only.
- 048 This is a program well worthwhile. All people that I have made contact with agree that it is a program designed for the safety of the young children.
- 049 The idea of the child restraint law is good, but the way the law is written, it is very hard to enforce.
- 050 I feel that the officers should enforce the law and not be required to place the item in the car. By placing the child restraint device in the vehicle and should something happen, I feel the officer could be held liable.
- 051 I think that the child restraint law should apply to every child, regardless of who may be with the child, instead of just the parents.
- 052 N/R
- 053 In my opinion it is a good program.
- 054 It is a good program. Hickman County has complied very good.
- 055 N/R
- 056 Very difficult to enforce.
- 057 This is a very good law, but the highway patrol is the wrong agency to enforce it. City police agencies have much more contact with motorists with small children than the highway patrol does. City police should be the primary enforcement.

TENNESSEE HIGHWAY PATROL OFFICER SURVEY (continued)

- 058 The child restraint law is effective and people are accepting it as such.
- 059 This program is being accepted very well by the general public and also by General Sessions Court. The troopers of Lawrence county are doing a good job on enforcing this law. Child restraint seats are hard to find in the stores; they have sold them so fast.
- 060 The idea is great. The law concerning the CRD is very poorly written. A revised law is a necessity for enforcement of the CRD.
- 061 Good law. Need to put more effort into it.
- 062 N/R
- 063 The seats are like seat belts. There are a certain number of people that will use them and some that won't.
- 064 I think that it is the greatest thing that ever happened.
- 065 Very good program, but needs more teeth in the law.
- 066 N/R
- 067 N/R
- 068 I think this program is great. Anything that will saves lives of small children in my opinion is good, however, I do believe if someone were to contest to the Supreme Court, this law would be declared unconstitutional.
- 069 The law is useless as it stands--elder holding child? Owner of car section?
- 070 I personally think the law is ridiculous and a waste of the taxpayers of Tennessee's money.
- 071 N/R
- 072 N/R
- 073 I believe the CRD law is excellent, but I don't believe the trooper should have the responsibility of giving out the CRD. If a person doesn't have a seat, they should be held responsible to obtain one.
- 074 The law places a financial burden on some parents. Temperament of some children makes it impossible to use the restraint. Restraints in the rear of the vehicles would direct attention of driver to rear instead of watching the road.

TENNESSEE HIGHWAY PATROL OFFICER SURVEY (continued)

- 075 Make a fine mandatory and quit furnishing baby seats.
- 076 I see no reason for a trooper to carry a CRD around in his vehicle. I think my responsibility ends when I give the citation.
- 077 N/R
- 078 I do not agree with the THP's policy on the CRD issuance. It seems to me that we are trying to persuade the people to comply. If the law is enacted, I think we should cite them into court, to be found guilty or not, and let the judge fine them or otherwise.
- 079 This is a valuable program. Anytime a child's life is saved, I feel a great service accomplished. I do not feel that a person's right to privacy should be ignored in the enforcement of this law.
- 080 A very good law and program.
- 081 I think it is a very good program and it has saved lives and injuries to Tennessee children.
- 082 I think the program is working. We hardly ever see the law being violated on child restraints in my county.
- 083 It is very good and the law will save lives on our highways and make life for our little children lots better.
- 084 I think the child restraint law is good and most people are complying with a good attitude.
- 085 N/R
- 086 Giving out tickets and devices is necessary, but I do not like it. It is an unnecessary law. I believe we should push CRD's but not become clerks for distributing them. It is almost impossible for poor people with many children to adhere to this law.
- 087 N/R
- 088 N/R
- 089 N/R
- 090 N/R
- 091 N/R
- 092 I think it is a waste of time, money and effort. It also makes these little cars we live in that much littler.

TENNESSEE HIGHWAY PATROL OFFICER SURVEY (continued)

- 093 N/R
- 094 It is a program that looks good on paper but is not worth a damn in the field. The parents receiving the ticket and seat resents it. The officers don't like to enforce it. The officers resent the department buying baby seats while pay raises are denied because of a lack of funds.
- 095 Most of the people that violate this law can't afford a child restraint.
- 096 It appears to me that the law should include everybody for it to be legal, not just parents and passengers in cars.
- 097 This should be enforced by all officers uniformly to be effective.
- 098 The people that violate this statute in my area are those primarily that can't afford a CRD. They are fortunate to have a car.
- 099 Many troopers are not convinced a restraint system will help in the reduction of injuries, yet they must enforce this law.
- 100 N/R
- 101 It is a good safety precaution. Our citizens have responded well.
- 102 The child passenger restraint law should be enforced on anyone operating a vehicle with a child in it. Not just the parents. The child could be killed just as same with an uncle driving.
- 103 N/R
- 104 Law is not tough enough. People will not follow through on purchase of materials. Too many loopholes.
- 105 Our law should be broadened to include all vehicles, not just the resident vehicle. Our county is cooperating very well.
- 106 While I realize that the baby seat is a good thing, it occurred to me that a problem could arise if a child were injured in a wreck after being put in a trooper supplied seat. Who would be responsible?
- 107 The motorists I have observed with children in the automobile are complying with the child passenger restraint law in my assigned county.
- 108 N/R
- 109 I think it is a good program, but I don't think we should be issuing seats (citations only). The first time a trooper issues a seat and straps a child in and that parents wrecks and the child strapped in burns to death, there will be, in my opinion, a lawsuit.

