
CCMTA Road Safety Report Series

NATIONAL OCCUPANT RESTRAINT PROGRAM 2010

Annual Monitoring Report 2009

Prepared For

Canadian Council of Motor Transport Administrators
Standing Committee on Road Safety Research and Policies

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CANADIAN COUNCIL OF MOTOR TRANSPORT ADMINISTRATORS

The *Canadian Council of Motor Transport Administrators* is a non-profit organization comprising representatives of the provincial, territorial and federal governments of Canada which, through the collective consultative process, makes decisions on administration and operational matters dealing with licensing, registration and control of motor vehicle transportation and highway safety. It also includes associate members from the private sector and other government departments whose expertise and opinions are sought in the development of strategies and programs.

The work of CCMTA is conducted by three permanent standing committees which meet twice a year. The mandates of the standing committees are as follows:

- < The **Standing Committee on Drivers and Vehicles** is responsible for all matters relating to motor vehicle registration and control, light vehicle standards and inspections, and driver licensing and control.

- < The **Standing Committee on Compliance and Regulatory Affairs** is concerned with the compliance activities of programs related to commercial driver and vehicle requirements, transportation of dangerous goods and motor carrier operations in order to achieve standardized regulations and compliance programs in all jurisdictions.

- < The **Standing Committee on Road Safety Research and Policies** is responsible for coordinating federal, provincial and territorial road safety efforts, making recommendations in support of road safety programs, and developing overall expertise and strategies to prevent road collisions and reduce their consequences.

CCMTA's Board of Directors also meets twice per year to attend to the overall management of the organization, determine policy direction and provide overall guidance and direction to the standing committees. Recommendations of the standing committees are ratified by the CCMTA Board.

All CCMTA standing committee meetings are open to industry stakeholders. Associate membership further allows private organizations and other government bodies with an interest in matters dealing with motor vehicle transportation and highway safety to be kept apprised of CCMTA activities and have formal access to CCMTA meetings and proceedings.

For further information on CCMTA projects and programs or associate membership, please contact the Secretariat.

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EXECUTIVE SUMMARY

The NORP Task Force requests input from all jurisdictions and reports seat belt and child passenger safety legislation, enforcement and education strategies on an annual basis.

All jurisdictions except for Nunavut and New Brunswick participated in the 2009 NORP Monitoring Survey, which covers the period of January 1, 2009 through to December 31, 2009.

The terms of reference developed for “*NORP Beyond 2001*” include the following proposals put forward by the NORP Task Force and adopted by the CCMTA Standing Committee on Road Safety Research and Policies (RSRP):

- To develop a strategy to maintain and/or achieve a seat belt usage rate of 95 per cent for all motor vehicle occupants by 2010.
- To monitor progress and to review the proposed strategy on a regular and timely basis and to make recommendations for improvements that will achieve the stated objective.
- To focus on specific areas of occupant protection, including, but not limited to: rural populations, child passenger safety and legislative, educational and enforcement strategies.

This report includes information collected based on the proposals included in “*NORP Beyond 2001*”. The NORP Monitoring Survey was used to collect data from jurisdictions.

Transport Canada’s cycle of rural/urban seat belt usage surveys saw a rural survey complete in 2009. However, the results of that survey have not yet been released.

NORP has identified a number of legislative, enforcement and public education strategies which jurisdictions can use to increase seat belt wearing rates. Highlights of these strategies are included in this report.

Appendices IV - VI show the current deterrents and exemptions in place across Canada for 2009 for non-use of seat belts and child restraints. Legislative and regulatory amendments to reduce or eliminate seat belt exemptions have been identified by NORP as a way of increasing seat belt usage. In 2009 ON and NL made changes to exemptions from seat belt/child restraint use. Legislation that reflects the importance of this public health issue and effectively addresses areas where improvements can be most helpful in increasing seat belt compliance remains critical. Although NORP has recommended that jurisdictions should continue to work towards eliminating seat belt exemptions, jurisdictions are slow to move in this direction. It is very positive to see some movement in this area.

All jurisdictions have implemented education and enforcement initiatives to increase seat belt and child seat use. There is significant jurisdictional variation in the resources applied to these programs. Educational materials and information are routinely

provided to the police, emergency services, public and health care professionals.

Almost all jurisdictions participated in some form of police activity either focused on or included seat belts. Operation Impact is a national weekend-long traffic enforcement blitz, which focuses on the high-risk driver, including the motorist who is not wearing a seat belt. The seventh annual Canada Road Safety Week was held in 2009, the week leading up to and including the long weekend in May. Almost all enforcement in Canada participated in some form of enforcement activity in conjunction with these two national programs.

Almost all jurisdictions that reported on STEP programs conducted in 2009 indicated occupant restraint use and child restraint use were targeted. Some combined other target areas, most often with impaired driving, speed and intersections or a combination of driver behaviour issues.

The efforts of the police and other road safety advocates have been instrumental in both achieving a seat belt usage rate in Canada of over 90 per cent and in raising awareness of associated issues. Enhanced training of the police community to raise awareness of this issue is important. In 2009, police in the majority of jurisdictions had some form of training pertaining to seat belts and child car seat usage

Enforcement remains a critical element in the success of Canada's seat belt compliance rate, with risk of apprehension a significant factor in encouraging people to buckle up. It is an ongoing struggle to measure the perceived risk of apprehension. In 2009 BC and AB used public opinion polls to measure the perception of apprehension for non-seat belt use, which ranged from very low to about 40 per cent.

The child passenger safety model legislation serves as basic principles that would best contribute to improvements in occupant protection within the framework of existing legislation.

Increasingly, various jurisdictions are exploring ways to reach their rural populations through public education initiatives, in order to increase seat belt use in this vulnerable population.

PROGRESS BEING MADE TOWARDS THE NORP RSV GOALS

Sub-target: Minimum seat belt wearing rates and proper use of child restraints of 95% by all motor vehicle occupants¹

Although benchmark data do not exist for this sub-target, the application of the methodology used in a Transport Canada study to estimate seat belt effectiveness indicates that with gradual annual increases in restraint use to 95% by 2010, an estimated 715 additional lives will be saved and 1,377 serious injuries avoided during the timeframe of RSV 2010 (assumes that the level of injuries avoided was the same for seriously injured occupants as for all injured occupants.)

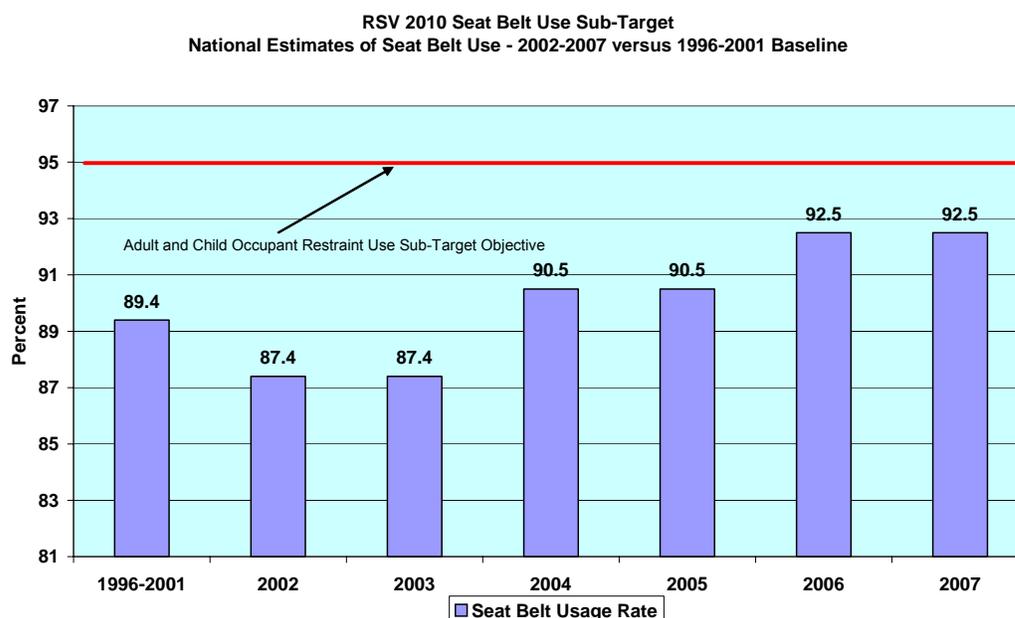
Results of TC Seat Belt Use Survey among adult occupants:

2006-2007 National
Seat Belt Use Rate
92.5%

2008-2010 Target
95%

Sub-target:

A 40% decrease in the number of unbelted fatally or seriously injured occupants²

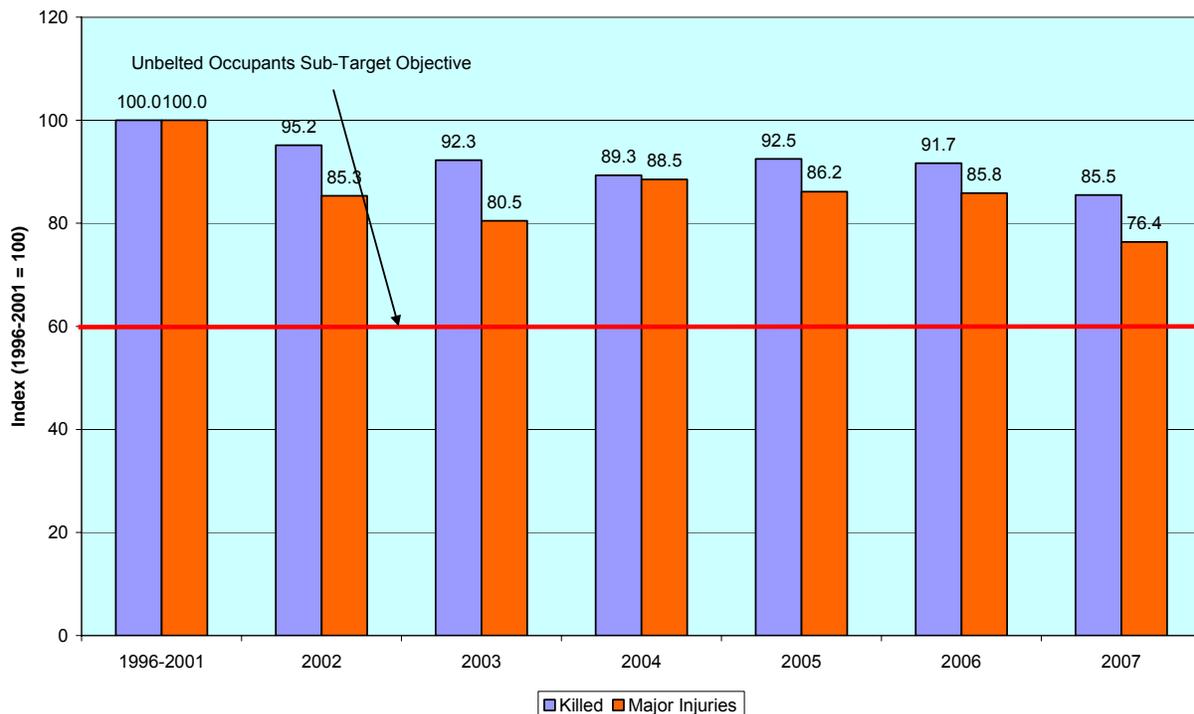


Note: Seat belt usage rates for the 1996-2001 baseline period are not directly comparable to usage rates cited during 2002 and beyond due to differences in survey methodologies.

¹ It must be pointed out that effective in 2002, Transport Canada dramatically modified the methodology used to estimate national seat belt usage rates, and consequently data for 2002 and beyond are not directly comparable to seat belt usage rates from previous years. For the first time in 2002, Transport Canada conducted a rural seat belt use survey, followed by an urban survey in 2003 that utilized a more representative site selection process than predominantly urban 'national' surveys conducted in 2001 or earlier. The combined results of the 2002 rural and 2003 urban observations were used to estimate the 2002-2003 national figure. The 2002-2003 national figure and subsequent national figures, which utilize weighted results from both surveys, and include considerably more observation sites (512 versus 240) than seat belt surveys from earlier years, are deemed to be more accurate than their predecessors. Consequently, unlike all other sub-targets, that compare current year victim figures to the 1996-2001 baseline period, the 2002-2003 national seat belt usage rate was used as the baseline indicator for this sub-target.

² Baseline data for the Road Safety Vision 2010 sub-targets are based on average annual fatalities and serious injuries that occurred during the 1996-2001 period, which was the timeframe of Road Safety Vision 2001. Baseline indicators and target objectives are provided for each of the Vision's sub-targets

RSV 2010 Unbelted Occupants Sub-Target
Unbelted Fatally/Seriously Injured Occupants - 2002-2007 versus 1996-2001 Baseline



HISTORY

In 1989, the Council of Ministers Responsible for Transportation and Highway Safety agreed to employ all possible means to achieve a 95 per cent seat belt use rate by the end of 1995. In response, the CCMTA developed and implemented the National Occupant Restraint Program in 1989. As a first step, a Phase I proposal called for each jurisdiction to achieve an 80 per cent use rate by the end of 1990. At the same time, a Phase II proposal was developed which outlined a five-year program aimed at achieving a 95 per cent use rate by the end of 1995. In October 1996, NORP was extended with the goal to achieve and maintain a 95 per cent occupant restraint use in all seating positions in light-duty vehicles (passenger cars, passenger vans and light-trucks) in each of the provinces and territories to the year 2001.

The focus of NORP's 95% by '95 program was primarily on the driver. The focus of NORP 2001 was on all occupants with particular emphasis on ensuring children are properly secured. As an addition to NORP 2001 a business case was approved by the CCMTA Board of Directors in 1999, endorsing further strategies to address seat belt use, particularly in rural areas.

Subsequently, NORP provided suggestions for aggressive but achievable targets that have been incorporated into Road Safety Vision 2010.

PURPOSE OF THIS REPORT

As part of the approved strategy, the NORP Task Force was made responsible for producing an annual monitoring report on NORP's progress. This report based on

information from January 1, 2009 to December 31, 2009. This report summarizes efforts to meet the goals outlined in “Road Safety Vision 2010”, successor plan to Road Safety Vision 2001. RSV 2010 has identified enhanced and specific targets associated with motor vehicle occupant protection.

