

Transporting Children in 15-Passenger Vans and Buses

North Carolina law requires that everyone be properly buckled up at all times. The law applies to all vehicles required by federal standards to have seat belts, regardless of the organization operating the vehicle. This includes 15-passenger vans and small school buses (Gross Vehicle Weight Rating (GVWR) of 10,000 lbs or less). Drivers are legally responsible for all children less than age 16. Passengers age 16 and older are legally responsible for themselves.

- All drivers and passengers, regardless of age, must be properly buckled up at all times. Placing the shoulder belt under the arm or behind the back is illegal and unsafe.
- Children less than age 5 and less than 40 lbs must be in the back seat, with some exceptions.
- Children younger than age 8 AND who weigh less than 80 lbs must be in a car seat or booster seat appropriate for their age, weight, and height.
- Children who weigh at least 40 lbs are allowed to use the lap only seat belt alone (without a booster seat) if no seating position equipped with a lap and shoulder belt is available.
- When a child reaches age 8 OR 80 lbs, a correctly fitted seat belt may be used instead of a car seat or booster seat.

Correctly buckling up children in 15-passenger vans and buses is not always straightforward. Due to the complexity of these vehicles, we recommend that organizations meet with a Certified Child Passenger Safety Technician to discuss compliance with the law and best practice recommendations. Find a program near you at: <http://www.buckleupnc.org/locations>.

Transporting Children in 15-Passenger Vans

Since they are required to have seatbelts, 15-passenger vans manufactured after 1968 are covered under the NC law. This means that anyone riding in these vehicles must comply with the law. It is the driver's responsibility to ensure that all children under age 16 are properly restrained.

There are 2 types of seat belts commonly found in 15-passenger vans – lap only seat belts and lap/shoulder seat belts.

Vehicles that have lap/shoulder seat belts in all seats can comply with the law through the use of age and size appropriate car seats and booster seats for any children riding in the vehicle. The same laws and recommendations that apply to other passenger cars also apply to 15-passenger vans.

Vehicles that have lap only seat belts can be more complicated. Lap only seat belts can be used to install car seats, but they are not the safest option for older children and adults. Lap only seat belts cannot be used with booster seats. Children who weigh less than 40 lbs are required to be in a weight and height appropriate carseat with a harness.

In vehicles with a mixture of lap/shoulder seat belts and lap only seat belts we recommend:

1. Install car seats in positions that have a lap only belt. Ideally choose car seats with a tall shell and high harness weight limit so that they can accommodate children of a wide variety of sizes and ages. Today most car seats can accommodate children up to at least 65 lbs.
2. Children who have outgrown the harnessed car seats should use a booster seat in a position that has the lap/shoulder belt.
3. Children who are big enough to ride using only a properly fitted seat belt should also ride in a position that has the lap/shoulder belt.

NC law does allow children who weigh at least 40 lbs to use the lap only seat belt alone (without a booster seat), but this is not considered to be the safest option and should only be considered if all others options have been exhausted.

Transporting Children in Buses

Federal standards do not currently require seat belts, except for the driver, on large buses (GVWR of more than 10,000 lbs). Therefore, these large buses, which include most of the commonly used school buses, are exempt from NC law. This exemption includes large school and activity buses as well as municipal transit and charter buses. Organizations that provide transportation on large buses do not have to install seat belts or use car seats unless the organization is subject to additional standards and regulations (for example, Head Start Programs have specific requirements for transporting children).

School buses rely on strong, closely spaced, well-padded, energy absorbing seats and higher seat backs to compartmentalize and protect passengers during a crash. The size and construction of school buses, as well as compartmentalization, make them very safe vehicles.

Small buses (GVWR of 10,000 lbs or less) are different and generally require seat belts in all positions. Passengers riding in these smaller buses must comply with NC law. See 15-passenger van section for information on what to do with different types of seatbelts.

Some buses are equipped with seat belts and/or built in harnesses. This equipment should always be used according to the manufacturer instructions. Consult the bus manufacturer for more information about these restraints.

Additional Resources

Additional resources are available at <http://www.buckleupnc.org/downloads-page/>