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SESSION 2025

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SENATE BILL DRS45227-NE-59A

Short Title: Revise Child Passenger Restraint System Law. (Public)

Sponsors: Senators Adcock, Hollo, and Brinson (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT REVISING THE LAW REGARDING THE MANDATORY USE OF CHILD
3 PASSENGER RESTRAINT SYSTEMS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 20-137.1 reads as rewritten:

6 "§ 20-137.1. Child restraint systems required.

7 (a) Every driver who is transporting one or more passengers of less than 16 years of age
8 shall have all such passengers properly secured in a child passenger restraint system or seat belt
9 which meets federal standards applicable at the time of its manufacture. For purposes of this
10 section, a "child passenger restraint system" means any device designed to restrain or position a
11 child in a motor vehicle, including a booster seat.

12 (a1) A child less than eight years of age and less than ~~80 pounds in weight~~ 57 inches in
13 height shall be properly secured in a weight-appropriate height and weight appropriate child
14 passenger restraint system. In vehicles equipped with an active passenger-side front air bag, if
15 the vehicle has a rear seat, a child less than five years of age and less than 40 pounds in weight
16 shall be properly secured in a rear seat, unless the child restraint system is designed for use with
17 air bags. If system as follows:

18 (1) Beginning as a newborn, a child shall be properly secured in a rear facing child
19 passenger restraint system with transition to a forward-facing system
20 according to the manufacturer's instructions related to the child's height and
21 weight requirements for use of the system as indicated by the federally
22 required label on the car seat which states those requirements.

23 (2) The child shall be properly secured in a child passenger restraint system in a
24 rear seat unless at least one of the following exceptions applies:

25 a. The vehicle does not have a rear seat. This exception shall not apply
26 to a rear-facing child passenger restraint system being used in the front
27 seat of a motor vehicle that has an active front air bag.

28 b. The vehicle is not equipped with an active passenger-side front air bag.

29 c. The child passenger restraint system is designed for use with front air
30 bags.

31 (a2) A driver may satisfy the requirements of this section by properly securing a child
32 passenger with a seat belt as follows:

33 (1) Notwithstanding subsection (a1) of this section, if no seating position
34 equipped with a lap and shoulder belt to properly secure the
35 weight-appropriate child passenger restraint system is available, a child less



1 than eight years of age and ~~between~~ at least 40 and 80 pounds may be
2 restrained by a properly fitted lap belt only.

3 (2) A child who is at least eight years of age or 57 inches in height may be
4 restrained by a properly secured lap and shoulder belt. For purposes of this
5 subdivision, a lap and shoulder belt are properly secured, if, when fastened,
6 all of the following apply:

7 a. The lap belt fits across the child's thighs and hips and not across the
8 child's abdomen.

9 b. The shoulder belt crosses the child's body diagonally at approximately
10 the mid-point of the child's shoulder and the center of the child's chest.

11 c. The child is able to sit with the child's back straight against the
12 vehicle's seat back cushion and with the child's knees bent over the
13 vehicle's seat edge without slouching.

14"

15 **SECTION 2.** This act becomes effective December 1, 2025, and applies to offenses
16 committed on or after that date.