NORP 2009 MOVEMENT TOWARDS THE RECOMMENDATIONS:

RECOMMENDATION #1:

Each jurisdiction should aim to achieve and maintain:

- **A minimum seat belt wearing rate of 95 per cent and proper use of child restraints by all motor vehicle occupants**
- **40 per cent decrease in number of unbelted fatally or seriously injured occupants**
- **40 per cent decrease in the number of road users fatally or seriously injured on rural roadways.**

Based on Road Safety Vision 2010, NORP has set a target of a 95 per cent rate of seat belt wearing and proper use of appropriate child restraints by all motor vehicle occupants.

Funding secured by NORP in 2006 was enough to allow Transport Canada to continue a cycle of rural/urban seat belt usage surveys through 2007. New funding was acquired to complete a cycle of surveys in 2009/10 but there was no surveys completed in 2008. A rural survey was conducted in the fall of 2009; however the results of that survey have not yet been made public. The most current numbers available are from a report on the results of the 2006 rural seat belt results were issued in February of 2007. This survey, which occurred in September 2006 in communities with a population fewer than 10,000 but more than 1,000 inhabitants that are located outside any census metropolitan area. In September 2007 an urban survey was conducted in communities with a population over 10,000 plus communities with a population of less than 10,000 that are located within a census metropolitan area. All occupants of light duty vehicles were the targets of this survey. It was conducted from September 15 – 22, 2007 and involved two separate observations periods at each of 270 sites. A total of 92,440 vehicles and 121,986 occupants were observed during the course of the study. Therefore during the two surveys a total of 133,577 vehicles and 182,602 occupants were observed across Canada.

The survey reported that the Canadian urban seat belt usage rate is estimated at 93.1%. The previous urban seat belt usage survey, in 2005, showed that 91.1% of all occupants of light duty vehicles in urban communities used seatbelts. This increased by 2%, a small step in the right direction.

Jurisdictions with seat belt usage rates at or above the national average (92.5%) were Ontario (92.8%), Saskatchewan (93.5%), PEI (97.9%), Quebec (93%) and BC (94.8%).

Education on the correct use and installation of child restraints continues. Most jurisdictions are maintaining the network of technicians that are trained to properly install child car seats.

COMMENTARY:

The change in occupant restraint usage rates is minimal from year to year however it is hard to know if we are progressing in the right direction to achieve the 95% usage rate without measurement. We are hopeful that the surveys completed in the upcoming years will indicate positive movement.

Setting aggressive but achievable targets for Road Safety Vision 2010 is one way of focussing attention on the importance of occupant restraint use and in achieving success. Continued attention is needed in this area. Strengthening linkages' with agencies that are also involved in occupant protection so the targets and reasons for them are understood, is another effort towards achieving success.

RECOMMENDATION #2

Each jurisdiction should continue working towards the removal of exemptions for the non-use of seat belts.

In 2009, two jurisdictions revised seat belt exemptions. ON changed their exemption for children over nine kg's in vehicles that are leased, reducing the length in which a vehicle can be leased (from 60 days to less than 30 days). They also established an exemption expiry date, July 1, 2014, for vehicles registered outside of ON and leased vehicles. NF made changes to their exemption for refuse truck operators, making it more specifically defined.

COMMENTARY

Seat belt exemptions fall into three categories:

- Medical/physical
- Occupational (e.g. rural mail delivery, police)
- Situational (e.g. from other jurisdictions, driving in reverse)

The Canadian Medical Association (CMA) has indicated that there are no medical conditions that preclude the wearing of a seat belt.

When seat belt usage was first mandated, seat belts were sometimes difficult to use. In order to obtain "buy in" from certain stakeholders, such as police officers and taxi drivers, exemptions were allowed to address the particular concerns raised by these groups. Seat belts have become substantially more comfortable and easy to use in the years since they were introduced. There are very few occupations for which seat belt usage is an obstacle.

With all jurisdictions requiring seat belt use, there are no benefits to situational exemptions. Movement towards removal of exemptions has been very slow over the

past few years and 2009 was no different.

RECOMMENDATION #3

Each jurisdiction to target the high-risk driver by increasing the monetary cost of an infraction and to introduce or increase the number of demerit points for non-use of seat belts and child car seats.

Sanctions for convictions under occupant restraint legislation continue to vary throughout the country, ranging from \$75 to \$292.65 and from 0 to 4 demerit points. The slight trend of increased sanctions, both fines and demerit points, for seat belt non-use since 1999 is continuing. There were two jurisdictions that had a fine increase in 2009. In MB the fine increased from \$278 to \$292.65 and ON increased their fine from \$110 - \$240, including court costs and victim surcharge, up from \$85 - \$200.

With four demerit points levied against motorists, and seven for motorists in GDL, Yukon currently has the most effective demerit point penalties. The number of jurisdictions that have imposed demerit points far out numbers the jurisdictions that do not. British Columbia and Alberta (with the exception of their GDL program) have not applied demerit points for seat belt or child restraint non-use.

The tables in appendices IV - VI show the current (2009) sanctions and exemptions in place across Canada for non-use of seat belts and child restraints.

COMMENTARY

The imposition of demerit points, in conjunction with increased enforcement and education, and the removal of seat belt exemptions have been shown to significantly increase seat belt usage rates. Significant work still needs to be done to increase demerit point penalties and remove seat belt exemptions in many jurisdictions and this work needs to be given a higher priority.

RECOMMENDATION #4

Each jurisdiction to harmonize and simplify provincial laws and regulations in accordance with NORP's recommended model³, and include sustained public education efforts to reduce the opportunities for misuse and non-use of child car seats, including ensuring the use of booster seats for children who have outgrown a child car seat, yet for whom an adult seat belt is not appropriate; and, ensuring children 12 years of age and under are seated in the back seat of the vehicle.

In an attempt to make the NORP model legislation more adaptable, NORP wrote to Transport Canada in 2004 to request that Canadian Motor Vehicle Safety Standards (CMVSS) for booster seats include a seated height. The letter also requested that Transport Canada amend the terminology in CMVSS from "booster cushion" to "booster

³ Model of Legislative Provisions for Motor Vehicle Occupants (June 2004)

seat". Transport Canada agreed that "booster seat" was a clearer, more effective term that reflects current usage. Proposed regulations regarding the increase to 65 lbs for forward-facing seat were published in the CG Part 1 on October 10, 2009.

Seven out of 11 reporting jurisdictions have legislation that covers rear, forward and booster child car seat use. 2009 saw no movement in increasing the number of jurisdictions implementing booster seat legislation.

ON, BC and New Brunswick remain the only three jurisdictions that requires everyone in the vehicle to occupy a seating position with a seat belt and that the seat belt is used properly, as described in the legislation. There was no movement on this by any other jurisdiction in 2009.

Three out of the eleven reporting jurisdictions indicated that matching jurisdictional laws with the NORP recommended model is a priority. Legislative activity was minimal in 2009. The Model of Legislative Provisions for Motor Vehicle Occupants is available to guide jurisdictions to make legislative and regulatory amendments that will strengthen occupant restraint laws.

Jurisdictions continue to implement education and enforcement initiatives aimed at increasing the proper use of occupant restraints. Many jurisdictions across the country continue to have enforcement personnel trained as either technicians or instructors in the national child passenger safety program.

Enforcement activities across the country vary and include participation in provincial selective traffic enforcement programs as well as regional and national programs such as Operation Impact, and Canada Road Safety Week. Many jurisdictions combine enforcement with a variety of education initiatives to focus on occupant restraint use and other high-risk driving behaviours.

Aside from campaigns that include enforcement and the distribution of public education materials; child seat clinics (in co-operation with health professionals, and all levels of emergency service personnel) and the involvement of insurance and other road safety partners, there are several other programs being executed across the country:

- Car seat education is available at almost every SGI Claims office around the province on a year round basis. Community clinics continue to be offered through the summer months. In 2009 technicians were trained from the majority of Aboriginal communities in the province, in partnership with First Nations Inuit Health.
- AB held one-day in-services throughout the province to train enforcement personnel on proper car seat use.
- NS held a Child Passenger Safety Week September 12 – 18 raising awareness of the proper use of car seats.

- The Ministry of Transportation in Ontario partnered with Ontario Physical and Health Education Association to develop cross-curriculum resources for teachers to incorporate car seat/booster seat safety into their lesson plans.
- BC, worked in partnership with the BCAA Traffic Safety Foundation hold car seat clinics, provide information, train police and work with Aboriginal communities through an outreach program.

RECOMMENDATION # 5

Each jurisdiction to implement measures that focus education and enforcement activity in rural geographic locations that have been shown by collision statistics to be high-risk locations.

BC, Alberta, Manitoba, Ontario, Prince Edward Island, Nova Scotia, Northwest Territories and Saskatchewan held awareness/enforcement seat belt programs targeted at the rural population:

- BC held a September campaign with focus on rural communities, specific clinics, information sessions and training for rural communities.
- Alberta Infrastructure and Transportation, Alberta Occupant Restraint Program and Alberta Health Services developed enforcement and education programs that targeted rural communities throughout the province.
- Saskatchewan continued holding “Seat Belt Challenges”, one in a health region and one in a Tribal Council in the province. This “Challenge” had communities in close proximity compete to increase their seat belt usage rates through education, public awareness activities and enforcement. Roadside observations were done to get a baseline usage rate, public awareness and enforcement activities occurred for about five months and usage rates were measured again. This project was accompanied by a province-wide ad campaign that included radio, TV, outdoor advertising and poster distribution. The communities that participated were four typical rural communities in one health region and eight First Nation communities in the Tribal Council. Seat belt usage went up in all communities.
- In Manitoba child restraint technician training, seat belt education and enforcement campaigns were conducted.
- In Ontario occupant restraint programs were implemented in a range of rural communities to reinforce the importance of buckling up and to promote the benefits of child restraint use. These programs were similar to those run in urban areas and include car seat clinics put on by community groups, community events and displays, and roadside car/booster seat education provided by stakeholders like police and public health.
- RCMP in Northwest Territories held enforcement programs in the rural areas.

- Nova Scotia's Child Safety Link taught child restraint technician courses in several small towns and had participants from rural communities. Clinics and public education were delivered in these communities.
- Prince Edward Island saw checkstops involving the RCMP, municipal police and Highway Safety Enforcement officers in the rural parts of the province.

COMMENTARY

Nine out of eleven jurisdictions reported activity in the rural parts of their province/territory in 2009, which is a big jump from previous years. Emphasis needs to continue in this area in jurisdictions where injuries and fatalities continue in their rural areas.

RECOMMENDATION #6

To increase the perceived risk of apprehension for the non-use of occupant restraints, jurisdictions should refocus their enforcement efforts to ensure that they are as effective as possible. Enforcement has been proven to be an important cornerstone in efforts to increase seat belt compliance and by increasing the visibility of enforcement, the perceived risk of being stopped/apprehended is augmented which in turn, will increase compliance. High visibility seat belt checks by police, supported by public education such as news releases, media interviews and community outreach, can significantly enhance the public's perception of police efforts to increase occupant restraint compliance.

In 2009, all but one of the eleven reporting jurisdictions conducted some form of STEP. Occupant restraint use was one of the targeted areas for this enforcement. All ten of the reporting jurisdictions focused on seat belt use and child passenger safety. The vast majority of jurisdictions also targeted impaired driving. Five jurisdictions focused STEP's on commercial vehicles.

Three reporting jurisdiction (BC, NT, QC) have night-time enforcement specific to seat belts or in conjunction with impaired driving enforcement.

Some enforcement/education efforts worth noting are:

- BC enhanced seat belt enforcement as part of the provincial campaign held in September.
- In 2009 Alberta held two major STEP programs in March and October as well as on-going STEP programs throughout the year at various locations. Advertising campaigns encompassing print, radio, TV and website are used to promote occupant restraint use.
- Saskatchewan continued the Multi Agency Seat Belt Team (MASTeam) in 2009. Members from all provincial enforcement agencies visited four communities around the province to do high-profile seat belt blitzes. These operations were

accompanied by TV and radio media coverage.

- Ontario held spring and the fall provincial seat belt campaigns. The Ontario Provincial Police held a road safety program every long weekend, focussing on full occupant restraints.
- Manitoba RCMP and Winnipeg police conducted seat belt enforcement campaigns in the spring and fall of 2009.

The following chart shows the number charges laid and convictions for occupant restraint offences by jurisdiction in 2009:

Jurisdiction	Adult Occupant Restraint Charges Laid	Adult Occupant Restraint Convictions	Child Restraint Charges Laid	Child Restraint Convictions
AB	28,199		2,586	
BC	n/a		n/a	
MB	5,786 includes child restraints			
NS	Not reported			
NB	Not reported			
NL	Not reported			
NT	n/a	469	n/a	21
ON	68,733	63,622	1,472	1,032
PE	n/a	445	n/a	7
QC	n/a	61,016 (2008)	n/a	1,436 (2008)
SK	n/a	6,927	n/a	742
YT	241	230	3	3
TOTAL	102,959	132,709	4,061	3,241

Transport Canada in conjunction with NHTSA has completed Phase II of a proof of concept project to assess the feasibility and user acceptability of a seat belt interlock system which delays the vehicle from being put in gear if the seat belt is not being used. This report was recently published and is available in hard copy.

COMMENTARY:

A method of accurately measuring the perceived risk of apprehension needs to be developed. In 2009, BC and AB measured the public's perception of getting caught not wearing their seat belts through public opinion surveys. In BC 40% of the public surveyed thought they would get caught if they were not wearing their seat belts. In AB public perception is low. NORP will continue to explore technological solutions in order to help increase compliance with seat belt use laws.

RECOMMENDATION #7

To encourage the involvement of enforcement in combined types of enforcement programs, such as the Safe and Sober Program in the U.S. where police officers enforce seat belt and drinking and driving laws within the same campaign (in line with CCMTA's Strategy to Reduce Impaired Driving).

