Senate Bill 68 to Strengthen Child Safety Seat Requirements is Officially Signed into Law

The legislation, sponsored by Senator Kyle Evans Gay, and written and advocated for by Nemours Children's Health will help keep children safe on Delaware's roadways.



WILMINGTON, Del. (June 30, 2023) – Nemours Children's Health, Delaware Valley, announced today that Senate Bill (SB) 68 to strengthen child safety seat requirements was officially signed into law at a ceremony held at Legislative Hall. The need for this legislation was requested by leaders at Nemours Children's who wrote the bill and secured sponsorship from Senator Kyle Evans Gay and Representative Krista Griffith. It was developed in collaboration with key partners from the Office of Highway Safety and the Delaware Department of Transportation.

Nemours played an integral role in this bill, with the child injury prevention and trauma program bringing awareness to laws in surrounding states and Delaware's opportunity to improve safety for children. Working with the external affairs team, this policy was modeled under the subject matter expertise of Nemours associates within the injury prevention team, as well as partners, to ensure success in the legislature.

"In Delaware, we have seen a 42 percent increase in child deaths and serious injuries as a result of motor vehicle collisions in the last year," said **Jennifer McCue, Injury Prevention Coordination, Trauma Program, Nemours Children's Hospital, Delaware**. "At Nemours Children's Health, we are committed to creating the healthiest generations of children, which includes preventing potential injuries, like those caused by driving related incidents. We are thrilled to see Senate Bill 68 signed into law today and recognize that this law will make a meaningful impact on keeping our children safe on Delaware's roadways while providing education for parents and caregivers on this important topic."

Senate Bill 68 changes the requirements for child safety seats, which currently requires an "appropriate" car seat or booster. Under the codified legislation, children under two years and under 30 pounds must be seated in a rear-facing seat with a 5-point harness. Children under four years and under 40 pounds must be seated in either a forward facing or rear-facing seat with a 5-point harness. Children between the ages of four and 16, must be seated in a booster based upon the manufacturer's guidelines, or a seatbelt.

"On average, four out of five car seats are installed incorrectly – that's why I partnered with Zeta Phi Beta Sorority, Inc. and the Delaware Office of Highway Safety last year to host several free car seat inspection pop-ups across the state," said **Senator Gay**. "Senate Bill 68 improves safety standards for our most vulnerable passengers. I thank Governor Carney for supporting this and a whole host of other highway safety initiatives this year."

"We have come a long way from the days of a parent holding their child on their lap in a car or kids bounding around in the backseat of a station wagon. We know all too well the importance not just of restraining a child, but also providing safe and proper security for our children when driving," said **Representative Griffith**. "Codifying these requirements for car seats and boosters will save lives, period. I'm grateful to my colleagues for passing this bill and to Governor Carney for signing it into law."

The legislation also removes the existing fine for the first offense and requests law enforcement to provide a referral to the Office of Highway Safety car seat fitting station for guidance and education regarding proper use of a child restraint.

"Motor vehicle crashes are one of the top leading causes of death in children in the United States. These deaths can be preventable when car seats, booster seats and seat belts are used properly. Too often we see children rushing through the different stages of car seats before their bodies are physically ready," said **Aubrey Klick, Fitting Station Coordinator, Delaware Office of Highway Safety**. "By strengthening our child passenger safety law, we are ensuring that we extend the time children remain in each stage of their child restraint, and in effect, keeping them safer. Proper use of child restraints reduces the risk of fatal injury by 71 percent for infants and 54 percent for toddlers. Proper booster seat use reduces the risk of non-fatal injuries by 45 percent among four to eight-year-old children when compared to seat belt use alone."

Additionally, under this legislation, the Department of Safety and Homeland Security is required to implement an awareness campaign within 180 days of enactment to provide Delawareans with access to this important information and education. The remainder of the Act will not take effect until one year following its enactment.

Secretary of Transportation Nicole Majeski added, “Safety on our roads is our top priority and we are grateful to Nemours for supporting this effort to strengthen car seat safety rules. Eight children under the age of 14 were killed in car crashes last year and dozens more sustained injuries. Ensuring children are properly restrained and in the appropriate car seat configuration is critical for every trip whether it is five minutes or five hours.”

About Nemours Children’s Health

Nemours Children’s Health is one of the nation’s largest multistate pediatric health systems, which includes two free-standing children's hospitals and a network of more than 70 primary and specialty care practices. Nemours Children's seeks to transform the health of children by adopting a holistic health model that utilizes innovative, safe, and high-quality care, while also caring for the health of the whole child beyond medicine. Nemours Children's also powers the world’s most-visited website for information on the health of children and teens, Nemours KidsHealth.org.

The Nemours Foundation, established through the legacy and philanthropy of Alfred I. duPont, provides pediatric clinical care, research, education, advocacy, and prevention programs to the children, families and communities it serves. For more information, visit Nemours.org.

About the Delaware Office of Highway Safety

The Office of Highway Safety (OHS) is committed to improving the safety of Delaware’s motoring public by focusing on behavioral traffic safety issues, such as impaired driving, seat belt use, speeding, child passenger safety, pedestrian and bicycle safety, motorcycle safety, and teen driving issues. FAQs can be found at ArriveAliveDE.com. Follow OHS on the Delaware Office of Highway Safety website, Facebook, Twitter, Instagram, and TikTok.

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