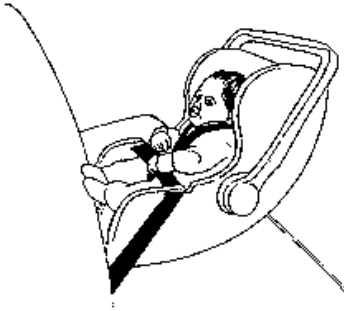


# Child Passenger Restraint Law



## All children under five years of age must be in a child car seat while in a moving vehicle.

### Here's exactly what Law 28-907 says:

Child passenger restraint system; civil penalty; exemptions; notice; child passenger restraint fund; definitions

A. Except as provided in subsection G of this section, a person shall not operate a motor vehicle on the highways in this state when transporting a child who is under five years of age unless that child is properly secured in a child passenger restraint system.

B. The department shall adopt standards in accordance with 49 Code of Federal Regulations section 571.213 for the performance, design and installation of child passenger restraint systems for use in motor vehicles as prescribed in this section.

C. A person who violates this section is subject to a civil penalty of fifty dollars, except that a civil penalty shall not be imposed if the person makes a sufficient showing that the motor vehicle has been subsequently equipped with a child passenger restraint system that meets the standards adopted pursuant to subsection B of this section. A sufficient showing may include a receipt mailed to the appropriate court officer that evidences purchase or acquisition of a child passenger restraint system. The court imposing and collecting the civil penalty shall deposit, pursuant to sections 35-146 and 35-147, the monies, exclusive of any assessments imposed pursuant to sections 12-116.01 and 12-116.02, in the child passenger restraint fund.

D. If a law enforcement officer stops a vehicle for an apparent violation of this section, the officer shall determine from the driver whether the unrestrained child or children in the vehicle are under five years of age.

E. If the information given to the officer indicates that a violation of this section has not been committed, the officer shall not detain the vehicle any further unless some additional violation is involved. The stopping of a vehicle for an apparent or actual violation of this section is not probable cause for the search or seizure of the vehicle unless there is probable cause for another violation of law.

F. The requirements of this section or evidence of a violation of this section are not admissible as evidence in a judicial proceeding except in a judicial proceeding for a violation of this section.

G. This section does not apply to any of the following:

1. A person who operates a motor vehicle that was originally manufactured without passenger restraint devices.
2. A person who operates a motor vehicle that is also a recreational vehicle as defined in section 41-2142.
3. A person who operates a commercial motor vehicle and who holds a current commercial driver license issued pursuant to chapter 8 of this title.

4. A person who must transport a child in an emergency to obtain necessary medical care.
5. A person who transports more than one child under five years of age in a motor vehicle that because of the restricted size of the passenger area does not provide sufficient area for the required number of child passenger restraint devices, if both of the following conditions are met:

- (a) At least one child is restrained as required by this section.
- (b) The person has secured as many of the other children in child passenger restraint devices pursuant to this section as is reasonable given the restricted size of the passenger area and the number of passengers being transported in the motor vehicle.

H. Before the release of any newly born child from a hospital, the hospital in conjunction with the attending physician shall provide the parents of the child with a copy of this section and information with regard to the availability of loaner or rental programs for child passenger restraint devices that may be available in the community where the child is born.

I. A child passenger restraint fund is established. The fund consists of all civil penalties deposited pursuant to this section and any monies donated by the public. The department of economic security shall administer the fund.

J. The department of economic security shall purchase child passenger restraint systems that meet the requirements of this section from monies deposited in the fund. If a responsible agency requests child passenger restraint systems and if they are available, the department of economic security shall distribute child passenger restraint systems to the requesting responsible agency.

K. On the application of a person to a responsible agency on a finding by the responsible agency to which the application was made that the applicant is unable to acquire a child passenger restraint system because the person is indigent and subject to availability, the responsible agency shall loan the applicant a child passenger restraint system at no charge for as long as the applicant has a need to transport a child who is subject to this section.

L. Monies in the child passenger restraint fund shall not exceed twenty thousand dollars. All monies collected over the twenty thousand dollar limit shall be deposited in the Arizona highway user revenue fund established by section 28-6533.

M. For the purposes of this section:

1. "Indigent" means a person who is defined as an eligible person pursuant to section 36-2901.01.
2. "Responsible agency" means a licensed hospital, a public or private agency providing shelter services to victims of domestic violence, a public or private agency providing shelter services to homeless families or a health clinic.

## In the back. In the belt. Every time.

**Need a car seat?** Talk to your nurse or call the Arizona Governor's Office of Highway Safety at 602-255-3216 and ask about the Children are Priceless Passengers (CAPP) Program.

## To learn how to put in your child's car seat call:

### East Valley

Association for Supportive Child Care	(480)829-0500 extension 233
Banner Children's Hospital	(602)230-CARE or (602)230-2273 ask for car seat class
Chandler Fire Department	(480)782-2046
Gilbert Fire Department	(480)503-6300
Mesa Fire Department	(480)644-2200
Mesa Police Department	(480)644-KIDS or (480)644-5437
Mayo Clinic Hospital	(480)342-1708 or (480)342-1744
Scottsdale Fire Department	(480)312-BABY or (480)312-2229
Child Proofers	(480)998-SAFE or (480)998-7233

### Central Phoenix

Maricopa County Public Health	602)506-0405
Maricopa Integrated Health Center	(602)344-5364
Phoenix Fire Department	(602)495-KIDS or (602)495-5437
Phoenix Police Department	(602)534-TOTS or (602)534-8687
St. Joseph's Hospital	(877)602-4111

### West Valley

Avondale Fire Department	(623)333-6112
Glendale Fire Department	(623)930-SEAT or (623)930-7328
Goodyear Fire and Police Department	(623)882-SEAT or (623)822-7328
Luke Air Force Base (military personnel only)	(623)856-3766 or (623)856-6641
Peoria Fire Department	(623)773-7279
Peoria Police Department	(623)773-5055
Sun City Fire Department	(623)974-2321
Sun City West Fire District	(623)584-3500
Banner Del E. Webb	
Women's Health Education Department	(623)214-4464
Surprise Fire Department	(623)222-5000
Tonopah Valley Fire District	(623)393-0105
Wittmann Fire District	(623)388-2814

If you want to talk to someone about car seats or how to keep children safe in cars, call Phoenix Children's Hospital Injury Prevention Center at (602)546-0960.

To learn more about child safety on the Internet:

[www.phoenixchildrens.com/emily-center/child-health-topics/safety.html](http://www.phoenixchildrens.com/emily-center/child-health-topics/safety.html)

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