Increasingly, enforcement activities are moving toward combined activities. Operation Impact is an example of a program which has moved not only from its original focus on seat belt, use to a combination that identifies seat belt non-compliance with other high risk behaviour, including drinking and driving but also from a day-long to a weekend-long project. May 2009 saw the seventh annual Canada Road Safety Week where RCMP and other police agencies focus on impaired driving, occupant restraint use, and other aggressive driving behaviours for the week leading up to and including the Victoria Day long weekend in May. Most of the major police forces participated and reported which resulted in 2,439 impaired driving related charges (up from 2,108 in 2008) and 6,363 occupant restraint related charges (up slightly from 6,357 in 2008). In 2009 law enforcement continued to concentrate on all aggressive driving behaviour which resulted in 56,130 charges (up from 53,129 in 2008). Operation Impact, in October 2009 resulted in 1992 impaired charges (up from 1504 in 2008) and 4,411 seat belt charges (down from 6,657 in 2008) as well as 31,888 aggressive driving related charges (down slightly from 31,990 in 2008). Operation Impact also saw an increase in the number of police agencies participating and reporting, with 11 new agencies getting involved in 2009.

Jurisdictionally, enforcement is also moving to combined efforts as is noted in the following examples:

- BC held INSTEP – Impaired/Intersections Night-time seat belt traffic enforcement where covert spotters radio ground units when they spot no restraint.
- Ontario Provincial Police conducted road safety enforcement program every long weekend in 2009, focussing on full occupant restraint use.
- Prince Edward Island's enforcement got involved in combined types of enforcement during Safe Driving Week.
- In Alberta in 2009 an enforcement calendar created a more targeted approach in enforcement activities. Joint operations, rural and urban, were held during March and October.

These examples indicate that jurisdictions continue to work with traffic enforcement to increase and/or maintain seat belt and child restraint use, and to encourage officers to ticket violators on a continuous basis.

COMMENTARY

More jurisdictions should be encouraged to use the models that have been used nationally (Canada Road Safety Week, Operation Impact) that see multiple enforcement agencies working together to address numerous road safety issues, such as booze, belts, speed and intersections. CCMTA can continue to provide a natural link in approaching the Canadian Association of Chiefs of Police to co-ordinate the development and implementation of police training in these issues across the country.

RECOMMENDATION #8

Each jurisdiction continue activities with enforcement, education and legislative changes that encourage the use of seat belts and child car seats including sharing of resources and information among jurisdictions, and evaluating current programs so that other jurisdictions can gain information about program effectiveness and move toward a unified voice across the country with regard to seat belt and child car seat use.

CCMTA continues to maintain an inventory of public education materials pertaining to occupant restraints, with annual fall updates. This information is available on the CCMTA web site.

Use of the Internet has allowed greater access to information and opportunities for networking. The following jurisdictions indicated they have web sites and information on child restraints and/or links to child restraint information:

Alberta: www.transportation.alberta.ca

British Columbia: www.icbc.com, <http://www.gov.bc.ca/pssg/index.html>

Manitoba: www.mpi.mb.ca

New Brunswick: www.gnb.ca

Newfoundland: www.gov.nl.ca

Northwest Territories: www.dot.gov.nt.ca

Nova Scotia: www.gov.ns.ca, www.momsanddads.ca, www.childsafetylink.ca

Ontario: www.mto.on.ca

Prince Edward Island: www.gov.pe.ca

Quebec: www.saaq.gouv.qc.ca

Saskatchewan: www.sgi.sk.ca

Yukon: www.hpw.gov.yk.ca

Transport Canada: www.tc.gc.ca

Safe Kids Canada: www.safekidscanada.ca

COMMENTARY:

TC has conducted rural/urban seat belt surveys for 2009 and is planning to do another one in 2010 to have a complete set for the end of Road Safety Vision 2010. This would help to ensure that resources are allocated to programs and materials that have the greatest chance for improvement in seat belt usage. However, anecdotal evidence shows that resources for program development and implementation are more easily

accessed than resources for evaluation. Jurisdictions should be encouraged to share promotional materials and program ideas that have been proven effective.

INFORMATION ITEM: NORP STRATEGY 2010 PROGRESS UPDATE

In 2001, the NORP Strategy 2010 was revised. Along with the eight recommended strategies there was a list of support activities that NORP was to initiate to assist in carrying out the strategies. The activities are:

- Review and update the current recommended legislative model on child safety seats.

The NORP Task Force updated the Model of Legislative Provisions for Motor Vehicle Occupants with booster seat recommendations. The CCMTA Board of Director approved these changes in May 2004. Nothing has been done with the legislative model since then and P/T jurisdictional priority to adopt the model legislation seems to be waning.

- Develop a standardized "Toolkit" for use in provincial and territorial jurisdictions to provide the mechanism for a more uniform "best practices" approach to seat belt/child safety seat interventions, and make it easier for jurisdictions and organizations to undertake initiatives without the resource implications of developing a new product. A toolkit would also be provided on conducting local surveys and involving local community partners.

NORP developed and distributed a toolkit to assist jurisdictions in managing media in the public awareness campaign in May 2005. This toolkit was very specific to the public awareness campaign. A more generic toolkit to assist jurisdictions with car seat/seat belt education and enforcement initiatives has been on NORP's to-do list for a few years.

- Develop a national advertising campaign to promote the proper use of seat belts and child occupant protection with sponsorship support.

NORP ran a public service announcement type campaign, using regional task force members to distribute ads to local media outlets in 2005. The lack of financial resources makes future country-wide advertising campaigns an unaccomplishable task.

- Develop strategies to profile special populations, including developing a rural strategy, profiling rural populations to assess factors associated with consistently lower seat belt compliance rates. Other populations to profile include developing a strategy on children's safety in the vehicle.

Transport Canada's combined urban and rural seat belt survey report will help in the identification of specific demographics that need to be targeted with strategies to increase restraint use.

- Support the development of a national training program on child safety seats.

NORP has a number of task force members that were members of the National Child Passenger Training Advisory Committee. This committee worked to develop a national training program. Support for the training program has dropped off in recent years. NORP has intentions to kick start the maintenance of the program.

- Support, encourage the involvement and educate partners such as police, public health and judiciary to help raise the level of understanding and value of the importance of wearing seat belts and child safety seats. In addition, support and encourage the involvement of more community and corporate partners to assist with the development of national programs and campaigns.

Jurisdictionally, partnerships have been developed or strengthened over the past few years. The NORP Task Force has representation from SafeKids Canada and the RCMP.

- Report regularly through a monitoring report on the success in all jurisdictions to achieve NORP's objectives and strategies.

NORP prepares an annual monitor report that is presented to CCMTA's Standing Committee on Road Safety Research and Policies in the spring of each year.

- Regularly update the Inventory of Child Occupant Promotion and Awareness activities chart.

CCMTA maintains an inventory of all public awareness materials, which includes all occupant restraint.

- Connect with the STRID and other relevant Task Forces to ensure there is consistency where the strategies of these groups overlap and/or are working to address the same population.

There is some overlap in membership of these Task Forces and NORP.

- Where technology and changes to the vehicle could help increase seat belt and child seat safety, NORP will work towards effective and better vehicle solutions.

A seatbelt interlock study, undertaken by Transport Canada, NHTSA and the Centre for Safety Research and Education is in phase two. This phase is a two year study to follow 60 drivers in both Canada and the US who have the device installed in their vehicle to see if it influences belt usage rates. The focus group results from this study indicated that the device increased compliance somewhat. Some drivers tried to bypass the system and some still had difficulty wearing seatbelts on short trips. The report is currently being prepared for publication.

- As other forms of occupant protection, such as air bags and head restraints, have impact on vehicle occupants from children to adults, NORP will monitor and develop

strategies as needed to address these areas, especially in consideration of technological changes and advances (i.e. side impact air bags).

In reviewing the Model of Legislative Provisions for Motor Vehicle Occupants the issue of using height as a legislative requirement was discussed. In the process of discussion, NORP wrote to Transport Canada to request more research in the anthropometric measurement for booster seat use. Transport Canada developed a more up-to-date model with the objectives of assessing current anthropometric studies, developed a proof of concept and made recommendations on a national measurement project. A literature review and proof of concept study with 96 children was conducted in Ottawa to assess what measures could be taken, by whom and how. The results were a list of measures that could be practically taken, the necessary tools to collect them and a proposed methodology. The project reports are on the TC website.

- Review NORP strategy at mid-point of Road Safety Vision 2010 (2006) to determine appropriate options for next steps.

This task is underway.

APPENDIX I:

Number of People Killed or Injured as Passengers in Motor Vehicles (light duty vehicles) in Canada in as Reported in 2007

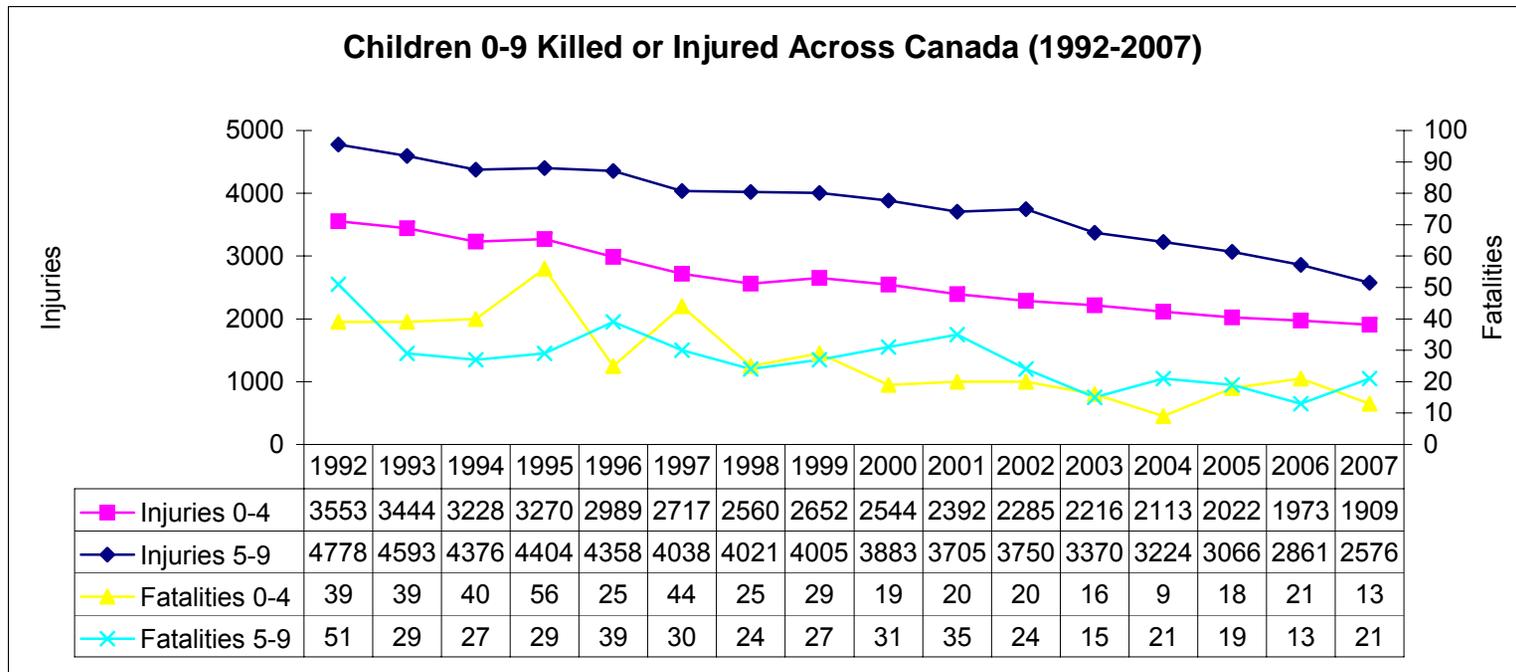
(Last updated April 12, 2010 with 2007 data)

<i>Jurisdiction</i>	<i>Fatalities</i>	<i>% Correctly Restrained</i>	<i>Injuries</i>	<i>% Correctly Restrained*</i>
Alberta	323	43.3%	20623	86.1%
British Columbia	266	58.6%	21217	87.6%
Manitoba	74	48.6%	7033	78.8%
New Brunswick	73	43.8%	3231	88.7%
Newfoundland	28	50.0%	1846	88.5%
Nova Scotia	74	48.6%	4172	87.3%
Nunavut	2	0.0%	22	18.2%
N.W.T.	4	0.0%	117	70.9%
Ontario	556	59.9%	56045	89.0%
P.E.I.	6	50.0%	701	90.4%
Quebec	411	66.9%	35903	91.9%
Saskatchewan	102	35.3%	5844	71.1%
Yukon Territory	3	33.3%	181	82.3%
Total	1922	55.3%	156935	87.9%

*total includes unknown category. Restrained is defined as use of a child restraint, lap and shoulder belt or lap only if no shoulder belt exists.

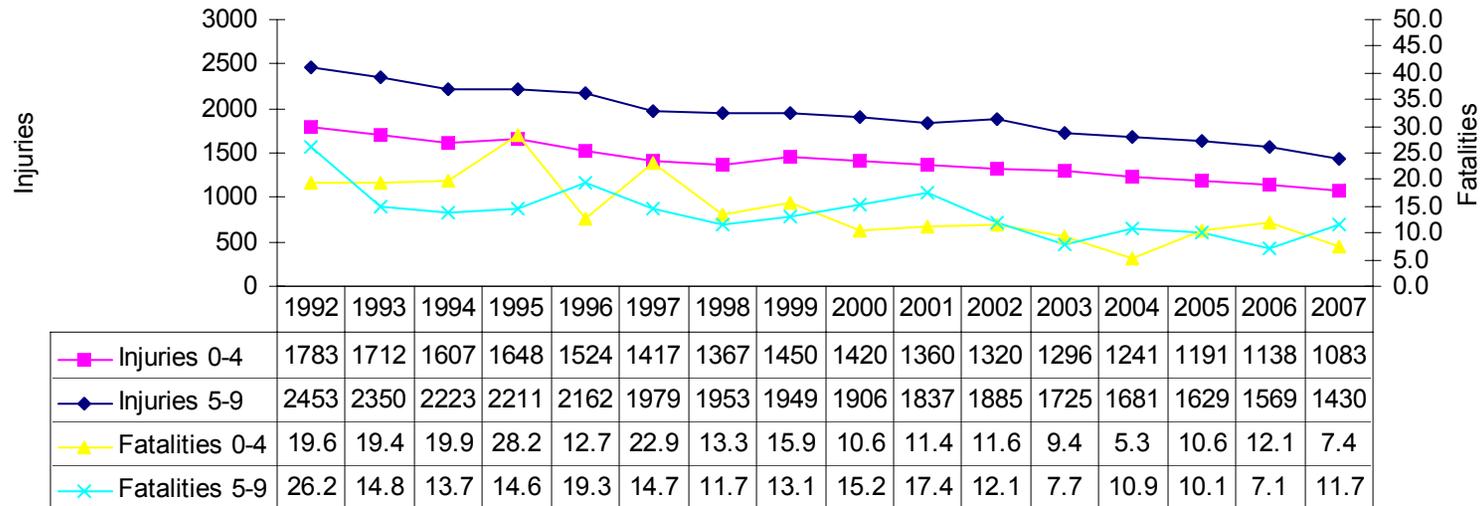
APPENDIX II:

Children Aged 0 – 9 Killed or Injured Across Canada (1992 – 2007)



Last updated April 12, 2010 with 2007 data from Transport Canada's National Collision Database

Children 0-9 Killed or Injured Across Canada (1990-2006) per 1,000,000 Children



Last updated April 12, 2010 with 2007 data from Transport Canada's National Collision Database.

