

# Iowa Child Restraint Law Guide

(Iowa Code 321.446, Data Code 198a)  
as of July 1, 2004

## THE IOWA CHILD SAFETY SEAT LAW

### Key Points:

- A child under 1 year old and weighing less than 20 lbs must be secured in a rear-facing child restraint system
- A child under 6 years old must be secured in a child restraint system (a safety seat or booster seat--NOT a seat belt)
- A child from the age of 6 up to the age of 11 must be secured in a child restraint system or by a safety belt

**UNTIL JANUARY 1, 2006, ONLY WARNINGS MAY BE ISSUED FOR THE NEW ASPECTS OF THE LAW; HOWEVER CITATIONS MAY BE ISSUED IF THE DRIVER IS NOT AT LEAST COMPLYING WITH THESE PRIOR PROVISIONS OF THE LAW:**

A Citation may be issued to the driver if a child passenger is:

- Under the age of 3 and not in a child restraint system
- Between 3 and 6 years of age and not in a child restraint system or wearing a seat belt
- Age 6 or older and not wearing a seat belt while sitting in the front seat

**\*A "child restraint system" is a specially designed seating system, including a belt positioning seat or a booster seat that meets federal motor vehicle safety standards.**

- The driver is responsible for the fine
- The misdemeanor fine is \$25, plus costs (non-moving violation)
- The law applies to both residents and non-residents of Iowa
- The child restraint system must be used in accordance with the manufacturer's instructions
- The child must be secured in the child restraint and the child restraint must be properly secured to the vehicle
- Non-use of a child restraint is probable cause to stop a vehicle
- An officer may investigate a suspected violation
- First-offense citations will not result in convictions if the driver "produces in court" proof of acquisition of a child restraint

### Exceptions:

- Children certified by a physician as having a medical, physical or mental disability making restraint use inadvisable
- Children on a bus, including a school bus
- Children riding on motorcycles
- Children riding in vehicles manufactured before 1966
- Children being transported in authorized emergency vehicles

- Children transported by peace officers on official duty
- Children riding in motor homes except if riding in the front passenger seat (where they must be restrained)

**This is only a guide. Please refer to the Code section for full details.**