



CHAPTER 20

ARTICLE 3 - MOTOR VEHICLE ACT OF 1937

N.C.G.S. § 20-137.1.

Child restraint systems required.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2007-6, s. 1 — seventh act in the lineage	21 September 2026, 04:07 UTC	5debd9a7d9f75dfb99da7931 - a5c6c88a5e89b53660d2d6f3 - 42a1dcd73574bb14

§ 20-137.1(a) Every driver who is transporting one or more passengers of less than 16 years of age shall have all such passengers properly secured in a child passenger restraint system or seat belt which meets federal standards applicable at the time of its manufacture.

§ 20-137.1(a1) A child less than eight years of age and less than 80 pounds in weight shall be properly secured in a weight-appropriate child passenger restraint system. In vehicles equipped with an active passenger-side front air bag, if the vehicle has a rear seat, a child less than five years of age and less than 40 pounds in weight shall be properly secured in a rear seat, unless the child restraint system is designed for use with air bags. If no seating position equipped with a lap and shoulder belt to properly secure the weight-appropriate child passenger restraint system is available, a child less than eight years of age and between 40 and 80 pounds may be restrained by a properly fitted lap belt only.

§ 20-137.1(b) The provisions of this section shall not apply: (i) to ambulances or other emergency vehicles; (ii) if all seating positions equipped with child passenger restraint systems or seat belts are occupied; or (iii) to vehicles which are not required by federal law or regulation to be equipped with seat belts.

§ 20-137.1(c) Any driver found responsible for a violation of this section may be punished by a penalty not to exceed twenty-five dollars (\$25.00), even when more than one child less than 16 years of age was not properly secured in a restraint system. No driver charged under this section for failure to have a child under eight years of age properly secured in a restraint system shall be convicted if he produces at the time of his trial

proof satisfactory to the court that he has subsequently acquired an approved child passenger restraint system for a vehicle in which the child is normally transported.

§ 20-137.1(d)

A violation of this section shall have all of the following consequences:

- (1) Two drivers license points shall be assessed pursuant to G.S. 20-16.
- (2) No insurance points shall be assessed.
- (3) The violation shall not constitute negligence per se or contributory negligence per se.
- (4) The violation shall not be evidence of negligence or contributory negligence.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
7 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1981

1994

2007

TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT

Nº	YEAR	ACT	CHARACTER
01	1981	c. 804, ss. 1, 4, 5	ENACTED
02	1985	c. 218	AMENDED
03	1985	1993 (Reg. Sess., 1994), c. 748, s. 1	AMENDED
04	1999	S.L. 1999-183, ss. 6, 7	AMENDED
05	2000	S.L. 2000-117, s. 1	AMENDED
06	2004	S.L. 2004-191, ss. 1, 2	AMENDED
07	2007	S.L. 2007-6, s. 1	AMENDED

APPARATUS II
1 AUTHORITY

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
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G.S. 20-16

(d)(1)

"points shall be assessed pursuant to"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 20-137.1 (2007).

PINPOINT

N.C. Gen. Stat. § 20-137.1(a) (2007).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1981, c. 804, ss. 1, 4, 5; 1985, c. 218; 1993 (Reg. Sess., 1994), c. 748, s. 1; 1999-183, ss. 6, 7; 2000-117, s. 1; 2004-191, ss. 1, 2; 2007-6, s. 1.)

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