Appendix III: Fine & Demerit Point Table (Updates are in red bold)

Jurisdiction	Fine Range	Fines for Non-use of Seat Belts	Points for Non-use of Seat Belts	Regular Driver			New Driver Conditions		
				Points to Warning	Points to Interview	Points to Suspension	Points to Warning	Points to Interview	Points to Suspension
AB	\$50 - \$500	\$100 + \$15	Adults 0, New Drivers – GDL only 2	8	n/a	15	GDL 4	n/a	GDL 8
BC	\$167 - 598	\$167	0	9-14	15-19 (probation letter)	20+ intent to prohibit	2-3*	2-3*	4-6 1 month prohibition*
MB	Max \$2000	\$278	2 – drivers only	****	n/a	**	**	n/a	**
NB	\$168 - \$1000	\$168 (plus admin fee of \$4.50)	1	3, 7	n/a	10	n/a	n/a	4 – 1 st year 6 – 2 nd year
NF	\$100 – \$500	\$100	2	6 & 9	n/a	12	3	n/a	6
NS		\$164.50 (which includes all costs)	2	4	6 – 9: advisory letter (with re-exam for at-fault collision)	10	3 (Optional)	4 (2 for Learner's License)	6 (4 for Learner's Licence)
NT		\$100 plus \$15 surcharge	2	8	12	15	n/a	n/a	6 (1 month) 12 (3 months) 15 (6 months)
ON	\$60 - \$500	\$90 + \$20	2	6	9	15	2	6	9 – in a two year period
PE	\$100 - \$200	\$100 + \$20	3	6,7,8	9,10,11	12	3,4,5	Susp. Level	6+ (1 st year) 9+ (2 nd year)
QC	\$80 - \$100	\$80	3	7 - 14	n/a	15	n/a	n/a	4
SK		\$175	3	9-14	15-19 (after interview, training or retesting)	20	2	3 – traffic safety workshop or education session	Not based on points – 4 th incident (traffic conviction or at fault collision)
YT		\$75	4	8	n/a	15	4	Any GDL driver who has DPS (7 points)	7

* New Driver Conditions (within 2 yrs), one 12 hr or 24 hr suspension=1 month driving prohibition; 2 or more suspensions = 1 year driving prohibition

** Driver called in for a show cause based on seriousness of record. Automatic show cause for (speeding over 49K, disobey peace officer; careless driving; racing a motor vehicle; fail to remain).

*** \$120 + \$18 victim surcharge. Reduced by \$25 if paid within 30 days.

**** Driver Improvement is based on severity and frequency of incidents added to a driver's record.

Last updated April 2010 with 2009 information

Appendix IV: NORP - Child Restraint Exemptions Table (Updates are in red bold)

Exemption in Pace (*)		BC	AB	SK	MB	ON	QC	NB	NS	PE	NL	NT	YT	NU
Registration	Driver not licensed in the province	remvd												
	Vehicle registered in another jurisdiction	1			1	*		*	1	1		*		
	Registered to someone other than parent/guardian	remvd			2				11**	3		3		
	Non-resident under 9 kg/rental vehicle	remvd												
	Non-resident	remvd												
Type of Vehicle	Bus (for hire)	13		7		*		*		*			*	
	School bus	*				*		*	15	*			*	
	Taxi (child in/driver of)	*	*	*	*	12	9	*	16	*		*	*	
	Motor home	remvd		7									*	
	Vehicle manufactured prior to a certain date	remvd		7	1971			1970			1971	1971		1965
	Delivery body of commercial vehicle													
Emergency Vehicles	Emergency vehicle	*	*	7						*			*	
	Peace/police officer on duty	*				*	14		*	*				
	Ambulance (if seatbelt not available)	*		*		*			*	*		*	*	
	Firefighters								*	*			*	
Driver of Rental Vehicles	Rental less than 14 days		*											
	Rental less than 21 days				*									
	Rental less than 30 days	remvd												
	Short Term (< 30 days)					*						*		
Medical and Physical	6		10	*			*	6	*	*		6		
Day Care/Pre-school Activity	remvd		7											
Seat belt not available to passenger	remvd	*	*	*			*	17			*	*		
Driver of vehicle in which seat belt not required	*		*	*		*					*	*		
Other														
Legislation Enacted (MM/DD/YY)	3/1/85	11/13/84	11/1/83	3/84	11/1/82 11/1/83 10/16/89 01/09/05	1/1/85	11/1/84	1985	05/08	7/1/82	0/1/88	9/1/87		

- Vehicle registered in jurisdiction which does not require the use of child restraint systems.
- Vehicle is not equipped with child restraint system.
- Children between 9-18 kg in vehicle other than parent/guardian may use lap belt.
- Children under 18 kg only.
- In rear compartment if under 18 kg.
- Providing a letter of exemption is issued from a qualified medical practitioner.
- If seat belt not available.
- Temporary exemptions only. No permanent exemptions given.

- In a moving taxi, the child must be restrained by the seat belt with which the seat is equipped.
- The administrator may exempt a person if satisfied s/he is unable to wear a seat belt assembly.
- Effective Jan. 1, 2007 with the implementation of the new regulations all caregivers must restrain young children in the appropriate seat.
- While transporting a passenger for hire provided not under contract with school boards or other authority for the transportation of children.
- In BC, if a bus is less than 4536 kg and has a registered model year of 1994 or later, it is not exempt.

- In a moving police vehicle, the child must be restrained by the seat belt with which the seat is equipped.
- Use built in harness when available for children under 18kg.
- Driver is exempt but child is expected to be in proper restraint.
- MVA has exemption but Seat Belt and CRS regs under a specific height, weight and age must be in the appropriate restraint.

Last updated: April 2010

Appendix V: NORP – Seat Belt Exemptions Table (Updates are in red bold)

Exemption in Place (*)		BC	AB	SK	MB	ON	QC	NS	PE	NB	NL	YT	NT	NU
All Drivers	Driving in reverse	*	*		*	*	*	*	*	*	*	*		
Medical	Requiring medical certificate/time limited	*	*	1	*	*	*	1		*	*	*		
	Physical characteristics: size or build	*	*	1	*	*	*	*		*	*	*		
Emergency	Police – on duty or in performance of duty	*			*	*		*			9			
	Transporting someone in care/custody	*	*	*	*	*		*			*		*	
	Unless protected			*										
Firefighters	While in or on a fire truck					3		*	*					
	If not occupying position with seat belt available			*							*			
	In emergency				*									
Ambulance Attendants	Ambulance attendants					4							4	
	When carrying patient		*		*			*	*			4		
	If not occupying position with seat belt available			*										
	In emergency				*									
Delivery Route Drivers	Passengers in an ambulance					12								
	Frequent stops							*	*					
	Frequent stops and speed under 40 km/h	*	*	2	*	*			*	*	5	8		
Taxi Drivers	Canada Post employees on rural mail delivery					*								
	Operating a taxi cab for hire	7						*						
	In the performance of his work							*						
Persons in custody/under arrest	When carrying passengers for hire	*	*	*	*	*	*	*					*	
		*	*		*	*		*			*		*	
Bus drivers (Transit)		*	10	*										
Driving instructors					*									
Driving examiners					*									
Parade participants			*		*									
Pelvic restraint only must be worn		6		6							6			
Vehicles manufactured prior to date (no belts)		1963	*	*		*			1971	1970		1965		
Delivery body of commercial vehicle						13								
Motor homes						14								
Commercial use						*			*					
Legislation enacted (MM/DD/YY)		10/1/77	7/1/87	7/1/77	3/1/84	1/1/74 12/1/06	8/15/76	1/1/85	7/1/87	02/08	7/1/82	7/1/91	3/1/88	

1. No time limit on medical seat belt exemption.
2. Exemption for “frequently alighting” from vehicle intended to address police as well.
3. Conducting specific work activities when occupying a seated position behind the driver's cab.
4. Conducting specific work activities when riding in the rear compartment of an ambulance.
5. **Actively engaged in the collection of garbage, waste materials that requires frequent alight from and re-enter and does not exceed a speed of 20km/h**
6. For systems in which the pelvic belt is separate from the torso belt.
7. Speed under 70 km/h.
8. Speed under 30 km/h where distance between stops does not exceed 250m.
9. Where compliance would endanger him/her or hamper performance of his/her duties.
10. When traveling under 40km on regular route or believe safety to be at risk.
11. If working in an industry specifically mentioned in legislation.
12. Where attendance to patients makes it impracticable to wear a seat belt.

13. In open cargo areas e.g. in the back of a pick up truck. Passengers in enclosed cargo areas must be properly restrained with a seat belt or the appropriate child car seat.
14. Once all seating positions with seatbelts are used, remaining seating positions without seatbelt may be occupied.

Last updated April 2010

Appendix VI: Provincial/Territorial Motor Vehicle Occupant Restraint Legislation (Updates are in red bold)

Jurisdiction	Motor Vehicle Occupant Restraint		Child Restraint/Booster Seats (all stages)		Jurisdictional Web Links for Information on Motor Vehicle Occupants and Child Restraints
	Legislation Date*	Legislation Details	Legislation Date*	Legislative Details	
BC	Oct. 1, 1977	<p>MOTOR VEHICLE ACT</p> <p>Seat belt assembly</p> <p>220 (1) In this section, "seat belt assembly" means a device or assembly suitably fastened to the motor vehicle composed of straps, webbing or similar material that restrains the movement of a person in order to prevent or mitigate injury to the person and includes a pelvic restraint, an upper torso restraint or both of them.</p> <p>(2) A person must not sell, offer for sale or operate on a highway a motor vehicle required to be registered and licensed only under this Act and manufactured or assembled after December 1, 1963, other than a motorcycle, unless it is equipped with not less than 2 seat belt assemblies for use in the front seat in accordance with the regulations.</p> <p>(3) A person must not drive or operate a motor vehicle on a highway in which a seat belt assembly required under this section or the Motor Vehicle Safety Act (Canada) at the time the motor vehicle was manufactured, assembled or imported into Canada has been removed, rendered partly or wholly inoperative, or modified to reduce its effectiveness.</p> <p>(4) A person in a motor vehicle being driven or operated on a highway must, if</p>	<p>1985</p> <p>Repealed July 1, 2008</p>	<p>MOTOR VEHICLE ACT Regulations 26/58</p> <p>Division 36 — Child Seating and Restraint Systems</p> <p>Obligation on driver</p> <p>36.01 A person shall not drive or operate on a highway a motor vehicle in which there is a child under the age of 6 unless the driver or operator causes that child to be securely fastened by a properly utilized and adjusted restraint system which complies with this Division.</p> <p>Systems for infants</p> <p>36.02 In respect of children weighing less than 9 kg, the restraint system shall comply with section 213.1 of the Motor Vehicle Safety Regulations of Canada as amended from time to time.</p> <p>Systems for toddlers</p> <p>36.03 In respect of all children weighing 9 kg or more but less than 18 kg,</p> <p>(a) in the case of a child who is carried in a motor vehicle driven or operated by the parent or guardian of the child, the restraint system shall comply with section 213 of the Motor Vehicle Safety Regulations of Canada as amended from time to time, and</p> <p>(b) in any case, the restraint system shall either comply with the system referred to in paragraph (a) or comprise the pelvic</p>	<p>Child Seats:</p> <p>www.icbc.com/Road_Safety/carseat.html</p> <p>www.icbc.com/Road_Safety/Child_Passenger_Safety_TS264T_(012005).pdf</p> <p>www.icbc.com/Road_Safety/LP65_(012005).pdf</p> <p>www.icbc.com/Library/research_papers/Child_seat/index.html</p> <p>www.qp.gov.bc.ca/statreg/reg/M/MotorVehicle/26_58/26_58-12.htm#division39</p> <p>www.tsf-bcaa.com/Content/CustomPages/Home.aspx</p> <p>www.nhtsa.dot.gov/CPS/CSSRatin g/Index.cfm</p> <p>www.tc.gc.ca/en/menu.htm</p> <p>www.safekidscanada.ca</p> <p>www.sja.ca/bc/</p> <p>Seat Belts:</p> <p>www.icbc.com/buy_car/buycar_seatbe.html</p>

Appendix VI: Provincial/Territorial Motor Vehicle Occupant Restraint Legislation (Updates are in red bold)

Jurisdiction	Motor Vehicle Occupant Restraint		Child Restraint/Booster Seats (all stages)		Jurisdictional Web Links for Information on Motor Vehicle Occupants and Child Restraints
	Legislation Date*	Legislation Details	Legislation Date*	Legislative Details	