TENNESSEE HIGHWAY PATROL OFFICER SURVEY (continued)

- 110 N/R
- 111 N/R
- 112 Most common question asked is how do I keep my child in it? There should be a reply that won't make people mad.
- 113 A good law; lots of lives and injuries will be saved from the new law and efforts of law enforcement contacts.
- 114 This law needs more teeth put into it. There are too many loopholes in it.
- 115 This would be a good law if it is enforced.
- 116 N/R
- 117 N/R
- 118 The law is no good the way it is now written.
- 119 Law like it is now is not right to all parties involved
- 120 The stores are making a killing. Before enforcement, the seats were \$15-\$20. Now since enforcement they are \$55-\$60 in some stores.
- 121 N/R
- 122 N/R
- 123 Find mother cooperation very good. A great many fathers do not think the law should tell them how to transport their children.
- 124 Good law. Enforcement no problem. Department's policy on issuing loaner CRD's impractical and cumbersome.
- 125 I am sure that this may save some lives and injury, but I feel that it is wrong to force people to do this.
- 126 N/R
- 127 I have found that the people this law effects the most are less able to afford either the seat or the court costs.
- 128 I am sure that this may save some lives and injury.
- 129 A very good program.
- 130 N/R

TENNESSEE HIGHWAY PATROL OFFICER SURVEY (continued)

- 131 N/R
- 132 I like the idea.
- 133 N/R
- 134 The intent of the law is good. Very hard law to enforce. Impossible for some families to comply at times.
- 135 Law is unenforceable--too many loopholes.
- 136 A good law. I have a granddaughter that you would have to stay home with if she had to sit in one. So what do you do?
- 137 Very good law. But is difficult to enforce the way it is written!
- 138 N/R
- 139 At times this law is very hard to enforce. I don't think we should be responsible for installing them.
- 140 N/R
- 141 This is a very good and sound law. Public education would be one of the best ways to motivate the public to accept this program.
- 142 Fine program
- 143 Very good law, but is very hard to enforce.
- 144 N/R
- 145 I think it is a very good law. I have a seven month old child that uses her's every time she is in the car.
- 146 Citations should be issued and if persons get baby seat--fine. I don't think we should be allowed or responsible for issuing them or installing them.
- 147 The CRD program should have more teeth in it. Should cover older children. CRD law should exclude adults from holding the child.
- 148 I feel that until that part of the law which does not permit us to issue a citation except to the parent or legal guardian is removed, and the part allowing the child to be held by any passenger is removed, this law will not be effective.
- 149 N/R

TENNESSEE HIGHWAY PATROL OFFICER SURVEY (continued)

- 150 I feel this is a fine program but all kids from 10 years and younger need some type of restraint system for safety.
- 151 This is a fine program and may save lots of children's lives.
- 152 Will help considerable if enforced.
- 153 I think it is a worthwhile thing--it should be handled through an organization other than the highway patrol.
- 154 N/R
- 155 Very good law. Need to saturate areas with roadblocks to check for violators.
- 156 N/R
- 157 It seems to be very effective in this county. The people realize the reason behind it and cooperate.
- 158 Law is not very clear and leaves a lot of loopholes.
- 159 N/R
- 160 I feel that it is a good thing to help save the lives of children.
- 161 N/R
- 162 N/R
- 163 N/R
- 164 N/R
- 165 I think that the child passenger restraint law is a good idea, but Departmental Policy covered by excessive paper work causes lack of proper enforcement and cumbersome work load.
- 166 N/R
- 167 N/R
- 168 N/R
- 169 Too much paper work involved.
- 170 Most of the people in the county I'm stationed in are aware and had compiled with the restraint law.
- 171 N/R

TENNESSEE HIGHWAY PATROL OFFICER SURVEY (continued)

