

Talking points about Maryland's updated CPS law

for CPSTs and safety advocates for educating the public:

WHY is Maryland updating its child passenger safety law?

- To spell out what has been part of best practice advice for years: keeping young children rear-facing until age two and beyond, and to better protect children's head and spinal cord in a crash.
- To more closely align our law with laws in neighboring states.
- To help law enforcement as they do not want this law to be punitive, but instead they want it to educate families in order to save lives. Adding age to the law also gives officers better parameters to talk with caregivers about safety.



WHY is rear-facing in a car seat important?

- The head, neck, and spinal cord of an infant are the most vulnerable parts of their bodies.
- A young child's head is larger and heavier in proportion to their body than that of an older child. Their neck muscles are also weaker.
- Rear-facing car seats are designed to support the head and neck and distribute the forces of a crash across the entire body of an infant and a young child in a frontal crash. The car seat's high sides and 5-point harness also help keep the child snugly protected.



WHAT does this law mean for when children can face the front of the car?

- Children must face the rear of the vehicle in their car seat until they are **AT LEAST AGE TWO**, or until they reach the rear-facing weight limit of their car seat.
- All convertible car seats can be used rear-facing until 40 or 50 lbs., so very rarely would a child outgrow a convertible seat's weight or height limits before age two. Most children could get the extra protection to their head and spinal cord from being rear-facing until age three or more.

WHAT does this law mean for when children can face the front of the car?

- A rear-facing-only car seat (i.e., infant carrier) usually has a weight limit of 22-35 pounds, so a child who outgrows that could legally then use a forward-facing convertible or all-in-one car seat. But most children outgrow the rear-facing-only seats by height long before they reach the weight limit—often around age one. It would NOT BE SAFE to put a child under age two into a forward-facing car seat, so best practice would be to move the child from the infant carrier to a convertible or all-in-one car seat and USE IT REAR-FACING until the child reaches the rear-facing weight limits for that seat.

WILL I get a ticket if my young child is not in a rear-facing car seat?

What if I am incorrectly using a car seat, or my child is not in a car seat or a seat belt at all?

- If a parent or caregiver with a child under two years old has that child facing forward in their car seat in the car instead of facing the rear, the driver will get a written warning from law enforcement. This is to emphasize the educational aspects of the law instead of creating a punishment (per request of law enforcement). Subsequent violations for this can result in a \$50 fine (\$83 with court costs).
- The CPS law is a primary offense so a law enforcement officer can pull a car over for violations of that law.
- It is highly unlikely that any officer would issue a driver/caregiver a ticket for improper car seat use, however, law enforcement can and likely will write a ticket for non-use of car seats or seat belts. This ticket would be \$50 (or \$83 with court costs).
- Maryland law states that any caregiver who receives a ticket/fine for not having a car seat can buy a car seat and present proof of purchase to the court and have their fine waived.

Questions? Contact Maryland Kids in Safety Seats, 800-370-SEAT, MDH.kiss@Maryland.gov, or www.MdKiss.org