Purpose:

This issuance establishes the policy and procedures for the Department of Children and Families on the proper use of car safety seats. This policy was developed in partnership with the New Jersey Division of Highway Traffic Safety, the American Academy of Pediatrics (AAP), and the Office of Training & Professional Development to implement the National Highway Traffic Safety Administration (NHTSA) best practices recommendations for child restraints.

Authority:

- 49 CFR §571.209
- 49 CFR §571.213
- 49 CFR §571.225
- N.J.S.A §9:3A-1 et seq
- N.J.S.A.§39:3-76.2 et seq.

Policy:

A) Training

All staff responsible for transporting children and families or inspecting child restraints for resource parents shall be trained by a National Certified Child Passenger Safety Instructor in proper restraint use for occupant protection. The Caseworker shall refer any specific questions regarding the correct use of the child restraint system (e.g., proper installation to accommodate a specific child, etc.) to the Child Passenger Safety Technician (CPST).
B) Check the Child Safety Seat

Caseworkers shall check the manufacturer’s information on the child safety seat to assure the device is not expired.

**Note:** Refer to the child restraint user manual or vehicle user manual regarding proper installation and use of the child safety seat usually located in the glove compartment of the State vehicle.

C) State Requirements

New Jersey State law requires that drivers of motor vehicles, and every passenger in every seating position, are correctly restrained at all times. Department employees and all passengers being transported in State vehicles shall be properly restrained whenever a vehicle is in motion or is on a roadway. The following information guides all State of NJ employees who transport children:

- Drivers shall be properly secured with State vehicle lap and shoulder belts, according to vehicle manufacturer instructions.

- Children under the age of two (2) and weighing less than 30 pounds shall be secured in a rear-facing child passenger restraint system which is equipped with a five-point harness; unless they exceed the maximum rear-facing weight or height limitations allowed by the specific convertible child restraint manufacturer.

  **Note:** It is best practice to keep the child rear-facing if possible. This is still the safest way for children to ride.

- A child under the age of four (4) and weighing less than 40 pounds shall be secured:
  
  (1) in a rear facing child passenger restraint system, which is equipped with a five-point harness, until the child outgrows the top height or top weight recommendations made by the manufacturer of the child passenger restraint system, at which point the child shall be secured in a rear seat, in a forward-facing child passenger restraint system which is equipped with a five-point harness; or

  (2) in a forward-facing child passenger restraint system which is equipped with a five-point harness. Children under the age of eight (8) and less than 57 inches in height shall be secured in a forward-facing child passenger restraint system which is equipped with a five-point harness until the child outgrows the top height or weight recommendation made by the
manufacturer of the child passenger restraint system, at which point the child shall be secured in a rear-seat in a booster seat.

- Children whose vehicle lap and shoulder belts fit correctly and who are over eight (8) years of age or 57 inches in height shall be properly secured with vehicle lap and shoulder belts, according to vehicle manufacturer instructions.

- Drivers of a State vehicle shall secure, and confirm to be secured, all passengers of a State-owned vehicle, operated on a street or highway in this State, or other jurisdiction, and shall wear a properly adjusted and fastened safety seat belt system as defined by Federal Motor Vehicle Safety Standard 209.

- All children transported in a State vehicle under thirteen (13) years of age shall be restrained in the rear seats of the vehicle for optimal protection.

**Note:** State law requires that adult passengers being transported in State vehicles shall be properly secured in accordance to State law N.J.S.A. 39:3-76.2f. Also, Department staff shall ensure that if the child safety seat has a base, that base will be utilized in the transportation of children. See the link for more information from the Office of the Attorney General regarding [car passenger safety](#).

D) **Authorized Child Restraints**

Department employees responsible for transporting children under the State's care, custody, or supervision, shall transport by using only DCF issued child restraint equipment.