		<p>the motor vehicle has properly attached to it a seat belt assembly for the seating position occupied by that person, wear the complete seat belt assembly in a properly adjusted and securely fastened manner.</p> <p>(5) Subsection (4) does not apply to a person</p> <p>(a) driving a motor vehicle in reverse,</p> <p>(b) who is in possession of, and produces on request to a peace officer, a valid and subsisting certificate</p> <p>(i) issued by the superintendent on the recommendation of a medical practitioner, or</p> <p>(ii) in the form established by the superintendent, signed by a medical practitioner and issued for a period not exceeding 6 months, certifying that the person is,</p> <p>(iii) for the period stated in the certificate, unable for medical reasons to wear a seat belt assembly, or</p> <p>(iv) because of the person's size, build or other physical characteristic, unable to wear a seat belt assembly, or</p> <p>(c) who is actually engaged in work that requires him or her to alight from and re-enter the motor</p>		<p>restraint of a seat belt assembly as defined in section 220 (1) of the Act.</p> <p>Systems for preschoolers</p> <p>36.04 In respect of all children under the age of 6 not categorized in sections 36.02 and 36.03, the restraint system shall comprise the pelvic restraint of a seat belt assembly as defined in section 220 (1) of the Act.</p> <p>Non-application — specific</p> <p>36.05 Sections 36.02 and 36.03 (a) do not apply as against a driver or operator of a motor vehicle which is</p> <p>(a) not licensed in British Columbia, or</p> <p>(b) on rental for a period not exceeding 30 days.</p> <p>Non-application — general</p> <p>36.06 This Division does not apply as against the driver or operator</p> <p>(a) of a motor vehicle which is being operated as a taxi as defined in section 32.01,</p> <p>(b) who is a peace officer operating the vehicle in the lawful performance of his duties,</p> <p>(c) who is in possession of and produces on request to a peace officer a valid and subsisting certificate issued by the</p>	<p>http://www.icbc.com/road-safety/safer-drivers/child-seats#Variables_frag</p> <p>http://www.icbc.com/road-safety/drivers-passengers/childseats-new.pdf</p> <p>http://www.icbc.com/road-safety/safer-drivers/seatbelts</p> <p>www.icbc.com/buy_car/TS274S%20(102002)web%20seat%20belts.pdf</p> <p>www.qp.gov.bc.ca/statreg/stat/M/96318_04.htm#section220</p> <p>www.roadsafety.ca/</p> <p>carsp.ca/</p> <p>www.ccmta.ca/english/index.html</p> <p>www.nhtsa.dot.gov/</p>
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Appendix VI: Provincial/Territorial Motor Vehicle Occupant Restraint Legislation (Updates are in red bold)

Jurisdiction	Motor Vehicle Occupant Restraint		Child Restraint/Booster Seats (all stages)		Jurisdictional Web Links for Information on Motor Vehicle Occupants and Child Restraints
	Legislation Date*	Legislation Details	Legislation Date*	Legislative Details	
		<p>vehicle at frequent intervals and who, while engaged in that work, does not drive or travel in that vehicle at a speed exceeding 40 km/h, or</p> <p>(d) under age 16.</p> <p>(6) A person must not drive on a highway a motor vehicle in which there is a passenger who has attained age 6 but is under age 16 and who occupies a seating position for which a seat belt assembly is provided unless that passenger is wearing the complete seat belt assembly in a properly adjusted and securely fastened manner.</p> <p>(7) Subsection (6) does not apply if the passenger</p> <p>(a) is in possession of, and produces on request to a peace officer, a valid and subsisting certificate</p> <p>(i) issued by the superintendent on the recommendation of a medical practitioner, or</p> <p>(ii) in the form established by the superintendent, signed by a medical practitioner and issued for a period not exceeding 6 months, certifying that the person is,</p> <p>(iii) for the period stated in the certificate, unable for medical reasons to wear a seat belt</p>	1991	<p>superintendent or a medical practitioner certifying that the child is unable for medical or physical reasons to wear or be fitted to the restraint system,</p> <p>(d) of a motor vehicle which is not required to be equipped with a seat belt assembly as required by section 208 of Schedule IV to the Motor Vehicle Safety Regulations (Canada),</p> <p>(e) of an emergency vehicle, and</p> <p>(f) of a bus.</p> <p>Division 39-Road Safety Passenger to be properly seated 39.01 Subject to section 9 of the Passenger Transportation Regulation, B.C. Reg. 266/2004, a person on or in a vehicle being driven or operated on or across a highway shall, while the vehicle is in motion, remain seated on a seat that has been securely installed in the passenger compartment of the vehicle.</p> <p>Driver prohibited from driving unless passenger is properly seated 39.02 Subject to section 9 of the Passenger Transportation Regulation, B.C. Reg. 266/2004, no person shall drive or operate a vehicle on or across a highway if there is a person on or in the vehicle who is not seated on a seat referred to in section 39.01.</p>	

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Jurisdiction	Motor Vehicle Occupant Restraint		Child Restraint/Booster Seats (all stages)		Jurisdictional Web Links for Information on Motor Vehicle Occupants and Child Restraints
	Legislation Date*	Legislation Details	Legislation Date*	Legislative Details	
	1991	<p>assembly, or</p> <p>(iv) because of the person's size, build or other physical characteristic, unable to wear a seat belt assembly, or</p> <p>(b) is actually engaged in work that requires him or her to alight from and re-enter the motor vehicle at frequent intervals and the motor vehicle does not travel at a speed exceeding 40 km/h.</p> <p>(8) Despite this section, if a seat belt assembly consists of a pelvic restraint and a separate upper torso restraint, only the pelvic restraint need be worn.</p> <p>(9) The Lieutenant Governor in Council may make regulations as follows:</p> <p>(a) requiring the use of child seating and restraint systems in motor vehicles on highways and prescribing the specifications for them;</p> <p>(b) defining the age of a child for the purpose of paragraph (a);</p> <p>(c) providing for the exemption from any provision of this section of any</p> <p>(i) type or class of motor vehicle, and</p> <p>(ii) class or group of</p>	Effective July 1, 2008	<p>Exceptions</p> <p>39.03 For the purposes of this section only, "vehicle" does not include</p> <p>(a) mobile equipment as defined in section 26 of the Industrial Health and Safety Regulation, B.C. Reg. 585/77, or</p> <p>(b) a conveyance referred to in section 28 of that regulation that complies with and is being used in accordance with that regulation.</p> <p>Seating for a child</p> <p>39.04 A child to whom Division 36 applies who is restrained in the manner required by that Division is deemed to be seated in the manner required by sections 39.01 and 39.02.</p> <p>Booster seat regulations to be implemented.</p> <p>B.C. Reg. 218/2007, deposited June 21, 2007, pursuant to the MOTOR VEHICLE ACT [Section 220 (9)]. Order in Council 485/2007, approved and ordered June 21, 2007.</p> <p>On the recommendation of the undersigned, the Administrator, by and with the advice and consent of the Executive Council, orders that, effective July 1, 2008, Division 36 of the Motor Vehicle Act Regulations, B.C. Reg. 26/58, is repealed and the attached Division 36 substituted.</p> <p>— J. LES, Minister of Public Safety and</p>	

Appendix VI: Provincial/Territorial Motor Vehicle Occupant Restraint Legislation (Updates are in red bold)

Jurisdiction	Motor Vehicle Occupant Restraint		Child Restraint/Booster Seats (all stages)		Jurisdictional Web Links for Information on Motor Vehicle Occupants and Child Restraints
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	Updated 2007	<p>drivers or passengers in motor vehicles.</p> <p>(10) A person who contravenes this section commits an offence.</p> <p>MOTOR VEHICLE ACT Regulations 26/58</p> <p>Division 39 — Road Safety Definition 39.001 In this Division, "designated seating position" means a seating position for which a seat belt assembly is provided or is required to be provided under the Act.</p> <p>Passenger seating requirement 39.01 A person who is 16 years of age or more and in a vehicle being driven or operated on a highway must</p> <p>(a) remain seated in a designated seating position, and (b) be the only occupant of that designated seating position.</p> <p>Driver responsibilities 39.02 A person must not drive or operate a vehicle on a highway if</p> <p>(a) there is a person riding on the vehicle, (b) there is more than one person occupying a designated seating position in the vehicle, (c) there is a person in the vehicle who is not seated in a designated seating position, (d) there are more designated seating</p>		<p>Solicitor General; P. BELL, Presiding Member of the Executive Council.</p> <p>Division 36 — Child Seating and Restraint Systems Definition 36.01 In this Division, the following definitions apply: "booster seat" has the same meaning as "booster cushion" in the RSSR; "child" means a person under age 9; "CMVSS" means the Canada Motor Vehicle Safety Standards, as amended from time to time; "designated seating position" means a seating position for which a seat belt assembly is provided or is required to be provided under the Act; "MVSR" means the Motor Vehicle Safety Regulations, C.R.C., c. 1038, as amended from time to time; "RSSR" means the Motor Vehicle Restraint Systems and Booster Cushions Safety Regulations, SOR/98-159, as amended from time to time.</p> <p>Exemption from the Act 36.02 Section 220 (6) and (7) of the Act does not apply to the driver of a vehicle in respect of a passenger who is a child within the meaning of this Division.</p> <p>Obligation on driver 36.03 (1) A person must not drive or operate on a highway a motor vehicle in which there is a child unless the driver or operator does the following: (a) causes the child, other than a child referred to in paragraph (b), to be securely</p>	
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Jurisdiction	Motor Vehicle Occupant Restraint		Child Restraint/Booster Seats (all stages)		Jurisdictional Web Links for Information on Motor Vehicle Occupants and Child Restraints
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		<p>positions than were provided by the manufacturer of the vehicle when the vehicle was originally manufactured, or</p> <p>(e) there are more persons in the vehicle than there are designated seating positions.</p> <p>Responsibilities of carrier, employer and owner</p> <p>39.021 In respect of a vehicle operated on a highway, a carrier, as defined in section 37.01, an employer of the driver of a vehicle or of a passenger in the vehicle or the owner of the vehicle must not request, require or allow a person to drive or operate a vehicle</p> <p>(a) that has more people in the vehicle than there are designated seating positions,</p> <p>(b) in which for an available seating position a seat belt assembly required under the Motor Vehicle Safety Act (Canada) at the time the vehicle was manufactured, assembled or imported into Canada has been removed, is partly or wholly inoperative or modified so as to reduce its effectiveness, or</p> <p>(c) that has more designated seating positions than were provided by the manufacturer of the vehicle when the vehicle was originally manufactured.</p> <p>Exceptions</p> <p>39.03 (1) Despite sections 39.01, 39.02 and 39.021, a person may stand while a vehicle is being operated and a driver may operate a vehicle in which a person is standing if the vehicle is being operated</p>		<p>fastened in a designated seating position in the vehicle, in compliance with this Division, using</p> <p>(i) an infant restraint system that complies with all the requirements set out in the RSSR, Schedule 4, CMVSS 213.1,</p> <p>(ii) a child restraint system that complies with all the requirements set out in</p> <p>(A) the RSSR, Schedule 3, CMVSS 213, if the child restraint system is not built into the vehicle, or</p> <p>(B) the MVSR, Schedule IV, Part III, Standard 213.4, if the child restraint system is built into the vehicle,</p> <p>(iii) a booster seat that complies with all the requirements set out in</p> <p>(A) the RSSR, Schedule 5, CMVSS 213.2, if the booster seat is not built into the vehicle, or</p> <p>(B) the MVSR, Schedule IV, Part III, Standard 213.4, if the booster seat is built into the vehicle, or</p> <p>(iv) a seat belt assembly;</p> <p>(b) causes the child, if the child has special needs or mobility impairments, to be securely fastened in the vehicle, in compliance with this Division, using</p> <p>(i) an infant restraint system for infants with special needs that complies with all the requirements set out in the RSSR, Schedule 7, CMVSS 213.5, or</p> <p>(ii) a restraint system for disabled persons that complies with all the requirements set out in the RSSR, Schedule 6, CMVSS 213.3;</p> <p>(c) ensures that the child</p>	
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Appendix VI: Provincial/Territorial Motor Vehicle Occupant Restraint Legislation (Updates are in red bold)

Jurisdiction	Motor Vehicle Occupant Restraint		Child Restraint/Booster Seats (all stages)		Jurisdictional Web Links for Information on Motor Vehicle Occupants and Child Restraints
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		<p>in accordance with section 9 of the Passenger Transportation Regulation.</p> <p>(2) Sections 39.01, 39.02 (b), (c) and (e) and 39.021 (a) do not apply with respect to each of the vehicles set out in subsection (3) if</p> <p>(a) the vehicle was originally manufactured without seat belt assemblies for each seating position and the vehicle was not modified so that there is a seat belt assembly for each seating position, and</p> <p>(b) every person in the vehicle is seated in a seating position provided by the original vehicle manufacturer.</p> <p>(3) The following vehicles are set out for the purposes of subsection (2):</p> <p>(a) a motor vehicle, other than a bus or a motor home, with a registered model year of 1973 or earlier;</p> <p>(b) a bus, other than a bus with</p> <p>(i) a registered model year of 1994 or later, and</p> <p>(ii) a manufacturer's gross vehicle weight rating of less than 4536 kg;</p> <p>(c) a motor home with a registered model year of 1998 or earlier;</p> <p>(d) a vehicle that was not required to have a seat belt assembly under the Motor Vehicle Safety Act (Canada) at the time the vehicle was manufactured or imported into Canada.</p> <p>(4) Sections 39.01, 39.02 and 39.021</p> <p>(a) do not restrict a co-driver in a team of drivers from accumulating off-duty time in a sleeper berth in accordance with</p>		<p>(i) remains securely fastened, and</p> <p>(ii) if the child is in a designated seating position, is the only occupant of that designated seating position.</p> <p>(2) A child referred to in subsection (1) must be securely fastened as follows:</p> <p>(a) in a restraint system or booster seat referred to in subsection (1) (a) (i), (ii) (A) or (iii) (A) or (b) in accordance with the device manufacturer's instructions for that restraint system or booster seat;</p> <p>(b) in a restraint system referred to in subsection (1) (a) (ii) (B) or (iii) (B) in accordance with the vehicle manufacturer's instructions;</p> <p>(c) in a seat belt assembly, in accordance with the vehicle manufacturer's instructions,</p> <p>(i) with the pelvic restraint placed firmly across the hips of the child, and</p> <p>(ii) with the upper torso restraint, if there is one, placed over the shoulder and across the chest of the child and closely against the child's body.</p> <p>(3) A restraint system referred to in subsection (1) (a) (i) or (ii) (A) or (b) must be secured in the motor vehicle in accordance with the device manufacturer's instructions for that restraint system.</p> <p>Infant restraint systems</p> <p>36.04 (1) A child must be fastened in an infant restraint system used in a rearward facing position and specified by the manufacturer to be appropriate for the child's height and weight, until the child attains age one and weighs 9 kg or more.</p> <p>(2) A child who has attained age one and</p>	

