

**Interpretation of Ohio's
Child Passenger Safety Laws**

ORC.4511.81

- **Primary Law-Child Restraints:** Any child, who is less than 4 years old **and** under 40 pounds, must use a federally approved child passenger safety device according to vehicle and car seat manufacturers' instructions.

A Primary Law means that a traffic stop can be made by a police officer for that reason only, without any other traffic offence occurring.

This law is broad. It is recommended that parents and caregivers practice additional safety guidelines to ensure the safest way for their child to travel. (See Safety Guidelines tab)

- **Secondary Laws-Booster Seats:** After the child meets the above child restraint conditions of 4 years and 40 pounds, they should be restrained in a booster seat (according to booster seat and vehicle manufacturer's instructions) until they are 8 years old or 4'9" tall. Again, there are further safety measures to consider for best safety under the Safety Guidelines tab.
- **Secondary Laws-Seat Belts:** Children, who are 8-15 years old (or younger children over 4'9" tall), must be properly secured in seat belts, according to the vehicle manufacturer's instructions, regardless of front or back seat occupancy.

All of the above sections have the following exceptions:

- **Taxicabs**
- **Public Safety Vehicles**
- **Vehicles not equipped with seat belts at the time of manufacture**
- **Chiropractor or physician affidavit of exemption**
- **Life-threatening emergencies**

All of the above sections require the driver to be ticketed, not the child. All of the above sections are Minor Misdemeanors on a first offense with a minimum fine of \$25.00 and a maximum fine of \$75.00. Second offenses are Misdemeanor 4, which have fines to \$250.00 and jail time to 30 days.

If more than one child is not restrained at the time of the stop, only one citation can be issued.