	<b>Division/Section</b>	Child Welfare
	<b>Chapter No./Name</b>	6 – Foster Care (FC)
	<b>Part No./Name</b>	9 – Ongoing Services to Foster Care
	<b>Section No./Name</b>	Ongoing Services to Foster Care
	<b>Document No./Name</b>	6-940 Vehicle Safety Seat Belt and Other Passenger Restraint Requirements
	<b>Effective Date</b>	July 15, 2022

## I. STATEMENT OF POLICY

It is the policy of the Department of Children and Family Services to follow child safety guidelines as established by R.S. 32:295. Drivers who transport children in motor vehicles shall have the children properly restrained. Staff shall monitor the expiration dates on child safety seats.

## II. PROCEDURES


No person shall be transported in a state owned vehicle unless that person is properly restrained and no employee or service provider shall transport a person who is a recipient of services in a privately owned vehicle unless the person is properly restrained. Children shall remain in the more protective category until he or she reaches the top height and weight limit allowed by the car seat's manufacturer. Children who because of age could be placed in more than one category shall be placed in the more protective category.

Properly restrained is defined as follows:

- Children younger than age 2 must be restrained in a rear-facing child restraint system that complies with federal standards until the child reaches the weight or height limit of the child restraint system as set by the manufacturer.
- Children who are at least 2 or older who have reached the rear-facing weight or height limits of child restraint system must be restrained in a forward-facing restraint system with internal harness until the child reaches the weight or height limit of the child restraint system as set by the manufacturer. (SR4K notes: The RideSafer is a child restrain with an internal harness system. The vest itself is a harness and it is crash tested as a harness system with the tether strap and lap-only seat belt per standards in FMVSS 213 but also works with lap-shoulder belt and tether. RideSafer works more as a belt-positioning device with just the lap-shoulder belt.)
- Children who are at least 4 years of age and who have outgrown the forward-facing weight or height limits of child restraint system shall be restrained in a belt-positioning child booster seat secured with a lap-shoulder belt according to the manufacturer's instructions.
- Children who are at least 9 years of age and who have outgrown the weight or height limits of belt-positioning child booster seat shall be restrained with the vehicle's seat belt adjusted and fastened around the child's body to fit correctly.

The adult safety belt fits correctly when:

- The child sits all the way back against the vehicle seat.

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- The child's knees bend over the edge of the vehicle seat.
- The seat belt fits snugly across the child's thighs and lower hips (not abdomen).
- The shoulder belt snugly crosses the center of the child's shoulder and chest.

Youth thirteen (13+) years or older can sit in either the front or back seat with a seat belt. Instructions for installation and use of child safety seats are found on each individual car seat and should not be removed. Staff should reference the instruction manual or manufacturer's website for clarification on use.

## A. SPECIAL SITUATIONS

If more children require transportation than the vehicle can safely accommodate, another worker should be contacted to bring an additional vehicle to assist. In emergency situations, any available law enforcement officer may be requested to assist.

If children with physically or mentally disabling conditions are unable to utilize regular modes of transportation, specialized transportation carriers should be contacted per [6-945](#), Transportation Assistance.

A foster child shall not be allowed to ride in the open bed of a pick-up truck or utility trailer other than when participating in an authorized parade.


## B. EXPIRATION DATES OF CHILD SAFETY SEATS

Child safety restraint systems must meet State and Federal safety standards. Child safety seats have either an expiration date or date of manufacture stamped on the bottom of the seat. Child safety seats generally expire six years from the date of manufacture. Staff must routinely check expiration dates prior to transporting children. At the beginning of each fiscal year, all child safety seats are inspected to determine if the seat remains safe, has not reached the expiration date, and is not the subject of a recall. To determine if a car seat is the subject of a recall, check the internet site for the manufacturer. If it is determined that the child safety seat is expired or the subject of a recall, it shall no longer be used to transport children.

## C. LOCAL OFFICE REQUIREMENTS

Using the following guidelines, each office shall maintain a minimum number of child passenger restraints:

- One of each type of restraint system per state car.
- One of each type of child safety restraint system for every three workers who use their private vehicle to transport children.

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Child safety restraint systems shall be kept in the office to be used as needed.

#### **D. FOSTER CAREGIVER REQUIREMENTS**

Foster caregivers, whether certified or noncertified, shall comply with the state law on child restraint systems for vehicle safety. When a foster care case worker places a child in a home, they are responsible for explaining the child restraint law requirements at the time of the establishment of the care setting.

Child passenger restraint systems shall be provided for all foster children when required by age and size to comply with the law and safety practices. Any car seat or other passenger restraint system purchased by the Department becomes the property of the child just as any other purchase made on his behalf, i.e., clothing. The only exception to the passenger restraint system being the child's personal possession would be when a child is no longer required by law to use a child passenger restraint system. If the car seat is in good, usable condition, and there is another foster child in the same home or another home who needs the passenger restraint system, the foster caregiver or case worker may give the system to the other child or return the system to the local office for use by the Department.

\* Prior to purchasing a child restraint system, staff shall explore if the office has any new, unopened car seats available to give to the child. If no car seats are available, a child specific restraint system shall be purchased using TIPS code 800 830. The most cost-efficient child specific restraint system available should be purchased. Available stock in local stores should be researched prior to going to the store to make a purchase to assure availability of the most cost-efficient option. The total purchase should not exceed \$150.00 for an infant and young toddler system. The total purchase price should not exceed \$50.00 for a booster system. If a child reaches the weight or height limit of the child restraint system set by the manufacturer, a new car seat may be purchased on behalf of the child. \*\*

#### **III. FORMS AND INSTRUCTIONS**

There are no forms associated with this policy.

#### **IV. REFERENCES**

[R.S. 32:295, Child Passenger Restraint System](#)