New Child Passenger Safety—Booster Seat Law

Implementation of the new booster seat law (Wisconsin Act 106):

The Child Booster Seat Law goes into effect on June 1, 2006.
- To provide education about the new law, written warnings will be issued instead of citations for first violations during a grace period from June 1 until December 31, 2006.
  - Warnings issued during the grace period must be sent to the WisDOT.
  - Second and subsequent violations of the law before January 1, 2007, (during the grace period) are grounds for a citation.
- On January 1, 2007, law enforcement officers will begin issuing citations for violations.

How to comply with the law (diagram on reverse side):

Generally, children must be properly restrained in a child safety seat until they reach age 4 (previous requirement), and in a booster seat until age 8 (new requirement). The new law includes the following four-step progression for effective child safety protection in vehicles.

1. **Rear-facing child safety seat in the back seat* is required when the child:**
   - Is less than 1-year-old or
   - Weighs less than 20 pounds.
2. **Forward-facing child safety seat in the back seat* is required when the child:**
   - Is at least 1-year-old but less than 4-years-old
   - Weighs at least 20 pounds but less than 40 pounds.
3. **Booster seat is required when the child:**
   - Is at least 4-years-old but less than 8-years-old
   - Weighs at least 40 pounds but less than 80 pounds
   - Is not 57-inches (4-feet, 9-inches) or taller.
4. **Safety belt is required when the child:**
   - Is 8-years-old or older or
   - Weighs 80 or more pounds or
   - Is 57-inches or taller

*Child safety seat must be in the back seat if the vehicle is equipped with a back seat

Exemptions:

- Children whose body-size, physical condition or medical condition makes safety restraints unreasonable are still exempt from the booster seat and safety belt laws.
- There no longer is a “personal needs” exemption allowing the child to be removed from a safety restraint to attend to the child’s personal needs, such as feeding or diapering, while the vehicle is moving.

Changes to mandatory safety belt law:

- Under the new law, drivers may be cited for allowing passengers of any age to be unbelted in their vehicle (*The new law removes a previous provision in the mandatory safety belt law that did not make the driver responsible for unbelted passengers age 16 or older*)

For more information or answers to questions: Contact the Wisconsin Information Network for Safety at its toll-free number 1-866-511-9467 or Web site www.BoosterSeat.gov
Is the child less than 1 year old?
  Yes
  Child must be in rear-facing child seat, located in back seat if a back seat is present.
  Violation: 347.48(4) (as)1

No

Is the child less than 20 pounds?
  Yes
  Child must be in forward-facing child seat, located in back seat if back seat is present.
  Violation: 347.48(4)(as)2

No

Is the child at least 1 year old but less than 4?
  Yes
  Child must be in forward-facing child seat, located in back seat if back seat is present.
  Violation: 347.48(4)(as)2

No

Is the child at least 20 pounds but LESS than 40 pounds?
  Yes
  Child must be in forward-facing child seat, located in back seat if back seat is present.
  Violation: 347.48(4)(as)2

No

Is the child at least 4 years old but less than 8?
  Yes
  Child must be in forward-facing booster seat. Seat is not required to be placed in back seat.
  Violation: 347.48(4) (as) 3

    Is the child LESS than 4’ 9”?

No

Is the child LESS than 80 pounds?
  Yes
  Child must be in rear-facing child seat, located in back seat if a back seat is present.