



April 14, 2025

The Honorable Ted Davis, Jr., Chair  
The Honorable Hugh Blackwell, Vice Chair  
House Committee on Judiciary 1  
North Carolina General Assembly  
16 West Jones Street  
Raleigh, North Carolina 27601

Dear Chair Davis and Vice Chair Blackwell:

Advocates for Highway and Auto Safety (Advocates), an alliance of consumer, safety, medical, public health and law enforcement groups and insurance companies working together to pass highway and auto safety laws that prevent crashes, save lives, reduce injuries, and contain costs, supports enactment of provisions in House Bill (HB) 368 to establish protections for child passengers. However, we recommend making a few small, yet important, modifications to improve the bill and enhance the safety of child passengers.

Motor vehicle crashes are among the leading causes of death for children under age 14 in the U.S.<sup>i</sup> In 2023, 1,019 children ages 14 and younger were killed in traffic crashes in the U.S., representing three children killed each day on average.<sup>ii</sup> This included 257 children three and younger and 210 children ages four through seven.<sup>iii</sup> Improperly restrained child passengers present a serious yet fixable public health problem. Use of appropriate child passenger safety seats is very effective in preventing deaths and injuries in all crashes: 47 percent effective in preventing fatalities for ages 1-3; 43 percent effective in preventing fatalities for ages 3-5; and, 67 percent effective in preventing serious to critical injuries for ages 5-8.<sup>iv</sup> More than 325 lives were saved by restraining children four and younger in passenger vehicles in 2017, the most recent year for which an estimate is available.<sup>v</sup>

HB 368 will update the current child passenger safety law by requiring children less than eight years old and less than 57 inches in height to be restrained in an appropriate child restraint system, requiring newborns to be in a rear-facing safety seat with a transition to a forward facing system based on manufacturer recommendations and adding metrics for seat belts. Advocates supports these upgrades and recommends adding specificity which is consistent with best practices identified by the American Academy of Pediatrics (AAP) and others.

The rear facing safety seat provision should require infants and toddlers to remain in a rear facing child restraint system from birth through at least age two. Some rear facing safety seats may only be appropriate for newborns and packaging for other safety seats may only recommend keeping a child in a rear facing safety seat until age one which is inconsistent with newer best practices to keep children rear facing longer and the safety seat's capacity. Adding a specific age milestone will provide more guidance for parents and caregivers, help prevent a premature move into a forward facing seat and ensure consistency.

Additionally, the language on rear seats should be strengthened to adhere to the best practice of having children 12 years old and younger properly restrained in rear seats. Front seats can be dangerous for children under 13 because air bags and seatbelts are designed for adults (in size and weight).<sup>vi</sup> Across all age groups, injury risk is lowest (less than two percent) when children are in an age-appropriate restraint in a rear seat.<sup>vii</sup>

We appreciate your consideration of these safety improvements to HB 368 and urge swift upgrades and passage to improve the safety of our most vulnerable passengers, save lives and keep families whole.

Sincerely,

Catherine Chase, President

cc: House Committee on Judiciary 1 members

<sup>i</sup> WISQARS, 10 Leading Causes of Death, United States 2022, available [here](#), last queried Sept. 2024.

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- ii Fatality and Injury Reporting System Tool (FIRST), NHTSA, Query for Persons Killed in Fatal Crashes, Years 2021-2023, By Age and Crash Year, queried Apr. 9, 2025, available at <https://cdan.dot.gov/query>.
- iii Fatality and Injury Reporting System Tool (FIRST), NHTSA, Query for Persons Killed in Fatal Crashes, Years 2021-2023, By Age and Crash Year, queried Apr. 9, 2025, available at <https://cdan.dot.gov/query>.
- iv Evaluation of Child Restraint System Effectiveness, NHTSA, December 2020, DOT HS 813 047, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813047>.
- v Traffic Safety Facts 2020: A Compilation of Motor Vehicle Crash Data, NHTSA, Oct. 2022, DOT HS 813 375, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813375>.
- vi Air Bags, Children's Hospital of Philadelphia, available at <https://www.chop.edu/pages/air-bags>.
- vii Risk of Child Injury by Seat Row and Restraint Type, 1998-2002, Age 0-12 years, Children's Hospital of Philadelphia, 2014. Available at [https://injury.research.chop.edu/sites/default/files/documents/seat\\_row\\_0.pdf](https://injury.research.chop.edu/sites/default/files/documents/seat_row_0.pdf).