



ADVOCATES  
FOR HIGHWAY  
& AUTO SAFETY



SAFE  
KIDS  
WORLDWIDE

February 6, 2023

The Honorable Thomas Walsh, Chair  
The Honorable Ted Gorski, Vice Chair  
House Transportation Committee  
New Hampshire General Court  
107 North Main Street  
Concord, New Hampshire 03301

Dear Chair Walsh and Vice Chair Gorski:

As leading safety organizations working together to pass highway and auto safety laws that prevent crashes, deaths and injuries and contain costs, we urge you to oppose House Bill (HB) 386 to weaken New Hampshire's child occupant protection statute. This measure rolls back the requirement for use of a child passenger safety seat from less than seven years of age to less than four years of age. When children are properly restrained in a safety seat that is appropriate for their age and size, their chance of being killed or seriously injured in a car crash is greatly reduced. Undermining the state's current statute for child passenger safety is contrary to this known fact and the measure should not be advanced.

Motor vehicle crashes are among the leading causes of death for children ages one to 14 in the U.S.<sup>i</sup> In 2020, 1,093 children aged 14 and younger were killed, a three percent increase from 2019, representing three children killed each day on average. This included 276 children aged four through seven.<sup>ii</sup> Use of appropriate child passenger safety seats are very effective in preventing injury: 47 percent effective in preventing fatalities for ages 1-3 in all crashes; 43 percent effective in preventing fatalities for ages 3-5 in all crashes; and, 67 percent effective in preventing serious to critical injuries for ages 5-8 in all crashes.

New Hampshire's current child passenger safety law requires children age six and younger and under 57 inches in height to use a child safety seat. Since that law was enacted, new research has been conducted and best practices in child passenger protection have been updated to now call for requirements that take into account stages of physical development from infancy through early childhood. Rather than weaken the state's current law, the state should improve the law to align with the recommendations of child passenger safety experts.

According to the American Academy of Pediatrics (AAP), children younger than two years old are at an elevated risk of head and spine injuries in motor vehicle crashes because their heads are relatively large and their necks smaller with weak musculature. By supporting the entire torso, neck, head and pelvis, a rear facing car seat distributes crash forces over the entire body rather than focusing them only at belt contact points. When a child is placed in a rear facing car seat through age two or older, they are provided with optimal support for their head and neck in the event of a crash.

After a child reaches age two and the maximum height and weight limit for their rear facing safety seat, they may be turned forward facing in a harness-equipped child restraint. Children should remain in a

forward facing harness and tether seat until they meet the height and weight limit of the restraint. Children who have outgrown the forward facing restraint may be placed in a booster seat, where they should remain until they can be properly restrained by a seat belt, at minimum age eight and 57 inches in height. Children should then remain in a rear seat, properly restrained by a seat belt until age 13. Requiring seat belt use by all vehicle occupants is a time tested, research-based countermeasure that the state should also advance to protect adolescent and adult vehicle occupants.

In the first nine months of 2022, the National Highway Traffic Safety Administration (NHTSA) reports that traffic fatalities in New Hampshire spiked more than 18 percent over the same period in 2021; 109 people were killed. We urge you to oppose HB 386 and also take action to improve the safety of vehicle occupants on state roads, especially vulnerable child passengers.

Sincerely,

Cathy Chase  
President  
Advocates for Highway and Auto Safety

Janette Fennell  
Founder & President  
Kids and Car Safety

Torine Creppy  
President  
Safe Kids Worldwide

cc: House Transportation Committee Members

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<sup>i</sup> WISQARS, Leading Causes of Death Reports, 1981-2020, 2020, Top 10 leading causes of death, Ages 1 to 14, <https://wisqars.cdc.gov/fatal-leading>, last queried Nov. 2022.

<sup>ii</sup> Traffic Safety Facts 2020 Data: Children, NHTSA April 2022, DOT HS 813 285, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813285>