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Child Passenger Safety Laws

State child passenger restraint requirements vary based on age, weight and height. Often, this happens in three stages:

- Infants use rear-facing infant seats;
- Toddlers use forward-facing child safety seats; and
- Older children use booster seats.

Many laws require all children to ride in the rear seat whenever possible, and most states permit children over a particular age, height or weight to use an adult safety belt.

State	Child Restraint Required unless indicated, # refers to Yrs.(Lbs.)	Adult Safety Belt Permissible unless indicated, # refers to Yrs.(Lbs.)	Maximum Fine for a First Offense
Alabama	<1 (or <20) in rear-facing infant seat; 1 - 4 (or 20 - 40) in forward-facing child safety seat; 5 (but not yet 6) in booster seat	6 - 14	\$25 + points
Alaska	<1 (or <20) in rear-facing infant seat; 1 - 4 (and >20) in child safety seat; 4 - 7 (and 20 - 64 lbs. or <57") in booster seat	>4 (and ≥ 65 or $\geq 57"$) 8-16 (and <65 or <57")	\$50 + points
American Samoa	<4	≥ 4	No data
Arizona	≤ 4 ; 5 - 7 (and <57")	5 - 7 (and >57")	\$50
Arkansas	≤ 5 (and <60)	6 - 14 (or ≥ 60)	\$100
California	<8 (and <57") in rear seat if available	8 - 15 (or $\geq 57"$)	\$100
Colorado	<1 (and <20) in rear-facing infant seat in rear seat if available; 1 - 3 (and 20 - 40) in child safety seat; 4 - 7 in booster seat	8 - 15	\$82
Connecticut	<1 (or <20) in rear-facing restraint system; 1 - 6 (and <60) in child restraint system; booster seats only w/ a lap and shoulder belt	7 - 15 (and ≥ 60)	\$92
Delaware	≤ 7 (and <66)	8 - 15 (or ≥ 66)	\$25
D.C.	≤ 7	8 - 15	\$75 + points
Florida	≤ 5	Not permissible	\$60 + points
Georgia	<8 (and $\leq 57"$) in rear seat if available	>57"; ≥ 40 lbs. in rear seat can use lap belt if lap/shoulder belt unavailable	\$50 + points
Guam	<4 in child safety seat; 4-11 (and <4'9") in child restraint or booster seat	12 and older (or 4'9" or taller)	\$100
Hawaii	<4 in child safety seat; 4 - 7 in booster seat or child restraint	4 - 7 (and >4'9"); 4 - 7 (and ≥ 40 lbs.) in rear seat can use lap belt if lap/shoulder belt unavailable	\$100
Idaho	<7	Not permissible	\$79

Illinois	<8	8 - 15; >40 lbs. in rear seat if only lap belt available	\$75 (\$200 for subsequent offenses)
Indiana	≤7	8 - 15; ≥40 lbs. can use lap belt if lap/shoulder belt unavailable	\$25 + points
Iowa	<1 (and <20) in a rear-facing child seat; 1 - 5 in child restraint	6 - 17	\$195 (including court costs)
Kansas	≤3 in child restraint; 4 - 7 (and <80 or <57") in child restraint or booster seat	8 - 13; 4 - 7 (and >80 or >57")	\$60
Kentucky	≤40" in child restraint; ≤7 (and between 40" and 57") in booster seat	>57"	\$50 child restraint; \$30 booster seat
Louisiana	<1 (or <20) in rear-facing child safety seat; 1 - 3 (or 20 - 39) in forward-facing child safety seat; 4 - 5 (or 40 - 60) in booster seat	6 - 12 (or >60)	\$100
Maine	<40 lbs. in child safety seat; 40 - 80 lbs. and <8 yrs. in safety system that elevates child so that adult safety belt fits properly; ≤11 (and <100) in rear seat if available	8 - 17 (or <18 yrs. and >4'9")	\$50 (max. \$250 for subsequent offenses)
Maryland	<8 (and <57")	8 - 15 (or ≥57")	\$50
Massachusetts	≤7 (and <57")	8 - 12 (or ≥57")	\$25
Michigan	≤7 (and <57"); <4 in rear seat if available	8 - 15 (or ≥57")	\$10 for <4; \$25 for 4 - 8 and under 4'9"
Minnesota	≤7 (and <57")	≥8 (or >57")	\$50
Mississippi	<4 in child restraint; 4 - 6 (and <57" or <65 lbs.) in booster seat	≥7 (or ≥57" or ≥65 lbs.)	\$25
Missouri	<4 (or <40) in child safety seat; 4 - 7 (and 40 - 80 and ≤4'9") in child safety seat or booster seat; ≥4 years (and ≥80 or >4'9") in booster seat or safety belt	8 - 16; ≥4 (and >80 or >4'9")	\$50; \$10 for >80 lbs. or >4'9"
Montana	<6 (and <60)	Not permissible	\$100
Nebraska	≤5	6 - 17	\$25 + points
Nevada	<6 (and <60)	Not permissible	\$500 (min. \$100)
New Hampshire	<7 (and ≤57")	7 - 17 (or <7 and ≥57")	\$50
New Jersey	<2 (and <30) in rear-facing infant seat; <4 (and <40) in child safety seat; <8 (and <57") in child safety or booster seat; <8 and <57" in rear seat if available	Not permissible	\$75
New Mexico	<1 in rear-facing infant seat in rear seat if available; 1 - 4 (or <40) in child safety seat; 5 - 6 (or <60) in booster seat	7 - 17	\$25
New York	≤3 unless >40 lbs. and no lap/shoulder belt available; 4 - 7 unless no lap/shoulder belt available	8 - 15 (or >40); 4 - 7 if no lap/shoulder belt available	\$100 + points

