

# Pennsylvania's Seat Belts and Child Seats Law after ACT 81 Title 75 Section 4581 - Restraint Systems (effective 12/24/2011)

From PAMVC Title 75 4581 & Title 67 section 102

Note: Section 1503c2.1 further restricts the number of occupants a new driver under 18 years old may have in a vehicle.

(Medical Exceptions for Child Passenger Restraints must be on PennDOT form SG-5/9-03)

*ALL APPLY TO: Passenger Cars, Class 1 & 2 Trucks, Motor Home, Classic, & Antiques*

- 4581(a)(1) – Every occupant under 4 years old must be in a safety seat used in accordance with the manufacturer's instructions. This is a **primary** Vehicle Code violation with a fine of \$75 and Court Costs.
- 4581(a)(1.1) – Every occupant 4 years old to under 8 years old must be in a booster seat used in accordance with the manufacturer's instructions. (Exceptions from Title 67 section 102 for the use of a booster seat for Lap belt ONLY positions, more than 80lbs, or taller than 57 inches. CHILD MUST STILL utilize a seat belt system. ) This is a **primary** Vehicle Code violation with a fine of \$75 and Court Costs.
- 4581(a)(2)(i) – Every occupant 8 years old to under 18 years old must be in a seat belt. This is a **primary** Vehicle Code violation with a fine of \$10 and no Court Costs but \$30 MCARE, \$10 EMS and \$10 JCP.
- 4581(a)(2)(ii) – Every driver and front seat passenger 18 years old and older must be in a seat belt. This is a **secondary** Vehicle Code violation with a fine of \$10 and no Court Costs but \$30 MCARE, \$10 EMS and \$10 JCP. (Exceptions in 1581a3iii)
- 4581(a)(3) – A Junior Operator may have no more passengers than there are seat belts. This is a **primary** Vehicle Code violation with a fine of \$10 and no Court Costs but \$30 MCARE, \$10 EMS and \$10 JCP.

Rear-facing	Front-facing	Booster	Seat belt 8 to 18	Seat belt Over 18	Under 18 Driver / # Pas- senger
4581 (a) (1)	4581 (a) (1)	4581 (a) (1.1)	4581 (a) (2) (i)	4581 (a) (2) (ii)	4581 (a) (3)
Failed to provide/ properly use child restraint system	Failed to provide/ properly use child restraint system	Failed to provide/ properly use an approved child restraint system	Failed to provide/ properly use seat belt	Failed to provide for front seat passenger or driver to properly use seat belt	Driver under 18 operating with more passengers than seat belts
<b>Primary</b> \$75 + Costs	<b>Primary</b> \$75 + Costs	<b>Primary</b> \$ 75 + Costs	<b>Primary</b> \$ 10 (no court costs)  \$30 MCARE, \$10 EMS and \$10 JCP	<b>Secondary</b> \$ 10 (no court costs)  \$30 MCARE, \$10 EMS and \$10 JCP	<b>Primary</b> \$ 10 (no court costs)  \$30 MCARE, \$10 EMS and \$10 JCP

**4581(d): all child restraints must be used as designed by the manufacturer**