Department employees are not authorized to transport any CP&P adult clients or children using their private vehicles or non-issued DCF child restraint equipment. Department employees shall not transport any CP&P clients or their children using a vehicle that is not State-owned. The State vehicle shall include DCF child restraint equipment. All child restraints need to be buckled in when not being used so they do not become projectiles.

E) **Visual Inspection of Child Restraints - Vehicle Seat Belt System**

Employees, prior to transporting a child in a State-owned vehicle, are required to visually inspect each child restraint to ensure that it is in working order. Caseworkers shall observe and immediately inform the Car Care Liaison of any
defects or visible signs - of damage (cracks, discoloration of the plastic, deformed parts, etc.)

The Caseworker shall not transport any child in a State vehicle with any observed defects in the child restraint system. If after trying to secure the child in the rear-seat with the seat belt, and the belt is non-functional, the Caseworker shall not use the vehicle to transport the child. The Caseworker shall inform the Car Care Liaison of any defects or problems with the seat belt.

**Note:** The child restraint instruction manual shall be accompanied with the child restraint.

**F) Possessing the Wrong Seat**

If you do not have the proper child seat or restraint system, with the appropriate weight and height range for the child you are transporting, you shall not transport the child(ren) in that child restraint.

**G) Child Restraint Registration Cards**

The Car Care Liaison shall maintain a log which tracks all child restraints:

- Infant only seat;
- Convertible seat (rear-facing or forward-facing); and
- Belt-positioning booster seat (BPB).

Child restraints may be subject to a manufacturer’s recall. If this occurs, the seats shall be returned to be repaired or replaced. The safety seats shall comply with minimal safety standards. Each Local Office (LO) shall have a Car Care Liaison responsible for ensuring registration cards are returned to the Office of Facilities Management.

**H) Child Restraint Expiration**

Child restraints that are beyond the expiration dates designated by the manufacturer shall not be utilized to transport any child. If an employee discovers an expired child restraint, the employee immediately informs the designated Car Care Liaison to request a replacement. (All seats have expiration dates, if not on the label it is on the shell of the seat.)

The Office of Facilities Management shall be contacted to properly remove expired car seats or child restraints. Expiration dates vary by manufacturer. The Juvenile Products Manufacturer Association (JPMA) suggests replacing seats after 6 years.
The Caseworker shall inform the Resource Parent to contact the Local Office to report an expired child restraint. The assigned Caseworker explores use of Local Office Bank Account (LOBA) funds to replace the expired car restraint.

I) Securing a Child Restraint System or Booster Seat for Resource Parents

Whenever placing or moving a child in resource family care, who is under eight (8) years of age and less than 57 inches in height, the Caseworker shall determine whether the resource parent or the LO has a child passenger restraint system or booster seat available for the child.

If the Resource parent does not have the appropriate seat, then the Caseworker shall issue a check from the Local Office Bank Account (LOBA) to the resource parent to purchase a child passenger restraint system or booster seat. If a child moves from one placement to another, and still needs the child passenger restraint system or booster seat previously purchased, the Caseworker shall transfer the child passenger restraint system or booster seat with the child.

If the child outgrows the child passenger restraint system or booster seat assigned to him or her, the Caseworker shall return the child passenger restraint system or booster seat to the Local Office for reassignment.

If a child returns home to his or her parents, the Caseworker shall return the car seat to the Local Office so that it may be issued to another resource parent, when needed.

J) Motor Vehicle Accidents Involving Child Restraint Equipment

The Car Care Liaison shall immediately remove from service and inspect any child restraints which are involved in a motor vehicle accident. The Car Care Liaison shall check the child restraint user manual for instructions on what to do with a child restraint that is involved in an accident. The Car Care Liaison shall ensure that the manufacturer's replacement guidelines are followed.

K) Checking the Tightness of the Child Restraint System

Caseworkers shall check the tightness of the child restraint system before the Caseworker moves the child in a State vehicle. The Caseworker checks along the correct belt path of the restraint system to ensure the system or seat does not move sideways or towards the front more than one (1) inch. If it does, tighten the seat belt or LATCH to ensure that the child does not move while the State vehicle is in motion.