- 172 N/R
- 173 N/R
- 174 I think it's very foolish of us to try to make someone do this (restraining) if they do not want to do so! We are going to have to show parents, through an "all encompassing program" that it is what they want to do.
- 175 The law is too weak, when you allow compliance by simply holding a child on your lap. You have defeated your initial purpose--to protect the child. The wording of the law has made it difficult to be consistent so many officers would rather not enforce the law than deal with technical compliance.
- 176 N/R
- 177 I feel this is a very good program to protect our children. It should be law everywhere.
- 178 N/R
- 179 Courts are dismissing the cases if the seat is purchased. Effort to secure child in seat, explain law write citation, seems wasted.
- 180 N/R
- 181 I think it is a very good law, but one which should be given ample tolerance when applying.
- 182 Child restraint violations would be written more if it weren't for the extra paper work, giving out and keeping up with the child restraint devices.
- 183 Law should pertain to everyone operating a vehicle with an unrestrained child in it. I feel that the law will definitely prove that the restraints are well worth having in each vehicle.
- 184 N/R
- 185 It is a good program, but there are too many loopholes in it to be effective. Seats are too hard to get and cost too much for the people who need them.
- 186 N/R
- 187 Any law that does not include everybody is a bad law; also there are so many loopholes, it is discouraging to try to enforce.

TENNESSEE HIGHWAY PATROL OFFICER SURVEY (continued)

- 188 I think the child passenger restraint law is good as long as we, the officers, will enforce it. I myself would rather go to a wreck and see the child alive instead of dead.
- 189 N/R
- 190 The law is very controversial to the public.
- 191 N/R
- 192 I feel that it is a good law, but I feel it should be enforced just like all other laws in Tennessee Code Annotated.
- 193 N/R
- 194 Have the public informed about the law. Let them know they could be fined.
- 195 Hard to enforce.
- 196 The people that I have talked with are very resentful towards the child restraint program.
- 197 People seem to be very resentful of the program.
- 198 Interstate AID units don't have the opportunity to observe vehicles close enough to determine factors needed in enforcement of law; this is done only in an accident or traffic violation.
- 199 N/R
- 200 N/R
- 201 N/R
- 202 I feel this is one of the best regulations to be passed by the legislature in some time. Hopefully strict enforcement will help save lives.
- 203 N/R
- 204 It is a good thing, but not a good law. This law cannot be enforced on all people.
- 205 I don't mind issuing citations for this law, but I think it's bad when a state trooper has to carry baby seats around with him. Just give these people tickets and let them bring a device to court and dismiss it.
- 206 The people I've talked with are resentful being made to restrain their child. A child that hasn't been in a seat and is three yrs. old is hard to deal with. A lot of people can't afford to buy a seat.

TENNESSEE HIGHWAY PATROL OFFICER SURVEY (continued)

207 N/R

208 N/R

209 Crime is up. Regular officers work traffic accidents--they aren't fully trained. We need a full time professional traffic division. Regular officers could fight crime, accidents would be cut by having controlled hot spot traffic checks.

210 This law is at times very hard to enforce. One of the primary reasons is a lack of public education on the program and public acceptance of the program.

211 N/R

212 A good law, but the Tennessee Department of Safety should not have to put seats in the cars as an example.

213 The law concerning the CRD program is grossly inadequate. Revisions should be sought through the legislature. The intent of the program is tremendous.

214 I feel that it is a good program if you could issue the seat and make sure they use it. But how do we know the people use it after we issue it?

215 No comment

216 N/R

217 N/R

218 I feel that this program should be kept in effect and should be expressed to parents at birth. I do not feel the THP should be carrying baby seats.

219 N/R

220 N/R

221 N/R

POLICE OFFICER SURVEY

We would very much appreciate your comments.

- 001 I'm mad! For the past four weekends I've given out 26 D.W.I. violations--all but two were let off. The two were given \$15 fines. Work my butt off and the judge lets them out!
- 002 I am in support of the new law. The problems exist with the traffic and session courts. Please, contact judges and inform them of the problems. No officer likes his cases being thrown out before they're heard.
- 003 On October 22, 1978 at 1:30 a.m. I was the second patrol car on the scene of the auto accident which took the lives of three people. Two who were the Szalma sister's, ages six and two years old. Ever since then I have been 100 percent in favor of the child restraint law.
- 004 Many parents have told me their children were over four when I was quite sure they were much younger. In the field there's no way to prove different.
- 005 N/R
- 006 I would like to know about the two hr. law. We will enforce it if and when it is explained to us.
- 007 N/R
- 008 Very good program to enforce. Would like to use film to show to drivers education classes and civic clubs when it is available.
- 009 As any new law, more publicity should be given to the law. Will use a warning (usually) through July 1979.
- 010 N/R
- 011 I would like to recommend stronger enforcement pertaining to child care on our streets and highways, especially hauling kids in open trucks.
- 012 The law is a very good law. It needs to be advertised more and public education is needed.
- 013 I think this is a good law.
- 014 I don't feel the child restraint law is strict enough.
- 015 N/R
- 016 I am retired. I sure believe in good law enforcement. I think all traffic laws can be enforced. I think a person guilty of the restraint violation, should be given a warning ticketed and cited to court.

