



**CHILD PASSENGER
SAFETY ASSOCIATION
OF CANADA**



**L'ASSOCIATION POUR
LA SÉCURITÉ DES ENFANTS
PASSAGERS DU CANADA**

Recommendations for Revisions for Nova Scotia's Traffic Safety Act

6 June 2018

The government of Nova Scotia has [requested feedback](#) from residents of Nova Scotia to inform a new Traffic Safety Act, replacing the outdated Motor Vehicle Act.

The Child Passenger Safety Association of Canada (CPSAC) strongly urges the government of Nova Scotia to adopt policies which require all passengers to be securely restrained in all passenger vehicles, including taxis, and to take this opportunity to strengthen child passenger safety requirements based on age, weight, and height where applicable.

The Child Passenger Safety Association of Canada recommends that Nova Scotia:

1. Require all passengers to be securely restrained in all passenger vehicles, including taxis.
2. Require children to be securely seated rear facing until they are two years old AND 10 kg (22 lbs).
3. Require young children (older than two years old AND at least 10 kg (22 lbs)) to be securely seated in a car seat with a five-point harness until they are at least four years old AND 18 kg (40 lbs).
4. Require children under 12 years of age who weigh at least 18 kg (40 lbs) to be securely seated in a car seat with a five-point harness or belt positioning booster seat until they are at least 145 cm (4'9") tall.

Provisions or exemptions should be made for children who exceed height or weight limits of readily available Canadian car seats or booster seats but who do not yet meet the age minimum to move to the next stage of seat.

The following factors were considered:

Injury Prevention

In Canada, injury is a major public health concern and the leading cause of death.¹

Motor vehicle collisions are a leading cause of injury death among children under 14 years of age in Canada.^{2,3} Proper use of child restraint systems such as car seats, booster seats, and seat belts can significantly reduce a child's risk of injury as a result of a motor vehicle collision.³

Nova Scotia has a hospitalisation rate of 6.6 per 100,000 population which is higher than the Canadian rate of 6.0 hospitalisations per 100,000 population.⁴

Trends in Legislation in Other Jurisdictions, Industry, and Child Fit

Recommendation 1: Require all passengers to be securely restrained in all passenger vehicles, including taxis.

There are 16 states where for-hire vehicles (taxis) are not exempt from child restraint laws.⁵

In 2008, Newfoundland and Labrador (NL) eliminated this exception when they introduced booster seat legislation. This is the only province in Canada to remove this exemption to date.

Taxis are passenger cars⁶ and securing child passengers in them should be legislated accordingly.

Recommendation 2: Require children to be securely seated rear facing until they are two years old AND 10 kg (22 lbs).

Eight US states now require children to ride rear facing to 2 years old. More states are planning to enact similar legislation later this year.⁷

Transport Canada currently recommends that a child ride rear facing for as long as they fit the seat.^{8,9}

In the current MVA - under Standards for child restraint systems [(5) (1) (b), (6) (1) (b)]¹⁰ a child restraint system must be otherwise used in accordance with the manufacturer's instructions. An increasing number of car seats have additional age (2 years) or development requirements before they can be used forward-facing (effectively making this a legal requirement when using these seats).

Recommendation 3: Require young children (older than two years old AND at least 10 kg (22 lbs)) to be securely seated in a car seat with a five-point harness until they are at least four years old AND 18 kg (40 lbs).

No Canadian province currently requires a min of 4 years old harnessed, however, in the Yukon a child must remain in a harness until they reach 22 kg (48 lb).¹¹ 11 US States require a child to remain in a harnessed seat until a minimum age of 4.⁷ Many booster seats have a minimum age of 4 years old, consequently making it a legal requirement.

Recommendation 4: Require children under 12 years of age who weigh at least 18 kg (40 lbs) to be securely seated in a car seat with a five-point harness or belt positioning booster seat until they are at least 145 cm (4'9") tall.

Many jurisdictions in Canada don't require booster use after age 9, but also have a clause requiring proper use and fit of the adult seat belt. The adult seat belt begins to fit many children at a height of 145 cm (4'9") tall. Only 3% of 9 year olds in Canada are over 145 cm (4'9").¹² PEI requires booster seat use until 10 years old.¹³

An increasing number of booster seats have a maximum height limit in excess of 145 cm (4'9") tall.

Transport Canada recommends that it is best to keep your child in a booster seat as long as possible.^{9,14}

Appendix A: Nova Scotia's Traffic Safety Act Engagement - Request for Input

References

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Appendix A to CPSAC's Recommendations for Revisions for Nova Scotia's Traffic Safety Act

Traffic Safety Act Engagement (as of 6-Jun-2018)

<https://novascotia.ca/trafficsafetyact/>

How should we update the rules of the road?

This fall, government plans to introduce a new Traffic Safety Act to replace the outdated Motor Vehicle Act.

We're looking for public input on how we should consider changing the rules of the road. Your input will help inform the new act and regulations.

The Traffic Safety Act, like the Motor Vehicle Act, is designed to make the roads safe for all users – drivers, bicyclists and pedestrians.

One of the first areas we want to update is the rules of the road, including:

- distracted driving;
- bicycling
- speed limits

The Motor Vehicle Act hasn't been rewritten since the 1920s, though it has been amended many times. The new Traffic Safety Act will use flexible language so government can update it in the future, responding to changes in how we use our roads.

Review the current [Motor Vehicle Act](#) and tell us what changes we should consider to the rules of the road. The deadline for input is June 8.