North Carolina	≤ 7 (and < 80)	8 - 15 (or 40 - 80 lbs. in seats w/out shoulder belts)	\$25 + \$188 court costs + points
North Dakota	≤ 6 (and $< 57''$ or < 80 lbs.)	7 - 17; ≤ 6 (and ≥ 80 and $\geq 57''$); ≤ 6 (and ≥ 40) can use lap belt if lap/shoulder belts unavailable	\$25 + 1 pt.
Northern Mariana Islands	< 5 (or < 70)	> 5 (or > 70)	\$50 - \$250
Ohio	< 4 (or < 40) in child safety seat; 4 - 7 (and > 40 and $< 4'9''$) in booster seat	8 - 14	\$75
Oklahoma	≤ 5	6 - 12; ≥ 40 lbs. in rear seat can use lap belt if lap/shoulder belt unavailable	\$50 (up to \$207.90 with court costs)
Oregon	Child seat required to 40 lbs. or max upper weight limit of seat; rear-facing to 1 yr & 20 lbs; booster seat for children over 40 lbs but $<$ age 8 or $<$ 4'9" tall	8-15 (or $> 4'9''$)	\$110
Pennsylvania	≤ 7	Not permissible	\$75
Puerto Rico	≤ 4 in child safety seat; 4 - 8 (or $< 57''$) in booster seat; < 12 in rear seat	≥ 9 (or $\geq 57''$)	\$100
Rhode Island	≤ 7 (and < 80 and $< 57''$) in rear seat if available	≤ 7 (and ≥ 80 or $\geq 57''$); 8 - 17	\$85 \$40 (for children between 8 -17)
South Carolina	< 1 (or < 20) in rear-facing infant seat; 1 - 5 (and 20 - 39) in forward-facing child safety seat; 1 - 5 (and 40 - 80) in booster seat secured by lap/shoulder belt (lap belt alone is not permissible); ≤ 5 in rear seat if available	1 - 5 (and ≥ 80) or ≤ 5 if child's knees bend over the seat edge when sitting up straight with his/her back firmly against the seat back	\$150
South Dakota	< 5 (and < 40)	5 - 17 (or ≥ 40)	\$25
Tennessee	< 1 (or ≤ 20) in rear-facing infant seat; 1 - 3 (and > 20) in forward-facing infant seat; 4 - 8 (and $< 4'9''$) in booster seat; ≤ 8 (and $< 4'9''$) in rear seat if available; rear seat recommended for 9 - 12	9 - 15 (or ≤ 12 and $> 4'9''$)	\$50
Texas	≤ 7 (and $< 57''$)	Not permissible	\$25 min., maximum unlisted
Utah	≤ 7 (and $< 57''$)	8 - 15 (or $\geq 57''$)	\$45
Vermont	< 1 (or < 20) in rear-facing infant seat in rear seat unless front passenger airbag is deactivated; 1 - 7 (and > 20)	8 - 17 (and > 20)	\$25
Virgin Islands	< 5	> 3	\$25 to \$250
Virginia	< 7 ; children in rear-facing devices must be in a rear seat if available - otherwise, in front only if front passenger airbag is deactivated	8 - 17 (4 - 7 with physician's exemption)	\$50

Washington	<8 (and <4'9"); <13 in rear seat if practical	8 - 15 (or <8 and >4'9"); >40 lbs. in position where only lap belt available	\$124 to driver if passenger <16; to passenger if >16
West Virginia	<7 (and <4'9")	<7 (and >4'9)	\$20
Wisconsin	<1 (or <20) in rear-facing infant seat; 1 - 3 (and 20 - 40) in forward-facing child safety seat; 4 - 7 (and 40 - 80 and <57") in booster seat; <3 in rear seat if available	<8 (and >80 and >57")	\$173.50 if passenger <4; \$150.10 if passenger 4-8
Wyoming	<8 in rear seat if available	Not permissible	\$50

Sources: Governors Highway Safety Association, Insurance Institute for Highway Safety and National Highway Traffic Safety Administration. Legislation is continually changing. Therefore, this information is not intended to be exhaustive nor should any discussion or opinions be construed as legal advice. Readers should contact appropriate legal counsel for advice.

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