POLICE OFFICER SURVEY (continued)

- 017 More public service announcements utilizing all the media. This is a great effort for a great cause.
- 018 I am a bonded reserve deputy, so I don't give out tickets but variable warnings. If not obeyed, I radio or contact a traffic officer. I believe in this new law very much. I even bought my granddaughter a restraint device.
- 019 This law is extremely hard to enforce the way it now reads.
- 020 Thank you for the information. I have my first child enroute. The articles have really made me think. Thank you.
- 021 This law has attracted much positive attention. I have had no criticism of it. Keep up the good work.
- 022 We at the McMinn Co. Sheriff's Department intend to enforce the law as written. We, being from a smaller county, are able to give warnings and then if restraints are not used, then we write citations.
- 023 I believe the child passenger restraint law, if properly enforced, can and will save lives. I feel the public should be made aware of the law, by T.V., radio, etc.
- 024 I feel this is a good program. Strict enforcement is needed to get the program off to a good start.
- 025 The law is a good law and can save the lives of small children. I have seen children without the chair in accidents bump and hurt their head. That was only minor; it could be lot more serious.
- 026 Enforcement of a newly enacted law depends a lot on the pressure or attitude of the higher echelon in a department. There was very little said for or against the law. However, since the Highway Patrol has taken a positive attitude recently, a more positive attitude will be forthcoming from more local units. There is further need for laws to protect children on outings. For instance, locking small children in autos while the parent is shopping is one. A policeman witnesses many actions that doesn't meet with his approval.
- 027 Very good law. But is not enforced enough.
- 028 If all parents became aware of the new restraint device and used the device correctly, this would make Tennessee the most beautiful state in the nation.
- 029 Our department does not issue citations; we don't have the forms at the present time. However, if we get the forms in the future, I will issue them.

POLICE OFFICER SURVEY (continued)

- 030 I am a retired officer. However, I fully support the child restraint law and the above question would apply if I were an active duty police officer.
- 031 I think this is a very good law and it should be enforced.
- 032 I am retired and no longer active as an officer.
- 033 None of the people I warned about the law concerning child restraint law were aware that the law was in effect!
- 034 This questionnaire does not apply to me. I work in a courtroom.
- 035 I think it is a real good law and should be strictly enforced.
- 036 I appreciate your concern for our children. Although I'm a police officer in Tennessee, I live in Georgia. I have two children under the age of four. Since your presentation several months ago during in-service training we now have restraints for both of our small children, and use them.
- 037 The child restraint law isn't a very enforceable law. This is due to the recent random stop case law and the lack of the ability of the officer to guess ages, without demanded proof.
- 038 I strongly support and encourage the enforcement of this law. I was a state trooper for 18 years and now am with the T.B.I.
- 039 This is a sound law. Once the public is totally aware of law I believe stringent enforcement should start.
- 040 I think the child restraint devices are wonderful. I think each parent owes this to his child. But I also think the state should help pay for these devices if they are required by law. Not every one is able to afford them, and they are very expensive.
- 041 The law is highly moralistic, especially since it looks good on paper, and I'm sure it will save lives; everyone is interested in that. However, I'd think the T.H.P. could better spend their time catching dangerous drivers & felonies. It is a waste of taxpayers money to be enforcing such a law. I've got children but no one is going to tell me how they are to sit in a car.
- 042 I am for anything that can be done to protect children.
- 043 N/R
- 044 Have judges enforce the law!

POLICE OFFICER SURVEY (continued)

- 045 N/R
- 046 I think it is a very good law.
- 047 I feel this is one of the best laws the state could come up with and I would like to see it enforced to the maximum by all departments. I also feel this law should be advertised more on TV and radio for public awareness
- 048 I do not believe safety can be legislated. It may be helped by education and public appeal. I do not think the public should be forced into so-called safety measures.
- 049 In my department, we basically enforce laws that they prefer. This also has a lot to do with our city court's stand on a law. Another reason, we don't have the courtesy infant seats, as does T.H.P., to give to people.
- 050 N/R
- 051 This is a money making scheme for the makers of restraint devices and being forced on the helpless citizens. Another step forward by our commission infiltrated ruling leaders to prove their power of force.
- 052 N/R
- 053 My department does not issue citations for any traffic violations. We have never been briefed on the child restraint law by our department (Anderson County Sheriff's Department) would like to see some pressure applied.
- 054 Our ticket books do not allow us to cite anyone to sessions court. 59-930(b) was adopted after our ordinances were adopted, and no new traffic ordinances have been passed.
- 055 Need more radio and TV spots and newspaper advertisements. (Public not fully informed.)