

CHAPTER 21

VEHICLE SAFETY BELTS/RESTRAINTS SYSTEM

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General

Wearing safety belts can prevent most deaths and injuries involved in vehicular accidents. Striking steering assemblies, windshields, windshield frames, and instrument panels accounts for 70 percent of fatalities involved in motor vehicle collisions. Estimates reveal four out of five persons who died when thrown from a vehicle would have lived had they remained in the vehicle at the time of the accident. As used here, the term safety belt includes passive restraints and air bags, as well as safety belts.

Objectives

The objectives of this procedure are to:

1. Protect drivers and passengers from death or serious injury in the event of a motor vehicle crash.
2. Fix responsibilities for providing, wearing, and maintaining vehicular safety belts.

Policy

It is the policy of the County to require the use of safety belts and child passenger restraint systems in vehicles used for County business, and to assure compliance with the applicable provisions of [Section 3653 of the General Industry Safety Orders](#), and [Section 1596 of the Construction Safety Orders](#).

Use of Safety Belts

Safety belts shall be used in conformance with the following:

1. All drivers and passengers shall use safety belts when on County business, whether they are in County-owned vehicles or privately owned vehicles.
2. Only the numbers of persons for whom working safety belts are available are allowed in vehicles on County business.
3. Operators of motorized equipment shall use seat belts when seat belts are provided on such equipment.
4. Persons in wheelchairs and gurneys being transported shall have safety devices securing them to their wheel chairs or gurneys which in turn shall be secured against movement within the transporting vehicle.

5. Exceptions to these requirements for use of safety belts include:
 - a. Emergencies where conformance is impractical.
 - b. Children under the age of eight (8) years or of a height less than 4'9" (57") shall be safeguarded in vehicles in accordance with Section below.

Child Passenger Restraint Requirement

California Vehicle code Div 12 Chapter 5, article 3.3 [Section 27360](#) states:

- (a) A parent or legal guardian, when present in a motor vehicle, as defined in [Section 27315](#), may not permit his or her child or ward to be transported upon a highway in the motor vehicle without properly securing the child or ward in a rear seat in a child passenger restraint system meeting applicable [federal motor vehicle safety standards](#), unless the child or ward is one of the following:
 - (1) Eight years of age or older. (2) 4'9" (57") or taller.
- (b) (1) A driver may not transport on a highway a child in a motor vehicle, as defined in [Section 27315](#), without properly securing the child in a rear seat in a child passenger restraint system meeting applicable federal motor vehicle safety standards, unless the child is one of the following:
 - (A) Eight years of age or older. (B) 4'9" (57") or taller.
 - (2) This subdivision does not apply to a driver if the parent or legal guardian of the child is also present in the vehicle and is not the driver. If either parent or guardian is present, the parent or guardian may be cited if the child is not properly restrained. Regardless of who else is in the vehicle, all children who are too small/short for the seatbelt system must be properly restrained in an approved child passenger restraint system seat.
- (c) (1) For purposes of subdivisions (a) and (b), and except as provided in paragraph (2), a child or ward under the age of eight years who is 4'9" (57") in height or taller may ride in the front seat of a motor vehicle, if properly secured in a child passenger restraint system that meets applicable federal motor vehicle safety standards, under any of the following circumstances:
 - (A) There is no rear seat.
 - (B) The rear seats are side-facing jump seats.
 - (C) The rear seats are rear-facing seats.

- (D) The child passenger restraint system cannot be installed properly in the rear seat.
 - (E) All rear seats are already occupied by children under the age of 12 years.
 - (F) Medical reasons necessitate that the child or ward not ride in the rear seat.
The court may require satisfactory proof of the child's medical condition.
- (2) A child or ward may not ride in the front seat of a motor vehicle with an active passenger airbag if the child or ward is one of the following:
- (A) Under one year of age. (B) Less than 20 pounds. (C) Riding in a rear-facing child passenger restraint system.

Quick Reference Guide:



Safety Belt Requirement for Special Vehicles and Equipment

Safety belts shall be provided for the following County-owned special vehicles and equipment.

All haulage vehicles and earth-moving equipment which have been provided with roll-over protection shall also be provided with safety belts meeting the requirements of Title

8, Subchapter 4, Article 10 [Section 1596](#) of the Construction Safety Orders or Subchapter 7, Group 4, Article 25 [Section 3653](#) of the General Industry Safety Orders, as appropriate. This includes scrapers, loaders, crawler or wheeled tractors, bulldozers, graders, water wagon prime movers, and similar equipment.

Procurement and Maintenance of Safety Belts

Responsibilities for the procurement and maintenance of safety belts are as follows:

County personnel who procure vehicles are responsible for ensuring adequate numbers of approved safety belts come with each vehicle or are properly added. Using departments are responsible for advising those who procure County vehicles concerning any special requirements for safety belts.