Child Restraint Law Effective from 30 April 2015

The new Child Restraint Law will be in effect as from 30 April 2015. There is a lot of uncertainty and confusion regarding this. Not everybody is sure what our country's laws are pertaining to the wearing of seatbelts. People are also unaware of which chair to use for which age, for children. We at Maid in Heaven went and did some research regarding this matter. We are happy to share our findings with you. You can go have a look at more extensive findings on the Road Safety website.

Below is the Legislation as published to date:

**Legislation Update: Compulsory Child Restraints in SA**

It will be effective from 30 April 2015. It was published in the 22nd National Road Traffic Amendment on 31 October 2014. The date was set in a correction notice to the legislation a few days later.

**Seatbelts**

Reg 213.    (1)       For the purpose of this regulation—

(a)       an adult is a person over the age of 14 years or taller than one comma five metres;

(b)       a child is a person between the age of three years and 14 years, except where such person is taller than one comma five metres;

(c)        an infant is a person below the age of three years.

(2)        Any reference to a safety belt in these regulations shall be construed as a reference to a seat belt.

(3)        (a)       Motor vehicles which are required to be fitted with seatbelts in terms of the relevant requirements as contemplated in regulation 216, shall be fitted with seatbelts in accordance therewith.

(b)        In addition to the requirements of paragraph (a), no person shall operate a minibus the gross vehicle mass of which exceeds 2 500 kg, unless seatbelts are fitted to the space on the front seat occupied by the driver, and if such front seat has seating accommodation for passengers, unless seatbelts are fitted for the driver and at least one passenger.

(c)        No person shall operate a motor vehicle on a public road unless the seatbelts fitted to such motor vehicle are in good working order.

(d)        Seatbelts fitted to a motor vehicle may only be removed for repair or replacement purposes and such motor vehicle may not be used on a public road while such seatbelts are being repaired or replaced.

(e)        In addition to the requirements of paragraph (a), no person shall operate a minibus or midibus, first registered after 04 September 2006,operating in terms of an operating licence, unless seatbelts are fitted for every seat in the motor vehicle.

(f)     the belt configuration for a seat in the rear of a motor vehicle shall be a 2-point belt or a 3-point belt, with anchorages in accordance with SANS 1430 : Anchorages for restraining devices in motor vehicles", and installed in accordance with SANS " 10168: Installation of safety devices (Safety belts in motor vehicles).

(4)       No adult shall occupy a seat in a motor vehicle operated on a public road which is fitted with a seatbelt unless such person wears such seatbelt: Provided that the provisions of this regulation do not apply while reversing or moving in or out of a parking bay or area.

(5)        No adult shall occupy a seat on a row of seats in a motor vehicle operated on a public road which is not fitted with a seatbelt, unless all other seats on such row which are fitted with seatbelts, are already occupied.

(6)        The driver of a motor vehicle operated on a public road shall ensure that a child seated on a seat of the motor vehicle—

(a)        where it is available in the motor vehicle, uses an appropriate child restraint; or

(b)        if no child restraint is available, wears the seatbelt if an unoccupied seat which is fitted with a seatbelt is available.

(6A)     The driver of a motor vehicle operated on a public road shall ensure that an infant traveling in such a motor vehicle is seated on an appropriate child restraint: Provided that this provision shall not apply in a case of a minibus, midibus or bus operating for reward.

Ø    Reg  213 (6A) will be in force as from 30 April 2015.

(7)       If no seat, equipped with a seatbelt is available in a motor vehicle the driver of the motor vehicle operated on a public road shall ensure that a child shall, if such motor vehicle is equipped with a rear seat, be seated on such rear seat.

(8)        (a)       A seatbelt shall comply with the standard specification SABS 1080 “Restraining devices for occupants of adult build in motor vehicles (Revised requirements)” and bear a certification mark or approval mark.

(b)      A child restraint shall comply with the standard specification SABS 1340 “Child restraining devices in motor vehicles” and bear a certification mark or approval mark.

(9)         The MEC may exempt a person from the provisions of this regulation on such medical grounds and under such conditions he or she may deem expedient.

(10)       An exemption from wearing a seatbelt in a prescribed territory shall be deemed to be an exemption in terms of subregulation (9) for the period of validity thereof.

(11)       The driver of a motor vehicle shall ensure that all persons travelling in such motor vehicle shall wear a seat belt as contemplated in this regulation.

Some benefits of wearing a seat belt, for both children and adults

* Wearing a seat belt reduces the possibility of being killed by 40 - 50%
* 44% of unrestrained passengers killed in accidents are ejected from the car as opposed to the 5% of restrained occupants
* The risk of death for infants is reduced by 70%.

How do Seatbelts and Child Restraints work:

Seatbelts and Child Restraints are a secondary safety devices which means that are designed to prevent or minimize injury. Therefore they:

* Reduce the risk of contact with the inside of the car
* distribute the forces of impact over the stronger parts of the body
* prevent ejection from the car
* prevent injury to other occupants of the car

Choosing the correct Restraint/Seat for your child

Child Restraints are designed according to weight and height. These will be the deciding factors when buying a seat for your child. You also need to make sure that the restraint will fit in your car. Here are some further guidelines to keep in mind when buying a seat/restraint

Infant - Birth - 1 Year:

Don't carry or share a safety belt with your child. The best will be to transport your baby in a rear facing chair. Keep them in this chair for as long as possible. Only move to a front facing seat when the baby is too big for it.

Children aged 1 - 4

The restraint system should limit forward head movement when impact is from the front. It should also provide protection from side intrusions. The seat must protect the child from contact with the inside of the car in case of a crash. The best restraint is a child safety seat. It distributes the crash force over a wider area. This seat should last the child until 18kg or if they grow too tall for the adjustable straps.

Children aged 4 - 6

Booster seats are the best to use for this age group when they have out grown their safety seat. They are designed to carry weight up to 25kg and a height of max 145cm. The booster seat is made to raise the body so the car's seatbelt fits correctly over the body.. If the belts are not positioned right it can cause serious internal damage.

Children 6 - 11 years

For this age group you can use a booster cushion which will still raise the child to position the seatbelts correctly. This seat can carry a weight of 22 - 36 kg. There are currently manufactures that are making booster cushions with backing to cover the whole from 15 - 36 kg.