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		<p>section 37.16, (b) do not apply to a person or vehicle that is exempt by section 32.04 or 32.05 of this regulation from the application of section 220 (3) or (4) of the Act, and (c) do not restrict the authority under section 25.22 to issue an inspection certificate with respect to a vehicle that has been altered so that its seating capacity has been increased, and if an inspection certificate is issued under that section with respect to such a vehicle, the vehicle is deemed, for the purposes of subsection (2) (b) of this section and sections 39.02 (d) and 39.021 (c) of this regulation, to have been manufactured with the increased number of seats. Seating for a child 39.04 A child to whom Division 36 applies who is restrained in the manner required by that Division is deemed to be seated in the manner required by sections 39.01 and 39.02.</p>		<p>weighs 9 kg or more may continue to be fastened in a restraint system referred to in subsection (1) until, according to the manufacturer's specifications, the restraint system is no longer appropriate for the child's height and weight. (3) The restraint system referred to in subsection (1) or (2) must not be used in a designated seating position that has an active frontal airbag for that seat. Child restraint systems 36.05 (1) A child who (a) has attained age one, (b) weighs 9 kg or more, and (c) is not required, or permitted, to be fastened in an infant restraint system in accordance with section 36.04 must be fastened in a child restraint system used in a forward facing position and specified by the manufacturer to be appropriate for the child's height and weight, until the child weighs 18 kg or more. (2) A child who has attained age one and weighs 18 kg or more may continue to be fastened in a restraint system referred to in subsection (1) until, according to the manufacturer's specifications, the restraint system is no longer appropriate for the child's height and weight. Booster seats and seat belt assemblies 36.06 (1) A child who is no longer required, or permitted, to be fastened in a child restraint system in accordance with section 36.05 must be fastened on a booster seat, specified by the manufacturer to be</p>	

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				<p>appropriate for the child's height and weight, using the vehicle's seat belt assembly until the child reaches a height of 145 cm or more.</p> <p>(2) If the vehicle has an available seat belt assembly with an upper torso restraint and a pelvic restraint, other than the driver's seat belt assembly, a child referred to in subsection (1) must be fastened on the booster seat using that seat belt assembly.</p> <p>(3) Despite subsection (1), if none of the available seat belt assemblies in the vehicle have an upper torso restraint, other than the driver's seat belt assembly, then a child referred to in subsection (1) must be fastened without a booster seat using a seat belt assembly with a pelvic restraint.</p> <p>(4) A child who has attained a height of 145 cm or more may continue to be fastened on a booster seat referred to in subsection (1) until, according to the manufacturer's specifications, the booster seat is no longer appropriate for the child's height and weight.</p> <p>Seat belt assemblies</p> <p>36.07 A child who is no longer required, or permitted, to be fastened in a booster seat in accordance with section 36.06 must be fastened</p> <p>(a) in a seat belt assembly with an upper torso restraint and a pelvic restraint, if, other than the driver's seat belt assembly, there is one available in the vehicle, or</p> <p>(b) in a seat belt assembly with a pelvic restraint, if, other than the driver's seat belt assembly, there is in the vehicle no</p>	

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				<p>available seat belt assembly with an upper torso restraint and a pelvic restraint. Restraint systems for infants with special needs and children with mobility impairments 36.08 (1) Despite section 36.04, a child under age one who weighs less than 9 kg and who has special needs may be fastened in a vehicle using an infant restraint system for infants with special needs that is specified by the manufacturer to be appropriate for the child's height and weight. (2) Despite sections 36.05 to 36.07, a child age one or older who weighs 9 kg or more and who has mobility impairments may be fastened in a vehicle using a restraint system for disabled persons that is specified by the manufacturer to be appropriate for the child's height and weight. Exemptions 36.09 This Division does not apply to the driver or operator (a) of a motor vehicle licensed in a jurisdiction outside Canada if the driver or operator is using an infant or child restraint system, booster seat or seat belt assembly in compliance with the laws of that jurisdiction, (b) of a motor vehicle which is being operated as a taxi as defined in section 32.01, (c) who is a peace officer operating the vehicle in the lawful performance of his or her duties, (d) who is in possession of and produces on</p>	
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				<p>request to a peace officer a valid and subsisting certificate issued by a medical practitioner certifying that the child is unable for medical or physical reasons to wear or be fitted into an infant or child restraint system, booster seat or seat belt assembly, including a child who does not fit within the specifications of any manufactured infant or child restraint system or booster seat that is available for purchase,</p> <p>(e) of a motor vehicle that was not required to have a seat belt assembly under the Motor Vehicle Safety Act (Canada) at the time the vehicle was manufactured or imported into Canada unless the vehicle was modified so that there is a seat belt assembly for an available seating position for a child,</p> <p>(f) of an emergency vehicle, and</p> <p>(g) of a bus, other than a bus with</p> <p>(i) a registered model year 1994 or later, and</p> <p>(ii) a manufacturer's gross vehicle weight rating of less than 4 536 kg.</p>	
AB	July 1, 1987	Driver and passengers in a seating position where a seat belt assembly is provided shall properly wear the complete seat belt assembly as required by the Traffic Safety Act – Vehicle Equipment Regulation Section 78(2)(a)(b)	January 1, 1985	<p>It is the driver's responsibility to ensure that children 6-16 years or weighing more than 18 kg (40 lb.) be properly secured in a seat belt assembly.</p> <p>Children from birth to 18 kg (40 lbs.) or under 6 years of age must be restrained according to Section 213 of the Motor Vehicle Safety Regulations.</p>	
SK	July 1, 1977	Where a motor vehicle being driven on a highway is equipped with a seatbelt	Nov.1, 1983	Where a motor vehicle has a seating position equipped with a seat-belt	

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		<p>assembly in a seating position that is occupied by the driver, the driver shall wear the complete seat-belt assembly properly adjusted and securely fastened.</p> <p>Where a motor vehicle has a seating position equipped with a seat-belt assembly available for a passenger, no person shall drive that vehicle on a highway with a passenger under the age of 16 years unless:</p> <p>(a) the passenger occupies the seating position equipped with a seat-belt assembly and wears the complete seat-belt assembly properly adjusted and securely fastened</p> <p>Where a motor vehicle being driven on a highway is equipped with a seat-belt assembly in a seating position that is occupied by a passenger, the passenger shall wear the complete seat-belt assembly properly adjusted and securely fastened.</p>		<p>assembly available for a passenger, no person shall drive that vehicle on a highway with a passenger under the age of 16 years unless:</p> <p>(b) if the passenger weighs less than 18 kilograms:</p> <p>(i) the passenger occupies a child restraint system or infant restraint system, as defined in the regulations made pursuant to <i>The Vehicle Administration Act</i>, so that it is properly adjusted and securely fastened in the manner recommended by the manufacturer; and</p> <p>(ii) the child restraint system or infant restraint system:</p> <p>(A) is appropriate for the passenger's weight and height; and</p> <p>(B) is secured to the vehicle in the manner recommended by the manufacturer.</p>	
MB	April 1984	<p>All drivers and passengers are required to wear seat belts in seating positions that have seat belts. Some exemptions exist.</p> <p>Highway Traffic Act:</p> <p>Seat belt assembly</p> <p><u>186(1)</u> In this Act, "seat belt</p>	April 1984	<p>All children under 5 years of age and 50 pounds must be restrained in an appropriate device prescribed in the regulations and the device must be properly secured to the motor vehicle.</p> <p>Highway Traffic Act:</p> <p>Child restraints required</p>	<p>http://web2.gov.mb.ca/laws/statutes/ccsm/h060_3e.php#186</p> <p>http://web2.gov.mb.ca/laws/regs/pdf/h060-119.92.pdf</p> <p>http://web2.gov.mb.ca/laws/regs/pdf/h060-411.87r.pdf</p>

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		<p>assembly" means a seat belt assembly as defined in the regulations made under the <i>Motor Vehicle Safety Act</i> (Canada).</p> <p>Condition of seat belt assembly</p> <p><u>186(2)</u> No person shall, on a highway, operate or permit the operation of a motor vehicle in which a seat belt assembly, or an automatic occupant protection system as defined in the regulations made under the <i>Motor Vehicle Safety Act</i> (Canada) and required by those regulations at the time the motor vehicle was manufactured in Canada or imported into Canada, has been removed, or has been modified or rendered partly or wholly inoperative so as to reduce its effectiveness.</p> <p>Seat belt required by driver</p> <p><u>186(3)</u> Subject to subsection (5), every person who drives on a highway a motor vehicle in which a seat belt assembly is provided for the driver shall wear a complete seat belt assembly in a properly adjusted and securely fastened manner; but where a seat belt assembly consists of a separate pelvic and torso restraint the driver may wear the pelvic restraint only.</p> <p>Seat belt required by passenger</p> <p><u>186(4)</u> Subject to subsection (5), every person who is a passenger in a motor vehicle while it is being driven on a highway in which a seat belt assembly is provided for seating positions occupied</p>		<p><u>186(9)</u> No person shall operate, or permit the operation of, a motor vehicle on a highway unless every passenger in the vehicle who has not yet attained the age of 5 years and who is under 50 pounds in weight is properly secured in a restraining device of a kind prescribed in the regulations and the device is properly secured to the motor vehicle.</p> <p>Child Restraining Devices Regulation (M.R.411/87)</p> <p>Standard</p> <p>1 For the purpose of subsection 186(9) of the Act, a child restraining device is one that complies with the requirements of the <i>Motor Vehicle Safety Regulations</i> under the <i>Motor Vehicle Safety Act</i> (Canada) and has been properly installed in a motor vehicle.</p> <p>Application</p> <p>2 Subsection 186(9) of the Act does not apply</p> <p>(a) where a motor vehicle</p> <p>(i) is registered in another province or jurisdiction which does not require the use of child restraint systems, or</p> <p>(ii) is a u-drive vehicle rented for a period not exceeding 21 days, or</p> <p>(iii) is a taxicab, while it is</p>	
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		<p>by the passenger shall wear the complete seat belt assembly in a properly adjusted and securely fastened manner; but where a seat belt assembly consists of a separate pelvic and a torso restraint the person may wear the pelvic restraint only.</p> <p>Wearing seat belts not required</p> <p><u>186(5)</u> Subsections (3) and (4) do not apply to a person</p> <p>(a) driving a motor vehicle in reverse;</p> <p>(b) who holds a certificate signed by a qualified medical practitioner certifying that the person is during the period stated in the certificate, unable for medical reasons to wear a seat belt assembly and on request made by a peace officer produces the certificate;</p> <p>(c) where the peace officer is satisfied that by reason of the person's size, build or other physical characteristics, the person is unable to wear a seat belt assembly;</p> <p>(d) while he is engaged in work which requires him to alight from and re-enter the motor vehicle at frequent intervals and who while engaged in the work does not drive at a speed exceeding 40 kilometres</p>		<p>transporting for hire a passenger;</p> <p>(b) where a certificate signed by a qualified medical practitioner certifying that the person is, during the period stated in the certificate, unable for medical reasons to wear a child restraint system and upon request made by a peace officer produces the certificate;</p> <p>(c) where to the satisfaction of a peace officer, the person is of such size or build or possesses such other physical characteristics that he would be unable to be constrained in a child restraint system;</p> <p>(d) to the casual and occasional transportation of a child or children in a vehicle driven by a person who is not the parent of the child or children and the vehicle is not equipped with a child restraint system;</p> <p>(e) where a motor vehicle is not equipped with safety belts as required under the <i>Canadian Motor Vehicle Safety Standards</i>.</p>	
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		<p>per hour;</p> <p>(e) who is a peace officer and the use of a seat belt assembly would obstruct or hinder him in the performance of his duties;</p> <p>(f) who is a driving instructor of a driving instruction school or any other person while engaged in driving instruction;</p> <p>(g) who is a provincial driver examiner while engaged in driver examination;</p> <p>(h) who has not attained the age of 5 years; or</p> <p>(i) who is in the care or custody of a peace officer.</p> <p>Age restriction</p> <p><u>186(6)</u> Subject to subsection (7), no person shall drive on a highway a motor vehicle in which there is a passenger</p> <p>(a) who has attained the age of at least 5 years but has not yet attained the age of 18 years; or</p> <p>(b) who is under the age of 5 years but whose weight exceeds 50 pounds;</p> <p>and who occupies a seating position for which a seat belt assembly is provided,</p>			
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		<p>unless that passenger is wearing the complete seat belt assembly in a properly adjusted and securely fastened manner; but where the seat belt assembly consists of a separate pelvic and torso restraint, the passenger may wear the pelvic restraint only.</p> <p>Medical or physical restrictions</p> <p><u>186(7)</u> Subsection (6) does not apply where the passenger</p> <p>(a) holds a certificate signed by a qualified medical practitioner certifying that the person is, during the period stated in the certificate, unable for medical reasons to wear a seat belt assembly, and on request made by a peace officer produces the certificate;</p> <p>(b) is, to the satisfaction of a peace officer, of such size or build or possesses such other physical characteristics that he is unable to wear a seat belt assembly;</p> <p>(c) is engaged in work which requires him to alight from and re-enter the motor vehicle at frequent intervals and the motor vehicle is not being driven at a speed exceeding 40 kilometres per hour; or</p> <p>(d) is in the care or custody of a</p>			
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		<p>peace officer.</p> <p>Driving while on duty</p> <p><u>186(8)</u> Subsections (3), (4) and (6) do not apply to</p> <p>(a) a peace officer who in the lawful performance of his duty, is transporting a person in his care or custody;</p> <p>(b) a driver where he is transporting a passenger for hire in a taxicab or livery; or</p> <p>(c) a medical attendant where he is transporting a patient in an ambulance.</p> <p>Seat Belt Exemptions Regulation</p> <p>Exemptions</p> <p>1 The provisions of subsections 186(3) and (4) of <i>The Highway Traffic Act</i> do not apply:</p> <p>(a) a person riding on or in a motor vehicle in a lawfully permitted parade;</p> <p>(b) an urban transit driver when operating a transit bus;</p> <p>(c) a driver and any attendant of a rescue wagon while responding to or returning from an emergency.</p> <p>Application of ss. 186(2) and (11)</p>			
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		2 Subsections 186(2) and (11) of <i>The Highway Traffic Act</i> do not apply to motor vehicles which are structurally adapted as custodial vehicles by the Provincial Sheriff's Branch or any provincial or municipal police department, in Manitoba and are used primarily for the purpose of conveying persons in lawful custody.			
ON	1976 December 1, 2006	Ontario Highway Traffic Act, Section 106: <ul style="list-style-type: none"> • All vehicle occupants (with limited exceptions) must occupy a seating position with a seat belt and use the seat belt properly. • Driver to ensure passengers under 16 years old occupy a seating position with a seat belt and wear the seat belt as required by legislation. • Driver required to ensure child passenger secured as prescribed in the regulations. • Passengers who appear to be at least 16 years of age are now required to identify themselves to police for seat belt offences by providing their name, date of birth and address. • A seat belt assembly shall be worn so that, <ul style="list-style-type: none"> ○ the pelvic restraint is firmly 	1982 Passed December 6, 2004 Proclaimed September 1, 2005 July 1, 2009	<ul style="list-style-type: none"> • Infants under 9 kg are to travel rear facing. • Toddlers who weigh 9 kg or more but less 18 kg (20-40 lbs.) are to travel forward facing. May travel rear-facing if the manufacturer of the child car seat being used recommends its use by toddlers. • Booster seat requirements: children under eight years old, who weigh 18 kg or more but less than 36 kg (40-80 lbs.) and stand less than between 18 and 36 kgs or 145 cm, (4', 9") tall. • With specific exemptions, most drivers now required to secure children in a proper child restraint. • 2 demerit points for non-compliance Highway Traffic Act – R.R.O. 1990, Reg. 613 • Infants with special needs may be secured in a restraint system that 	www.mto.gov.on.ca/english/about/bill73.htm www.mto.gov.on.ca/english/safety/carseat/choose.htm www.mto.gov.on.ca/english/safety/carseat/tips.htm www.mto.gov.on.ca/english/safety/carseat/card.htm www.mto.gov.on.ca/english/safety/seatbelt.htm www.e-laws.gov.on.ca http://ogov.newswire.ca/ontario/GPOE/2006/12/01/c2652.html?match=&lang=e.html