Rear-Facing Carriers shall only be used for travel. When removing carriers from State vehicles ensure the child is fully buckled in and handle is locked into place.
The child should be removed from an infant carrier once you have reached your destination.

L) Transporting Special Needs Children

Prior to transporting a child with special needs, the resource parent or Caseworker shall consult, or have consulted previously as part of the child’s health plan, with a nurse or the child’s managing health provider to determine what accommodations would be recommended or required to transport the child safely.

If medical transportation is requested, the information to support that request shall come from the child’s treating physician. Referrals for medical transportation are made to the state’s medical transportation broker, LogistiCare, by calling 1-866-527-9933. If there is no documentation of medical necessity, or if transportation is needed for a non-medical purpose (e.g., visitation, etc.), it is the Caseworker’s responsibility to secure the recommended accommodations using contracted service providers, services within the community, or the child’s own existing resources where possible. Medical transportation, when approved, is covered by Medicaid for children in out-of-home placement. Additional accommodations may be covered by Medicaid and should be discussed with the child’s HMO Care Manager and service provider prior to scheduling. The cost of services not covered by Medicaid shall be reimbursed through Local Office funds.

Procedures:

1) Proper Use of Seat Belt

The Caseworker ensures the child sits with his or her back and hips against the vehicle seat. The Caseworker also ensures:

- The full back and buttocks of the child makes contact with the seat cushion.
- The seat belt is fastened.
- The child's knees bend naturally and comfortably over the seat edge.
- The lap belt is low and snug on the thighs and lower hips.
Key Terms (Definitions):

**Appropriate Placement of Seat Belts** - A seat belt fits an occupant correctly when he or she sits with his or her back and hips against the vehicle seat back with knees bent naturally over the front edge of the seat. The lap portion of the seat belt stays low and snug across the upper thighs. The shoulder portion of the seat belt fits snuggly across the mid-chest and shoulder. The occupant remains in this position for the entire time while the vehicle is in motion.

**Belt-Positioning Booster Seat (BPB)** - A crash tested device that raises the child and guides the belt positioning so that the required lap and shoulder belts fit correctly. It shall be used with vehicle lap and shoulder belts.

**Car Care Liaison** - The individual in the Area Office responsible for the overall maintenance of the Child Restraint System in State vehicles in use in Local Offices which comprise the Area.

**Certified Child Passenger Safety Technician (CPST)** - A person who successfully completes the National Highway Traffic Safety Administrations (NHTSA) standardized child passenger safety certification program.

**Child Restraints or Child Restraint System (CRS)** - A crash tested device or system that is specifically designed to provide infant or child crash protection. General terms for systems include child safety seats, boosters, and vest or car beds that meet Federal Motor Vehicle Safety Standard FMVSS213.

**Convertible Seat** - A child restraint that converts from rear-facing for infants and smaller children to forward-facing for older and larger children. This category includes three-in-one car seats which also have a booster mode. Convertible seats have weight ranges for both rear-facing and forward-facing units that vary based on the manufacturer. The car seat shall recline to a 45-degree angle for the rear-facing position.
Detachable Base - Refers to a separate base for an infant-only child restraint system that can be installed in the vehicle. The restraint (car seat) portion can be removed from the base and used as an infant carrier.

Federal Motor Vehicle Safety Standard Number 209 (FMVSS209) - FMVSS No. 209, Seat Belt Assemblies, applies to seat belt assemblies for use in passenger cars, multipurpose passenger vehicles, trucks, and buses. Seat belt assemblies are devices such as straps, webbing, or similar device designed to secure a person in a motor vehicle in order to mitigate the results of any accident, including all necessary buckles and other fasteners and all system hardware including hardware designed for installing such seat belt assembly in a motor vehicle.

