

# Child Passenger Safety and Seat Belt Laws New York

## Child Passenger Safety Laws

### When is a child restraint required?

- Under 2 years (or until outgrows the top height or weight recommendations) in rear-facing child restraint (eff. 11/01/2019)
- 3 years or under unless over 40 pounds and no lap/shoulder belt available
- 4-7 years unless no lap/shoulder belt available

### What is the maximum fine for a first car seat violation?

- \$100.00

### When must a child sit in the rear seat?

- No Requirement

## Seat Belt Laws

### When can a child start using a seat belt?

- 8-15 years or over 40 pounds; 4-7 years if no lap/shoulder belt available

### Who is covered by the seat belt law?

- All riders

### In what seats does the seat belt law apply?

- All Seats (Eff. November 1, 2020)

### What is the maximum fine for a first seat belt violation?

- \$50.00

Sources: The [Governors Highway Safety Association](#) [53] and the [Insurance Institute for Highway Safety](#) [54]

## Our Guidelines for Protecting Your Child

### Heatstroke

### Does law give immunity to person rescuing child in hot car?

No

Laws vary from state to state, with some states having higher standards than others. Safe Kids encourages all families to adopt the following safety guidelines for protecting their children. Here are the top five recommendations for keeping kids safe in cars.

1. For the best protection, keep kids in a rear-facing car seat until they are at least age two and have outgrown the height or weight limit on the label of the car seat. Keep them in the safer rear-facing position as long as possible, because kids who ride rear-facing have the best protection for their head, neck and spine.
2. Children who have outgrown their rear-facing car seat move to a forward-facing seat with a

harness. Keep them in the forward-facing car seat until they reach the weight or height limits on the label of the car seat. Remember to use the car seat's tether to secure the forward-facing car seat to the car.

4. After a child gets too big for the weight or height limits listed on the forward-facing car seat's label, move to a booster seat used with the vehicle lap and shoulder seat belt.
5. A child is ready for using the seat belt alone when they pass these three tests: The child's knees should bend at the edge of the seat when their backs and bottoms are against the vehicle seat back; the vehicle lap belt fits snugly across the bony hips or upper thighs (not soft stomach); and the shoulder belt fits across the bony shoulder and chest (not across the soft face or neck.)
6. All children under 13 years of age are safest riding in a back seat.

Learn more at [www.SafeKids.org](http://www.SafeKids.org) and check out the Ultimate Car Seat Guide at [www.SafeKids.org/guide](http://www.SafeKids.org/guide). And remember to buckle up everybody in the car, every ride, every time.