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	July 1, 2009	<p>against the body and across the hips;</p> <ul style="list-style-type: none"> ○ the torso restraint, if there is one, is closely against the body and over the shoulder and across the chest; ○ the pelvic restraint, and the torso restraint, if there is one, are securely fastened; and ○ no more than one person is wearing the seat belt assembly at any one time. <p>Highway Traffic Act – R.R.O. 1990, Reg. 613 A co-driver, as defined in Ontario Regulation 555/06 (Hours of Service) made under the Act, is exempt from subsection 106 (3) of the Act when he or she is occupying a sleeper berth that meets the requirements of section 8 of that regulation.</p>		<p>conforms to the requirements of Standard 213.5 under the MVSA.</p> <ul style="list-style-type: none"> • A pre-school to primary grade child shall be secured on a child booster seat that conforms to Standard 213.2 (Booster Cushions) or Standard 213.4 (Built-in Child Restraint Systems and Built-in Booster Cushions) <p>A toddler or pre-school to primary grade child may be secured in a restraint system that conforms to the requirements of Standard 213.3 (Restraint Systems for Disabled Persons) if he or she is a mobility impaired occupant or has a developmental disability.</p>	
QC	1976 1990 2002	<p>Under the Highway Safety Code, seat belts are mandatory for all front seat occupants.</p> <p>Under the Highway Safety Code, seat belts are mandatory for all back seat occupants.</p> <p>Under section 396 of the Code, in a moving vehicle any person, except a child targeted by section 397, must wear a properly fastened seat belt with which the seat is equipped.</p>	1990 2002	<p>Section 397 of the Highway Safety Code : “Every child under 5 years of age who occupies, in a road vehicle other than a taxi, a seat that required to be equipped with a seat belt, must be restrained by another safety device that conforms to the standards of installation and use prescribed by regulation, unless he wears, properly fastened, the seat belt with which his seat is equipped.”</p> <p>Amendment to section 397 of the Highway Safety Code: “ In a moving road vehicle, every child whose sitting height is less than</p>	<p>Société de l’assurance automobile du Québec Website: www.saaq.gouv.qc.ca/prevention/index.html</p>

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		<p>The driver is responsible for ensuring that all occupants aged 16 or less wear a seat belt and all children whose sitting height is less than 63 cm are seated in a properly installed safety seat.</p> <p>Fines: \$80-\$100 Demerit points: 3</p> <p>Exception. However, the use of a restraint system or booster cushion is not mandatory</p> <p>1) for a child occupying a designated seating position, within the meaning of the regulations under the Motor Vehicle Safety Act, not equipped with a seat belt by the vehicle manufacturer, provided no place equipped with a seat belt is available; or</p> <p>2) for a child exempted from using a restraint system or seat belt by the Société pursuant to section 398.</p> <p>Taxi. If the first paragraph cannot be complied with, a child occupying a seat in a taxi or a police car must be restrained by the seat belt with which the seat is equipped, except in the following cases:</p> <p>1) the child is clearly unable to maintain an upright position; or</p> <p>2) the child is exempted from wearing a seat belt by the Société pursuant to section 398.</p>		<p>63 cm, measured from the seat to the top of the head, must be restrained by a restraint system or booster cushion that complies with the regulations under the Motor Vehicle Safety Act (Statutes of Canada, 1993, chapter 16). The restraint system or booster cushion must, in accordance with the manufacturer's instructions affixed thereon, be suitable for the child's height and weight and be securely attached to the vehicle.</p> <p>The driver is responsible for ensuring that all children whose sitting height is less than 63 cm are seated in a properly installed safety seat.</p> <p>Fines: \$80-\$100 Demerit points: 3</p>	
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Appendix VI: Provincial/Territorial Motor Vehicle Occupant Restraint Legislation (Updates are in red bold)

Jurisdiction	Motor Vehicle Occupant Restraint		Child Restraint/Booster Seats (all stages)		Jurisdictional Web Links for Information on Motor Vehicle Occupants and Child Restraints
	Legislation Date*	Legislation Details	Legislation Date*	Legislative Details	

NB	Nov. 1983	<p>200.1(1)In this section “properly adjusted” , with reference to a seat belt assembly designed to be worn over the upper torso, means worn snugly across the top of the shoulder and diagonally across the chest with no limb, other object or other material coming between the assembly and the body other than clothing or a sling or other medical aid recommended by a medical practitioner;</p> <p>“seat belt assembly” means a device or assembly composed of straps, webbing or similar material that restrains the movement of a person in order to prevent or mitigate injury to the person and includes a pelvic restraint or an upper torso restraint or both of them.</p> <p>200.1(2)No person shall drive on a highway a motor vehicle in which a seat belt assembly required under the provisions of the <i>Motor Vehicle Safety Act</i> (Canada) at the time that the vehicle was manufactured or imported into Canada has been removed, rendered partly or wholly inoperative or modified so as to reduce its effectiveness.</p> <p>200.1(3)Every person who drives on a highway a motor vehicle in which a seat belt assembly is provided for the driver shall wear the complete seat belt assembly in a properly adjusted and securely fastened manner.</p> <p>200.1(4)Every person who is at least sixteen years old and who is a passenger</p>	Nov. 1983; Consolidated May 1, 2008 (Reg. 83-163 under the Motor Vehicle Act)	<p>2 The following definitions apply in this Regulation.</p> <p>"Act" means the <i>Motor Vehicle Act</i>. (<i>Loi</i>)</p> <p>"Canada Motor Vehicle Safety Standard 213" means Schedule 3, CMVSS 213 - Child Restraint Systems to the <i>Motor Vehicle Restraint Systems and Booster Cushions Safety Regulations</i> made under the <i>Motor Vehicle Safety Act</i> (Canada). (<i>Norme de sécurité des véhicules automobiles du Canada 213</i>)</p> <p>"Canada Motor Vehicle Safety Standard 213.1" means Schedule 4, CMVSS 213.1 - Infant Restraint Systems to the <i>Motor Vehicle Restraint Systems and Booster Cushions Safety Regulations</i> made under the <i>Motor Vehicle Safety Act</i> (Canada). (<i>Norme de sécurité des véhicules automobiles du Canada 213.1</i>)</p> <p>"Canada Motor Vehicle Safety Standard 213.2" means Schedule 5, CMVSS 213.2 - Booster Cushions to the <i>Motor Vehicle Restraint Systems and Booster Cushions Safety Regulations</i> made under the <i>Motor Vehicle Safety Act</i> (Canada). (<i>Norme de sécurité des véhicules automobiles du Canada 213.2</i>)</p> <p>"Canada Motor Vehicle Safety Standard 213.4" means section 213.4 of the <i>Motor Vehicle Safety Regulations</i> made under the <i>Motor Vehicle Safety Act</i> (Canada). (<i>Norme de sécurité des véhicules automobiles du Canada 213.4</i>)</p> <p>2007-76</p> <p>6 A driver of a motor vehicle on a highway</p>	<p>http://www.gnb.ca/0062/PDF-acts/m-17.pdf</p> <p>http://www.gnb.ca/0062/PDF-regs/83-163.pdf</p>
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Appendix VI: Provincial/Territorial Motor Vehicle Occupant Restraint Legislation (Updates are in red bold)

Jurisdiction	Motor Vehicle Occupant Restraint		Child Restraint/Booster Seats (all stages)		Jurisdictional Web Links for Information on Motor Vehicle Occupants and Child Restraints
	Legislation Date*	Legislation Details	Legislation Date*	Legislative Details	
		<p>in a motor vehicle being driven on a highway shall</p> <p>(a) occupy a seating position for which a seat belt assembly is provided, and</p> <p>(b) wear the complete seat belt assembly in a properly adjusted and securely fastened manner.</p> <p>200.1(5) Subsections (3) and (4) do not apply to a person</p> <p>(a) driving a motor vehicle in reverse,</p> <p>(b) who holds a certificate signed by a medical practitioner certifying that the person</p> <p>(i) for the period stated in the certificate is unable for medical reasons to wear a seat belt assembly, or</p> <p>(ii) because of his physical characteristics is unable to wear a seat belt assembly, or</p> <p>(c) who is actually engaged in work which requires him to alight from and re-enter a motor vehicle at frequent intervals and, while engaged in such work, does not drive or travel in that vehicle at a speed exceeding forty kilometres per hour.</p> <p>200.1(6) No person shall drive on a highway a motor vehicle in which there is a passenger under the age of sixteen years unless</p> <p>(a) that passenger occupies a seating position for which a seat belt assembly has been provided and is wearing the complete seat belt assembly in a properly adjusted and secure fashion, or</p> <p>(b) that passenger occupies and is properly secured in a child seating and restraint system prescribed by regulation.</p>		<p>shall ensure that a passenger who meets all of the following criteria is occupying and is properly secured in a child seating and restraint system prescribed under section 7:</p> <p>(a) the passenger is under the age of 9 years;</p> <p>(b) the passenger weighs less than 36 kg; and</p> <p>(c) the passenger has a standing height of less than 145 cm.</p> <p>2007-76</p> <p>6.1(1) Despite section 6, a driver of a motor vehicle registered in a jurisdiction other than New Brunswick is exempt from the provisions of paragraph 200.1(6)(b) of the Act with respect to a passenger under the age of 9 years who weighs less than 36 kg and who stands less than 145 cm in height.</p> <p>6.1(2) Subsection (1) does not apply where the motor vehicle registered in a jurisdiction other than New Brunswick is rented under an agreement made in the Province.</p> <p>84-201; 2007-76; 2008-53</p> <p>7 A child seating and restraint system is a child seating and restraint system for the purposes of paragraph 200.1(6)(b) of the Act if the system meets the following conditions:</p> <p>(a) the system is used in accordance with the manufacturer's instructions and specifications as to weight and, where applicable, height of the child;</p> <p>(b) the system conforms to the following standards under the <i>Motor Vehicle Safety Act</i> (Canada), as the case may be:</p> <p>(i) Canada Motor Vehicle Safety</p>	

Appendix VI: Provincial/Territorial Motor Vehicle Occupant Restraint Legislation (Updates are in red bold)

Jurisdiction	Motor Vehicle Occupant Restraint		Child Restraint/Booster Seats (all stages)		Jurisdictional Web Links for Information on Motor Vehicle Occupants and Child Restraints
	Legislation Date*	Legislation Details	Legislation Date*	Legislative Details	
		<p>200.1(7) Subsection (6) does not apply in respect of a passenger if</p> <p>(a) the passenger holds a certificate signed by a medical practitioner certifying that the passenger</p> <p>(i) for the period stated in the certificate is unable for medical reasons to wear a seat belt assembly, or</p> <p>(ii) because of his physical characteristics is unable to wear a seat belt assembly, or</p> <p>(b) the passenger is actually engaged in work which requires him to alight from and re-enter a motor vehicle at frequent intervals and, while engaged in such work, does not drive or travel in that vehicle at a speed exceeding forty kilometres per hour.</p> <p>200.1(8) A person who drives on a highway a motor vehicle in which one or more seat belt assemblies are required under the provisions of the <i>Motor Vehicle Safety Act</i> (Canada) shall not transport more passengers in the motor vehicle than there are effectively operating seat belts assemblies in the motor vehicle.</p> <p>200.1(9) The Lieutenant-Governor in Council may make regulations</p> <p>(a) requiring the use of child seating and restraint systems in motor vehicles on highways and prescribing the specifications thereof;</p> <p>(b) providing for the exemption from any of the provisions of this section of</p> <p>(i) any type or class of motor vehicles, and</p> <p>(ii) any class of drivers or passengers in motor vehicles.</p>		<p>Standard 213;</p> <p>(ii) Canada Motor Vehicle Safety Standard 213.1;</p> <p>(iii) Canada Motor Vehicle Safety Standard 213.2; or</p> <p>(iv) Canada Motor Vehicle Safety Standard 213.4; and</p> <p>(c) the system is installed in accordance with and otherwise conforms to the <i>Motor Vehicle Restraint Systems and Booster Cushions Safety Regulations</i> under the <i>Motor Vehicle Safety Act</i> (Canada) or, where applicable, the <i>Motor Vehicle Safety Regulations</i> under the <i>Motor Vehicle Safety Act</i> (Canada).</p> <p>2007-76</p>	

Appendix VI: Provincial/Territorial Motor Vehicle Occupant Restraint Legislation (Updates are in red bold)

