



MISSOURI CAR SAFETY RESTRAINT LAWS Issue Brief

Missouri's Child Safety Restraint Law

Citation

RSMo 307.179 (<http://www.moga.mo.gov/statutes/C300-399/3070000179.HTM>)

Applicability of Law

The child restraint law applies to drivers transporting **children under the age of sixteen**. The following table sets out the **different age, weight and height requirements** for children under the age of sixteen.

SUBDIVISION	AGE	WEIGHT	HEIGHT	REQUIRED PROTECTION
(1)	Less than 4 years old	Any	Any	Child safety seat
(2)	Any	Less than 40 pounds	Any	Child safety seat
(3)	At least 4 but less than 8 years old	At least 40 pounds	Less than 4 feet, 9 inches tall	Child safety seat OR booster seat
(4)	Any	At least 80 pounds	More than 4 feet, 9 inches tall	Booster seat OR vehicle safety belt



Exceptions

A few exceptions to the child safety restraint laws are as follows:

- If a car is not equipped with a combination lap and shoulder belt needed for booster seat installation and the child would otherwise be required to be secured in a booster seat, the child may be transported wearing only a lap belt in the backseat.
- For children in the immediate family and when there are more children than there are seating positions, the children who are not able to be restrained by a child safety restraint device appropriate for the child shall sit in the area behind the front seat of the motor vehicle unless the motor vehicle is designed only for a front seat area. The driver transporting children is not in violation of the law.
- The law shall not apply to public carriers for hire.
- The law shall not apply to students four years of age or older who are passengers on a school bus designed for carrying eleven passengers or more.

Penalties for Violations

Any driver who violates the requirements of subdivisions (1), (2) or (3) may incur a fine of not to exceed fifty dollars and court costs. A driver who violates subdivision (4) may incur a fine not to exceed ten dollars and not be subject to payment of court costs.

Mitigation of Violation

A driver who violates subdivision (1), (2) or (3) shall have the charges dismissed or withdrawn if prior to or at the court hearing the driver provides evidence that he or she acquired an acceptable child passenger restraint system or child booster seat.

Missouri's Seat Belt Law

Citation

[RSMo 307.178 \(http://www.moga.mo.gov/statutes/C300-399/3070000178.HTM\)](http://www.moga.mo.gov/statutes/C300-399/3070000178.HTM)

Applicability of law

The law requires seat belts to be worn by **drivers and front seat passengers** of passenger cars manufactured after January 1, 1968, and **persons less than eighteen years of age operating or riding in a truck.**

Exceptions

The seat belt law is not applicable to:

- Persons employed by the **United States Postal Service** while performing duties which require the operator to service postal boxes from their vehicles, or which require frequent entry into and exit from their vehicles.
- Persons who have a **medical reason** for failing to have a seat belt fastened about their body.
- Persons operating or riding a motor vehicle being used in **agricultural work-related activities.**

Secondary Offense

Violation of the seat belt law is a secondary offense meaning that the basis for stopping, inspecting or detaining a person cannot solely be the noncompliance of the seat belt law. Also, noncompliance with the seat belt law shall not constitute probable cause for violation of any other law.



Penalty for Violating

Violations of the law can result in a fine not to exceed ten dollars. No court costs shall be imposed on a person violating the law and no points can be assessed.

Additional Resources

More information about Missouri's child safety restraint law and summaries of car safety restraint laws from other states can be found at the links below.

Missouri Department of Transportation. <http://www.modot.org/boosterseats/>

Safe Kids USA. <http://www.safekids.org/in-your-area/safety-laws/>

Governors Highway Safety Association. <http://www.ghsa.org/html/stateinfo/laws/index.html>

SUPPORTERS



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This document was developed by Andy Baker-White, associate director for the Network for Public Health Law - Mid-States Region at the University of Michigan School of Public Health. The Network for Public Health Law provides information and technical assistance on issues related to public health. The legal information and assistance provided in this document does not constitute legal advice or legal representation. For legal advice, please consult specific legal counsel.