Federal Motor Vehicle Safety Standard 213 (FMVSS213) - This rule provides child restraint standards for children up to 80 pounds. LATCH-on child restraints (CR) have two parts: top tether reduces forward movement; lower anchor replaces seat belts for installation.

Federal Motor Vehicle Safety Standard 225 (FMVSS225) - This standard provides location and strength of child restraint anchorage system for light duty passenger vehicles manufactured after September 2002. LATCH has two parts: the top tether anchor points are used only for forward-facing; lower anchors in or near the seat belt, which is at the base or crack of the seat, can be used rear-facing or forward-facing. Do not use the LATCH system at the same time as the seat belt.

Forward-Facing - A child restraint system intended for use in the forward-facing position. This system is designed for a child at least age 2 who has outgrown the rear facing limits (height or weight) of the car seat. Weight and height limitations vary by the manufacturer. The Caseworker needs to ensure that the forward-facing belt path is being used. Always check the child's restraint labels and the manufacturer's instructions to identify the correct belt path.

Harness - A system of straps that keep the child within the seat shell, that distributes crash forces and helps the child ride down the crash. Some harnesses require re-threading for height adjustment and others do not.
High Back Belt Positioning Booster (BPB) - High Back BPB's shall be used in the forward-facing position only. They shall also be used with the vehicle lap and shoulder seat belt system. High back BPB's shall support the back and head of the child (weight and height limitations vary by manufacturer). The seat shall have an open-looped shoulder belt guide and padded armrests to help ensure proper seat belt positioning of the shoulder and lap portions of the belt.

Infant-Only Seat - A child restraint system designed for use only in a semi-reclined rear-facing position. All children shall ride in a rear-facing child restraint system until they are age 2 or once they have exceeded the manufacturer's recommended weight or height limits.

LATCH - Lower Anchors and Tethers for Children
Federal Motor Vehicle Safety Standard 208 (FMVSS208) - This standard regulates seat belts and frontal air bags.

Rear-Facing - A child restraint system intended for use only in the semi-reclined rear-facing position. The rear-facing position supports the entire head, neck, and back. The system cradles and moves with the child to reduce stress to the neck and spinal cord in a crash. The Caseworker needs to ensure that the rear-facing belt path is being used. Always check the child's restraint labels and the manufacturer's instructions to identify the correct belt path.

Recall - Refers to a voluntary or required action taken to correct problems or deficiencies once products have been distributed or sold. Manufacturers shall offer free repairs or replacements for products recalled for violations of safety standards.

Registration Card - Refers to a postage-paid return card that comes with every child restraint. This card shall be returned to the manufacturer so that owners can be notified of any recall.

Seat belt - The webbing, anchors, and buckle system that restrains the occupant in the vehicle.
Terms used throughout this issuance have the following meanings:

- **“Child with Special Needs”** refers to any child whose medical, physical, or mental health condition or disability requires or necessitates specialized care or accommodations for them to receive the CP&P services.

- **“Medical Transportation”** refers to the Medicaid benefit for non-emergent transportation to and from scheduled medical services. The cost of the transportation is covered by Medicaid and services are accessed through a centralized broker responsible for locating and scheduling appropriate transportation service providers.

Related Information:

- [American Academy of Pediatrics (AAP) Updates Recommendations on Car Seats for Children](#)
- [DCF Car Seat Safety Brochure – English](#)
- [DCF Car Seat Safety Brochure – Spanish](#)
- [DCF Car Seat Safety Poster – English](#)
- [DCF Car Seat Safety Poster – Spanish](#)
- [Disposal of Car Seats](#)

Policy History:

- **CP&P III-C-2-500 – 9-22-2014, Car Seat**: This policy was developed in partnership with the New Jersey Division of Highway Traffic Safety and the DCF Office of Training & Professional Development to implement the National Highway Traffic Safety Administration (NHTSA) best practices recommendations for child restraints.

- **CP&P III-C-2-500 – 9-14-2016, Car Seat**: This policy was updated to include the latest safety standards.