Jurisdiction	Motor Vehicle Occupant Restraint		Child Restraint/Booster Seats (all stages)		Jurisdictional Web Links for Information on Motor Vehicle Occupants and Child Restraints
	Legislation Date*	Legislation Details	Legislation Date*	Legislative Details	
		1983, c.52, s.15; 1994, c.31, s.17; 1998, c.30, s.11; 2007, c.44, s.14. 297(2) The Registrar shall assess against each driver and each non-resident driver for each conviction or each order a number of points as follows: <i>(i.1)</i> upon conviction of an offence under subsection 200.1(3), 2 points;			
NS	June 11, 1984	While a motor vehicle is being operated on a highway other than in reverse, the driver of the motor vehicle shall wear a seat belt if a seat belt is available to the driver. No person shall operate a motor vehicle on a highway unless every passenger in the motor vehicle who is under sixteen years of age is secured While a motor vehicle is being operated on a highway, every passenger in the motor vehicle who is sixteen years of age or older shall wear a seat belt if a seating position with a seat belt is available to that passenger. Every registered owner of a motor vehicle shall maintain all seat belts for the vehicle in good condition. No person shall modify a seat belt in any way which reduces its effectiveness or remove a seat belt except for maintenance or if the seating position has been removed.	January 1, 2007	2006 Legislation No person shall operate a motor vehicle on a highway unless every passenger in the motor vehicle who is under sixteen years of age is secured (a) in the prescribed manner in a child restraint system, where the passenger is of an age, height or weight for which such a system is prescribed; or (b) where the passenger is not of an age, height or weight for which a child restraint system is prescribed, in a seat belt if a seating position with a seat belt is available to that passenger. Published in the Royal Gazette in 2005 and EFFECTIVE January 1, 2007: a) infants: children less than 1 year and those who weigh less than 10 kg. must be secured in a rearward facing seat. b) young children: children who are at least 1 year and weigh at least 10 kg. and less than 18 kg. may face forward. c) older children: Children who weigh more than 18 kg. must be in a booster seat if they are younger than 9 years and less than 145 cm. tall.	www.gov.ns.ca/tran www.childsafetylink.ca www.momdandads.ca

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Jurisdiction	Motor Vehicle Occupant Restraint		Child Restraint/Booster Seats (all stages)		Jurisdictional Web Links for Information on Motor Vehicle Occupants and Child Restraints
	Legislation Date*	Legislation Details	Legislation Date*	Legislative Details	
PE	July, 1987	<p>While a vehicle is being operated on a highway other than in reverse, the driver of the motor vehicle shall wear a seat belt if available</p> <p>No person shall operate a vehicle on a highway unless every passenger who is under 16 is secured</p> <p>While a motor vehicle is being operated on a highway, every passenger 16 and older shall wear a seat belt if available</p>	July 1992	<p>An infant (less than 10 kg) shall be secured in a rearward facing infant restraint system that conforms to CMVSS and which is used in accordance to manufactures instructions.</p> <p>A toddler (10 kg – 18 kg) shall be secured in a child restraint system that conforms to CMVSS and which is used in accordance to manufactures instructions.</p> <p>A pre-schooler (18 kg – 23 kg) shall be secured by a pelvic restraint of a seat belt assembly or a booster seat system that conforms to CMVSS and which is used in accordance to manufactures instructions.</p>	www.gov.pe.ca www.childsafetylink.ca
			Jan. 1/08	Booster seat law	
NL	July 1, 1982	<p>A person shall not operate a vehicle on a highway in which a seat belt assembly is required under the Motor Vehicle Safety Act (Canada) at the time that the vehicle was manufactured or imported if the seat belt has been removed, rendered partially or wholly inoperative or modified to reduce it's effectiveness</p> <p>A person who operates a vehicle in which a seat belt assembly is provided for the driver shall wear the complete seat belt assembly in a properly adjusted and securely fastened manner.</p> <p>A person who is a passenger of a vehicle in which a seat belt assembly is provided</p>	July 1, 1982	<p>A person shall not operate on a highway a vehicle in which there is a passenger who is under 5 years of age or whose weight does not exceed 18 kilograms, unless that passenger is occupying and properly secured in a child seating and restraint system as prescribed under the regulations. Info on regulations: "child seating restraint system" means a system that meets the requirements of the <i>Motor Vehicle Safety Regulations</i> under the <i>Motor Safety Act</i> (Canada);</p> <p>178.1 (1) In this section</p> <p>(a) "booster seat" means a child seat restraint system that meets the</p>	

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Jurisdiction	Motor Vehicle Occupant Restraint		Child Restraint/Booster Seats (all stages)		Jurisdictional Web Links for Information on Motor Vehicle Occupants and Child Restraints
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		<p>for the seating position occupied by the passenger shall wear the complete seat belt assembly in a properly adjusted and securely fastened manner.</p> <p>Seat belts</p> <p>178. (1) In this section and section 178.1,</p> <p>(a) "child seat restraint system" means a car seat of a type described in subsection 178.1(1) required for a child of an age, height or weight described in subsection 178.1(2) that is designed for use, together with a seat belt assembly, in the restraint of a child; and</p> <p>(b) "seat belt assembly" means a device or assembly composed of straps, webbing or similar material that restrains the movement of a person in order to prevent or mitigate injury to the person and includes a pelvic restraint or a pelvic restraint in combination with a torso restraint.</p> <p>(2) A person shall not operate on a highway a vehicle in which a seat belt assembly required under the <i>Motor Vehicle Safety Act</i> (Canada) at the time that the vehicle was manufactured or imported into Canada has been removed, rendered partly or wholly</p>		<p>requirements of Schedule 5, CMVSS 213.2 "Booster Cushions", to the <i>Motor Vehicle Restraint Systems and Booster Cushions Safety Regulations</i> under the <i>Motor Vehicle Safety Act</i> (Canada);</p> <p>(b) "child car seat" means a child seat restraint system that meets the requirements of Schedule 3, CMVSS 213 "Child Restraint Systems", to the <i>Motor Vehicle Restraint Systems and Booster Cushions Safety Regulations</i> under the <i>Motor Vehicle Safety Act</i> (Canada); and</p> <p>(c) "infant car seat" means a child seat restraint system that meets the requirements of Schedule 4, CMVSS 213.1 "Infant Restraint Systems", to the <i>Motor Vehicle Restraint Systems and Booster Cushions Safety Regulations</i> under the <i>Motor Vehicle Safety Act</i> (Canada).</p> <p>(2) Except as otherwise provided in subsections (4) and (5), a person shall not operate on a highway a vehicle in which there is a passenger who is a child 8 years of age or under unless that child is occupying and properly secured in a child seat restraint system in accordance with the following:</p> <p>(a) a child who weighs less than 9 kilograms shall be secured in a rearward-facing infant car seat that is used in the manner recommended by the manufacturer;</p>	

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Jurisdiction	Motor Vehicle Occupant Restraint		Child Restraint/Booster Seats (all stages)		Jurisdictional Web Links for Information on Motor Vehicle Occupants and Child Restraints
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		<p>inoperative, or modified so as to reduce its effectiveness.</p> <p>(3) A person, who operates on a highway a vehicle in which a seat belt assembly is provided for the driver, shall wear the complete seat belt assembly in a properly adjusted and securely fastened manner.</p> <p>(4) A person who is a passenger on a highway in a vehicle in which a seat belt assembly is provided for the seating position occupied by the passenger shall wear the complete seat belt assembly in a properly adjusted and securely fastened manner.</p> <p>(4.1) For the purposes of subsections (3), (4) and (6), a seat belt assembly is considered to be worn in a properly adjusted and securely fastened manner where</p> <p>(a) the pelvic restraint is worn firmly against the body and across the hips;</p> <p>(b) the torso restraint, if any, is worn closely against the body and over the shoulder and across the chest; and</p> <p>(c) the pelvic restraint, and the torso restraint, if any, are securely fastened.</p>		<p>(b) a child who weighs 9 kilograms or more and less than 18 kilograms shall be secured</p> <p>(i) in a child car seat that is used in the manner recommended by the manufacturer, or</p> <p>(ii) in an infant car seat that is used in the manner recommended by the manufacturer, where the manufacturer's specifications permit or recommend the use of an infant car seat by a child described in this paragraph; and</p> <p>(c) a child who weighs not less than 18 kilograms and not more than 37 kilograms and who is less than 145 centimetres in height shall be secured</p> <p>(i) on a booster seat that is used in the manner recommended by the manufacturer, and by the vehicle's complete seat belt assembly, worn as described in subsection 178(4.1), or</p> <p>(ii) in a child car seat that is used in the manner recommended by the manufacturer, where the manufacturer's specifications permit or recommend the use of a child car seat by a child described in this paragraph.</p>	
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		<p>(5)Subsections (3) and (4) do not apply to</p> <p>(a) [Rep. by 2009 c9 s27]</p> <p>(b) a person who holds a certificate signed by a medical practitioner licensed under the <i>Medical Act, 2005</i> or a nurse practitioner as defined in the <i>Registered Nurses Act, 2008</i> certifying that the person is</p> <p>(i) for the period stated in the certificate, unable for medical reasons to wear a seat belt assembly, or</p> <p>(ii) because of size, build or other physical characteristic, unable to wear a seat belt assembly;</p> <p>(c) a person who is actively engaged in the collection of garbage or other waste materials which requires that person to alight from and re-enter a vehicle at frequent intervals and who, while engaged in that work, does not drive or travel in that vehicle at a speed exceeding 20 kilometres an hour;</p> <p>(d) a person under the age of 16 years;</p>		<p>(3)A rearward facing infant car seat shall not be used in a motor vehicle seat that is equipped with an active frontal air bag.</p> <p>(4)Subsection (2) does not apply to the operator on a highway of a vehicle where</p> <p>(a) the passenger is the holder of a certificate signed by a qualified medical practitioner licensed under the <i>Medical Act, 2005</i> or a nurse practitioner under the <i>Registered Nurses Act, 2008</i> certifying that the passenger is</p> <p>(i) for the period stated in the certificate, unable for medical reasons to be secured in a child seat restraint system, or</p> <p>(ii) because of size, build or other physical characteristic, unable to be secured in a child seat restraint system; or</p> <p>(b) the operator of the vehicle is a peace officer who, in the lawful performance of his or her duties, is transporting a child in his or her custody and in the opinion of the peace officer the urgency of the situation makes it impracticable for the child to wear a child seat restraint system.</p>	
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		<p>(e) a peace officer in the lawful performance of his or her duties, where compliance would endanger him or her or hamper the performance of his or her duties;</p> <p>(f) a peace officer who, in the lawful performance of his or her duties, is transporting a person in his or her custody; or</p> <p>(g) a person who is in the custody of a peace officer.</p> <p>(6)A person shall not operate a vehicle on a highway in which there is a passenger who is under 16 years of age unless that passenger</p> <p>(a) occupies a seating position for which a seat belt assembly has been provided and is wearing the complete seat belt assembly in a properly adjusted and securely fastened manner; or</p> <p>(b) is secured in a child seat restraint system in accordance with subsection 178.1(2), where the passenger is a child to whom that subsection applies.</p> <p>(7)Paragraph (6)(a) does not apply where the passenger</p>		<p>(5)The requirements of paragraph (2)(c) do not apply to the transport of a child described in that paragraph in a bus or school bus that has not been equipped with a seat belt assembly.</p> <p>(6)Notwithstanding subsection (5), the operator of a passenger vehicle designed to carry 6 or fewer passengers in addition to the operator, under a contract with a school board to carry children to and from school and school related activities, shall comply with the requirements of subsection (2).</p> <p><u>2007 c23 s2; 2009 c9 s28</u></p> <p>the <i>Motor Safety Act</i> (Canada);</p>	
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	Legislation Date*	Legislation Details	Legislation Date*	Legislative Details	
		<p>(a) is the holder of a certificate signed by a qualified medical practitioner certifying that the passenger is</p> <p>(i) for the period stated in the certificate, unable for medical reasons to wear a seat belt assembly, or</p> <p>(ii) because of size, build or other physical characteristic, unable to wear a seat belt assembly;</p> <p>(b) [Rep. by 2009 c9 s27]</p> <p>(c) [Rep. by 2007 c23 s1]</p> <p>(d) is a person in the custody of a peace officer and being transported by the officer in the lawful performance of his or her duties.</p> <p>(8)[Rep. by 2007 c23 s1]</p> <p>(9)[Rep. by 2007 c23 s1]</p> <p>(10)[Rep. by 1996 cR-10.1 s35]</p> <p><u>1988 c33 s177; 1990 c43 s15; 1995 c18 s7; 1996 cR-10.1 s35; 2006 c23 s9; 2007 c23 s1; 2009 c9 s27</u></p>			

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NT	2001	<p>The driver of a motor vehicle shall, while the motor vehicle is being operated on a highway, wear a complete seat belt assembly in a properly adjusted and securely fastened manner. (s.146 of Motor Vehicles Act)</p> <p>A passenger in a motor vehicle shall wear a complete seat belt assembly in a properly adjusted and securely fastened manner. (s.146 of the Motor Vehicles Act)</p> <p>No person shall operate a motor vehicle on a highway if there is a passenger who is under 15 years of age, unless the passenger is wearing a complete seat belt assembly in a properly adjusted and secured manner or a prescribed child restraint system. (s.146 of Motor Vehicles Act)</p> <p>Fine: \$100 + \$15 surcharge Demerits: 2</p>	2001	<p>It is the driver's responsibility to ensure that children from birth to 18 kg must be restrained according to ss.146(4) of the Motor Vehicles Act.</p> <p>In accordance with our Seat Belt Assembly and Child Restraint System Regulations:</p> <p>Infants (persons weighing less than 9 kgs) must be secured in a rearward facing restraint system that meets the requirements of section 213.1 of Schedule IV of the Motor Vehicle Safety Regulations under the Motor Vehicle Safety Act (Canada).</p> <p>Toddlers (persons weighing 9 kgs or more but less than 18 kgs) must be secured in a child restraint system that meets the requirements of section 213 of Schedule IV of the Motor Vehicle Safety Regulations under the Motor Vehicle Safety Act (Canada), if being transported in a vehicle that is owned, leased or regularly used by his or her parent or legal guardian. If being transported by a vehicle not owned / used by a parent or legal guardian, the toddler may be secured by a pelvic restraint mechanism of a seat belt assembly.</p> <p>Restraint system rules do not apply to the operators of taxicabs, if the infant / toddlers are being transported for compensation.</p> <p>Fine: \$200 + \$30 surcharge Demerits: 2</p>	

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NU					