

Ohio's Child Restraint Law ORC 4511.81

Children who are in either or both categories:

- less than 4 years of age
- less than 40 pounds

Primary Enforcement – Child Restraint Violation

Children must be in properly used child restraints, in accordance with manufacturers' instructions.

4511.81 (A)

- (A) (1) – if child is younger than 4
- (A) (2) – if child weighs less than 40 lbs.

4511.81 (B) – if a child is in a day care or pre-school vehicle

- (B) (1) – if child is younger than 4
- (B) (2) – if child weighs less than 40 lbs.

Children less than 8 years of age, unless they have reached 4' 9" in height

Secondary Enforcement - Booster Seat Violation

4511.81 (C) Unless required by division (A) or (B) to be secured in child restraints, children must be properly secured in accordance with manufacturers' instructions in booster seats that meet federal motor vehicle safety standards.

- Regulated daycare vehicles are exempted
- 6 month warning period commences 10/7/2009
- Enforcement commences 4/7/2010

Children who are 8 - 15 years of age (or younger children who are at least 4' 9" tall)

Secondary Enforcement – Seat Belt Violation

4511.81 (D) Children must be properly restrained in accordance with manufacturers' instructions in child restraints, booster seats, or seat belts.

Regardless of front or back seat occupancy

All of the above sections have the following exceptions:

*Taxicabs
Public Safety Vehicles
Vehicles not equipped with seat belts at the time of manufacture
Chiropractor or physician affidavit of exemption
Life-threatening emergencies*

All of the above sections require the **driver to be ticketed**, not the child.

All of the above sections are MM on a first offense with a minimum fine of \$25 and a maximum fine of \$75. Second offenses are M4 which have fines to \$250 and jail time to 30 days.

If more than one child is not restrained at the time of the stop, only one citation can be issued. Include all applicable subsections.

Ohio's Occupant Restraint Laws

4513.263 Seat Belt Violation

Secondary Enforcement – MM

All drivers and front seat passengers must properly wear all portions of available safety belts.

- (B) (1) Driver not wearing
- (B) (2) Passenger not wearing, but driver gets ticket
- (B) (3) Passenger not wearing and gets ticket
- (B) (4) All seatbelts in taxicabs must work

4507.071 (E) – Probationary License Seat Belt Violation

Secondary Enforcement – MM

- Total number of occupants of the vehicle cannot exceed the total number of occupant restraining devices originally installed in the motor vehicle by its manufacturer
- Each occupant of the vehicle must wear all available elements of a properly adjusted occupant restraining device
- Driver gets ticket

4511.51 (E) – Children < 16 in truck beds

Primary Enforcement – MM

No driver shall permit any person under 16 years of age to ride in the unenclosed or unroofed cargo storage area of a truck, trailer or semi-trailer traveling faster than 25 mph.

4511.51 (F) Passengers in truck cargo area

Primary Enforcement – MM

Passengers cannot ride in the cargo storage area of a truck, trailer, or semi-trailer while the tailgate is unlatched. Maintenance/street workers performing specialized highway or street maintenance are exempted.



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