

THE NORTH CAROLINA SEAT BELT LAW

QUESTIONS COMMONLY ASKED

Revised: September 1999



► Who is covered by the law?

All drivers and front seat passengers ages sixteen and older are covered by the seat belt law. Children less than age sixteen are covered under the North Carolina Child Passenger Safety (CPS) Law. Revisions to the CPS law are effective as of October 1, 1999.

All occupants in ALL seating positions should ride buckled up to help protect all occupants. Unbuckled rear seat occupants can injure buckled up front seat occupants as well as themselves when they are thrown around the car in a crash.

► What vehicles are covered?

All "passenger motor vehicles" required by federal standards to be equipped with seat belts are covered. "Passenger motor vehicle" is defined as a motor vehicle designed for carrying ten or fewer passengers but excludes motorcycles, mopeds or trailers. All passenger cars manufactured after 1967 are required by federal law to have seat belts. Requirements for vans, pickup trucks and sport utility vehicles to be equipped with belts began with the models manufactured after 1971. There are no exemptions for vehicles registered in other states.

► What are the penalties for not complying with this law?

Violators are issued tickets and are subject to a penalty of \$25.00. Of course, the worst outcome of non-compliance would be a crash in which a driver or passenger is seriously injured or killed because of not being buckled up.

► If a passenger isn't buckled up, who gets the ticket?

Drivers are responsible for themselves and for all children less than age sixteen in the front or back seat. Front seat passengers ages sixteen and older are responsible for themselves and would get the ticket rather than the driver.

► Are both lap and shoulder belts required?

The law requires the proper use of whatever seat belt system the seating position provides. Vehicles equipped with air bags also provide lap and shoulder belts that must be worn. Some vehicles have automatic shoulder belts with lap belts that are fastened manually. These manual lap belts

must be used for compliance and for maximum protection.

► How is the law that covers children different?

Children less than age sixteen are covered under the Child Passenger Safety Law. Children less than age sixteen must be buckled up regardless of their seating positions (front or rear seat). Children under age five and less than 40 pounds in weight must be in properly installed and used safety seats appropriate for their weight. Children may be buckled in using a seat belt at the age of five or when they weigh at least 40 pounds.

A separate NC law prohibits children less than age twelve from riding in the open bed of a pickup truck unless there is an adult present supervising the child; if the child is secured in a seat belt installed in a manner approved by the Commissioner of motor vehicles; if an emergency exists, if the truck is being used in a parade or for agricultural purposes; or if the truck is being operated in a county with no incorporated area of a population greater than 3,500.

► My car doesn't have seat belts. Do I have to install them?

Cars manufactured after 1967 and vans, pickup trucks and sport utility vehicles manufactured after 1971 are required by federal standards to have belts. Belts must be installed in these vehicles if the original seat belts have been removed. Vehicles brought in from other countries must be upgraded to conform with applicable federal motor vehicle standards. This means that passenger vehicles, light trucks and vans brought in from other countries must be fitted with belts if they were manufactured after the above dates.

► Our pickup truck has only three seat belts but there are four in our family. What do we do?

The bottom line is that there is no safe way to carry more people than you have belts to accommodate. If room allows, extra belts can be installed to protect more people. The Child Passenger Safety Law allows children to be left unbuckled if all belted seating positions are occupied. As far as the Seat Belt Law is concerned, if you have four people age sixteen

or older and three belts, the fourth person is in violation of the law. You also have the hard decision of who you are going to leave unprotected.

➤ **Are employees required to wear their belts in company cars?**

In most cases, yes, unless the vehicle in question has a "commercial" or "farm" license plate and it is being used for business purposes or is a delivery vehicle making frequent stops and not exceeding 20 mph or is being used by a rural mail or newspaper carrier.

➤ **What are valid medical exemptions? How do I get one?**

The North Carolina Medical Society's Executive Council, by recommendation from the Committee on Traffic Safety, has stated that "medical exemptions to the state's seat belt law be granted only in extraordinary cases of medical necessity..." If a physician decides that a patient has an "extraordinary case of medical necessity" preventing his or her wearing a seat belt, then a letter from the physician stating this situation and carried by the patient is needed.

➤ **I'm too large for my seat belt to fit around me. What should I do?**

Seat belt extenders are available for most domestic vehicles for a small fee. These extenders are 10 inch lengths of webbing with buckles on both ends to fit onto the belts already in the vehicles. Take the information on the seat belt label along with your vehicle to the parts department of your local dealer. Extenders are not interchangeable so go to the dealer for your particular vehicle. If you have any trouble getting service from the dealer, try another dealer or call the customer assistance number listed in your owner's manual. Check your owner's manual for an explanation of these belt systems.

➤ **Now that I'm pregnant, should I still wear my seat belt?**

Yes, especially now. The greatest threat to the unborn child is death or serious injury to the mother, and a seat belt will help insure your survival in the event of a crash. When possible, both the lap and shoulder belt should be worn with the lap portion low and snug on the hips beneath the baby and the shoulder belt snug and above the baby.

➤ **Can't seat belts actually cause injuries?**

Yes, they can cause some injuries, especially in severe crashes. These injuries are usually limited to bruises and cracked collar bones and ribs - very minor injuries when compared to what often happens without the seat belt. It is important that belts be worn correctly to reduce the chance that they might injure you.

Lap belts should be worn as low and snug as possible on the hips since belts that are worn high on the stomach can cause injuries.

Shoulder belts must also be worn snugly across the shoulder and chest. Never wear a shoulder belt with more than an inch of space between your chest and the belt. Too much slack will allow your head to go too far forward in a crash. If the shoulder belt rubs against your neck and is uncomfortable, try adjusting your sitting position or the position of the vehicle seat to get a proper fit. Cloth comfort sleeves can be placed on the shoulder belt to make it more comfortable. Do not place the shoulder belt behind your back or under your arm. With the shoulder belt behind the back, your head will be thrown forward to strike the dashboard, windshield, or the air bag. As with the belts behind the back, shoulder belts under the arm do not hold your head back away from danger. In addition, the belt under the arm can fracture ribs and cause serious internal injuries.

For further information or to order brochures or other educational materials, contact:

<i>Information:</i>	UNC Highway Safety Research Center	800-672-4527 / 919-962-2202	www.hsrc.unc.edu
<i>Information and</i>	NC Governor's Highway Safety Program	800-999-9676 / 919-733-3083	www.dot.state.nc.us/services/ghsp
	NC Department of Insurance Buckle Up Kids	800-634-7854 / 919-733-2142	www.doi.state.nc.us/Ncfr
<i>Materials:</i>	NC State Highway Patrol BIBS Program	919-733-5027	www.ncshp.org