

The Illinois Child Passenger Protection Act

Revised Effective January 1, 2011



State of Illinois
Illinois Department of Transportation

REQUIREMENTS:

When any person is transporting a child in this State under the age of 8 years in a non-commercial motor vehicle of the first division, any truck or truck tractor that is equipped with seat safety belts, any other motor vehicle of the second division with a gross vehicle weight rating of 9,000 pounds or less, or a recreational vehicle on the roadways, streets or highways of this State, such person shall be responsible for providing for the protection of such child by properly securing him or her in an appropriate child restraint system.

The parent or legal guardian of a child under the age of 8 years shall provide a child restraint system to any person who transports his or her child.

For the purposes of this Section, "child restraint system" means any device which meets the standards of the United States Department of Transportation designed to restrain, seat or position children, which also includes a booster seat.

Every person, when transporting a child 8 years of age or older but under the age of 16, shall be responsible for properly securing that child in safety belts.

Every person under the age of 18 years, when transporting a child 8 years of age or older but under the age of 19 years, shall be responsible for securing that child in a properly adjusted and fastened seat safety belt or an appropriate child restraint system.

EXEMPTIONS:

A child weighing more than 40 pounds may be transported in the back seat of a motor vehicle while wearing only a lap belt if the back seat of the motor vehicle is not equipped with a combination lap and shoulder belt.

VIOLATIONS:

In no event shall a person's failure to secure a child under 8 years of age in an approved child restraint system constitute contributory negligence or be admissible as evidence in the trial of any civil action.

A violation of this Act is a petty offense punishable by a fine of \$75. A person charged with a violation of this Act shall not be convicted if the person produces in court satisfactory evidence of possession of an approved child restraint system and proof of completion of an instructional course on the installation of a child restraint system.

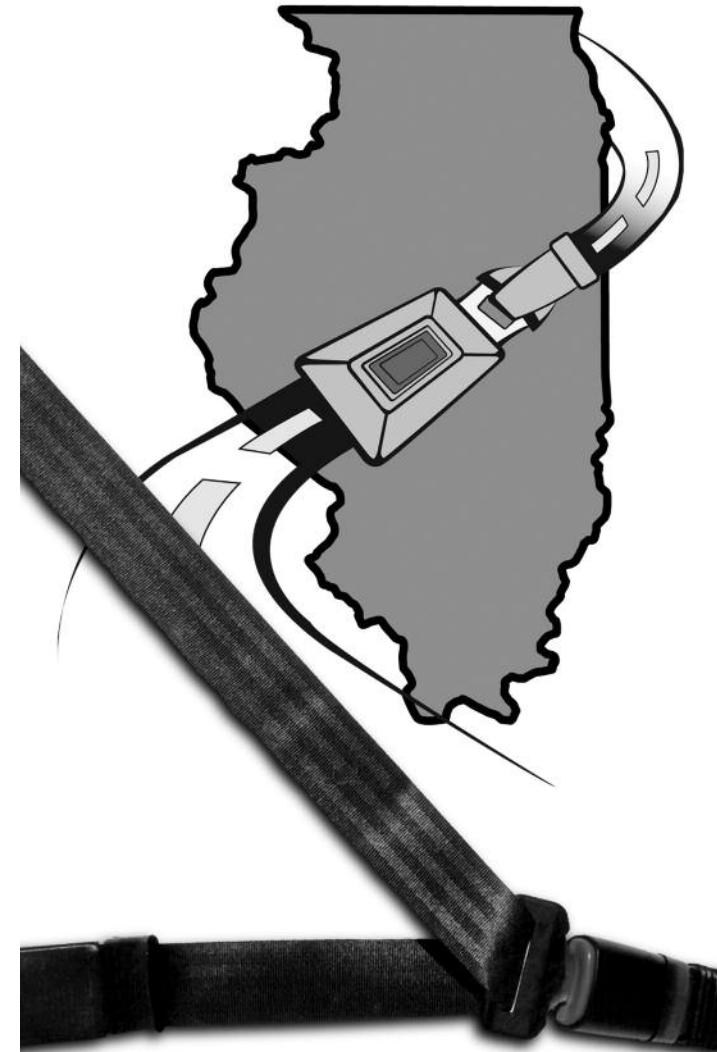
A second or subsequent violation of this Act is a petty offense punishable by a fine of \$200 and cannot be waived.

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ADDITIONAL INFORMATION:

Illinois Department of Transportation
Division of Traffic Safety
1340 North 9th Street
Springfield, IL 62702

Illinois SAFETY BELT USE LAW



The Illinois Safety Belt Use Law

Revised Effective September 15, 2010

REQUIREMENTS:

Each driver and front seat passenger of a motor vehicle operated on a street or highway in this State shall wear a properly adjusted and fastened seat safety belt; except that, a child less than 8 years of age shall be protected as required pursuant to the Child Passenger Protection Act.

Each driver under the age of 18 years and each of the driver's passengers under the age of 19 years of a motor vehicle operated on a street or highway in this State shall wear a properly adjusted and fastened seat safety belt.

Each driver of a motor vehicle transporting a child 8 years of age or more, but less than 16 years of age, shall secure the child in a properly adjusted and fastened seat safety belt as required under the Child Passenger Protection Act.

EXEMPTIONS:

- A driver or passenger frequently stopping and leaving the vehicle or delivering property from the vehicle, if the speed of the vehicle between stops does not exceed 15 miles per hour.
- A driver or passenger possessing a written statement from a physician that such person is unable, for medical or physical reasons, to wear a seat safety belt.
- A driver or passenger possessing an official certificate or license endorsement issued by the appropriate agency in another state or country indicating that the driver is unable for medical, physical, or other valid reasons to wear a seat safety belt.
- A driver operating a motor vehicle in reverse.
- A motor vehicle with a model year prior to 1965.
- A motorcycle or motor driven cycle.
- A motorized pedalcycle.
- A motor vehicle which is not required to be equipped with seat safety belts under federal law.
- A motor vehicle operated by a rural letter carrier of the United States Postal Service while performing duties as a rural letter carrier.

VIOLATIONS:

Failure to wear a seat safety belt in violation of this Section shall not be considered evidence of negligence, shall not limit the liability of an insurer, and shall not diminish any recovery for damages arising out of the ownership, maintenance, or operation of a motor vehicle.

A violation of this Section shall be a petty offense and subject to a fine not to exceed \$25.*

A law enforcement officer may not search or inspect a motor vehicle, its contents, the driver, or a passenger solely because of a violation of this Section.

**Fine does not include \$35 court fees.
Total cost is \$60.*



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