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American Academy of Pediatrics
DEDICATED TO THE HEALTH OF ALL CHILDREN™
Maryland Chapter



TO: The Honorable Kumar P. Barve, Chair
Members, House Environment and Transportation Committee
The Honorable Christopher T. Adams

FROM: Pamela Metz Kasemeyer
J. Steven Wise
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DATE: March 1, 2018

RE: **SUPPORT ONLY IF AMENDED** – House Bill 1164 – *Vehicle Laws – Rear-Facing Child Safety Seats – Requirement*

We submit this letter on behalf of the Maryland State Medical Society (MedChi) and the Maryland Chapter of the American Academy of Pediatrics (MDAAP), in support for House Bill 1164, only if the legislation is amended as noted below.

House Bill 1164 proposes to enhance Maryland’s current child safety seat requirements by addressing the importance of a child remaining in a rear facing safety seat as long as possible until the child reaches the maximum height or weight specifications set by the manufacturer of their safety seat. The American Academy of Pediatrics (AAP) has found that children younger than two years old are at an elevated risk of head and spine injuries in motor vehicle crashes because their heads are relatively large and their necks smaller with weak musculature. By supporting the entire torso, neck, head and pelvis, a rear facing car seat distributes crash forces over the entire body rather than focusing them only at belt contact points. When a child is placed in a rear facing car seat through age two or older, they are provided with optimal support for their head and neck in the event of a crash.

The sponsor of the legislation is to be commended for his effort to enhance Maryland’s current child safety seat requirements. However, the specificity of the bill’s language, while in line with national recommendations, does not capture the full framework of “best practices” and could lead to unintended obstacles for enforcement. Current National Highway Traffic Safety Administration (NHTSA) guidelines recommend that children under age one must stay rear-facing and children from age 1-3 should ride rear-facing as long as possible, up to the maximum height and weight limits for their safety seats as specified by the manufacturer. The manufacturer’s specifications are included on the labels and directions that accompany the safety seat. Some manufacturers specifications define an age, some an age and weight, some a height and weight. Because specifications are not consistent for all safety seats, specifying 40 pounds or 40 inches as reflected in the bill as introduced could make the law unenforceable as a violation may not be upheld if there was a discrepancy between the statute and the

specifications of the child's safety seat.

The above-named organizations recommend the adoption of the following amendment in order to provide the enhanced safety protections for children under the age of 2 that are intended by the sponsor:

On page 2, in line 21, delete "UNLESS THE CHILD IS AT LEAST 40 POUNDS OR AT LEAST 40 INCHES TALL" and substitute "UNTIL THE CHILD EXCEEDS THE TOP HEIGHT OR WEIGHT RECOMMENDATIONS SET BY THE MANUFACTURER OF THE CHILD SAFETY SEAT"

With the adoption of the amendment, passage of House Bill 1164 will ensure that Maryland's child safety seat laws are consistent with national guidelines and recommendations and will improve the safety of our youngest and most vulnerable passengers.

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