Georgia’s Safety Restraint Law
What You Need to Know

Law enforcement officers at the Franklin Police Department have recently been faced with many questions from citizens, regarding the usage of safety restraint equipment for adults and children. Although laws pertaining to safety restrain usage haven’t changed in many years, they can often be confusing due to many exceptions to the law. The most confusing of these laws is the Child Passenger Safety Law. Chief Kevin Hannah has issued the following important facts, in an attempt to clarify some of the confusion, often faced by citizens when trying to abide by Georgia’s Safety Restraint Laws.

Usage of Safety Belts, Over Eighteen (18) Years of Age

Adults ages eighteen (18) and over must wear a safety belt when driving or riding in the front seat or front passenger seat of a passenger vehicle. (Passenger Vehicle means every motor vehicle designed to carry ten (10) passengers of less and is used for the transportation of persons but shall not mean pickup trucks, motorcycles, motor driven cycles, or vehicles equipped for off-road use, provided that the term “passenger vehicle” includes any sport utility vehicle.)

Failure to wear a safety belt will result in a $15.00 fine.

Usage of Safety Belts, Ages Six (6) Through Seventeen (17)

All persons ages six (6) through seventeen (17) years old are required to be restrained in a safety belt in all seating positions, regardless of the type of vehicle.

Failure to do so will result in a $25.00 fine to be paid by the driver of the vehicle.

Usage of Safety Restraint Devices, Under the age of six (6)

Occupants under age six (6) are required to be in an age and weight appropriate child restraint or booster seat. All children under the age of six (6) must ride in a rear seating position of the vehicle.

Failure to properly retrain children under six (6) may result in a fine up to $50.00 and one (1) point on drivers license. If the offender has a second conviction, the fine may be doubled to $100.00 and two (2) points on drivers license. One citation may be written per unrestrained or improperly restrained child.

Exceptions to the Law

- Children riding on school buses, taxi cabs and public transit are not required to be restrained in a child restraint.
- Children forty (40) pounds and over may be restrained by a lap belt, only if a lap and shoulder belt is not available or all are being occupied to properly secure other children.
- Children may be transported in the front seat if there is no rear seating position available or all rear seats are occupied by other children.
- Children who are under six (6) but over 4’9” in height may be restrained in a safety belt.
- Children may be exempt from this law if the parent or guardian has a physician’s written statement that a physical or medical condition prevents proper restraint.
Four (4) Easy Steps for Kids

**Rear-Facing Seats:** For the best possible protection, keep infants in the back seat, in rear-facing child safety seats, as long as possible up to the height or weight limit of the particular seat. At a minimum, keep infants rear-facing until a minimum of age one (1) and at least twenty (20) pounds.

**Forward-Facing Seats:** When children outgrow their rear-facing seats (at a minimum age one (1) and at least twenty (20) pounds) they should ride in forward-facing child safety seats, in the back seat, until they reach the upper weigh or height limit of the particular seat (usually around age four (4) and forty (40) pounds).

**Booster Seats:** Once children outgrow their forward-facing seats (usually around age four (4) and forty (40) pounds), they should ride in booster seats, in the back seat, until the vehicle seat belts fit properly. Seat belts fit properly when the lap belt lays across the upper thighs and the shoulder belt fits across the chest (usually at age eight (8) or when they are 4’9” tall).

**Seat Belts:** When children outgrow their booster seats, (usually at age eight (8) or when they are 4’9” tall) they can use the adult seat belt in the back seat, if it fits properly (lap belt lays across the upper thighs and the shoulder belt fits across the chest).

**Why a Booster Seat?**

The adult lap and shoulder belt generally does not fit children until they are at least 4’9” tall, weigh approximately eighty pounds and are between 8-12 years of age. Often children who wear an adult lap and safety belt that doesn’t fit properly position the belt on the stomach and/or place the belt under their arm or behind their back resulting in serious injuries. Statistics indicate more that 40% of children under 8 years of age who are killed or critically injured are not properly buckled-up.

**Best Practice Recommendations**

- Always read and follow child restraint instructions and the vehicle owner’s manual.
- Children age twelve (12) and under should ride in the back seat of the vehicle whenever possible. The back seat is the safest position for children.
- Child restraints should be installed with no more than one inch of movement from side to side or front to back.
- Children should remain rear-facing until they reach the upper weight limit or height allowed by the seat. At a minimum, children should ride rear-facing until at least one (1) year AND twenty (20) pounds.
- Rear-facing child restraints should never be placed in front of an active airbag.
- Children should remain in a booster seat until the safety belt fits them correctly across the hips and collar bone.
- Expectant mothers should always wear their safety belt.
Myths and Facts

**Myth:** I don’t have to wear a safety belt if I don’t want to wear one. If I die in a crash from not wearing a safety belt, that’s my business.

**Fact:** WRONG! A vehicle crash death on Georgia’s roadways is EVERYONE’S business. Traffic collisions cost Georgians an average of more than $7.5 billion annually in the form of higher insurance premiums, medical costs and property damage. In Georgia, the estimated monetary and quality of life costs an average of $1.1 million per seriously injured survivor of a crash and 1 million per fatality.

**Myth:** I would only need to wear my safety belt if I drive long distances, not if I drive near my home.

**Fact:** Most crashes usually occur within 25 miles from home.

**Myth:** If I hold my baby in my arms during a crash, I can keep him or her from being thrown from the vehicle.

**Fact:** Children not restrained in a child safety seat during a car crash are three times more likely to be injured than those restrained.

**Myth:** It’s okay to use a child safety seat if the seat is over five years old.

**Fact:** It is highly recommended that a child safety seat be replaced if it’s five years old. Purchasing used child safety seats are not recommended.

**Myth:** It is okay to use a child safety seat after it has been in a car crash.

**Fact:** It is highly recommended that a child safety seat be replaced immediately after it’s been in a car crash. Safety belts should be replaced if there is visible damage.

Additional Information

We hope that the information provide in this article will answer many of the question you may have about seat belt laws in the State of Georgia. If you have additional questions, please feel free to contact the Franklin Police Department or visit the websites listed below.

Georgia Traffic Injury Prevention Institute: [www.ridesafegeorgia.org](http://www.ridesafegeorgia.org)
Georgia Governor’s Office of Highway Safety: [www.gahighwaysafety.org](http://www.gahighwaysafety.org)