

Seat Belts

1009.1 PURPOSE AND SCOPE

State MODIFIED

This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all employees operating or riding in any California Department of State Hospitals (DSH) OPS (OPS) vehicles (Vehicle Code § 27315.5).

1009.1.1 DEFINITIONS

Federal MODIFIED

Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and Regulations set forth in Title 49 Code of Federal Regulations section 571.213.

1009.2 POLICY

Best Practice MODIFIED

It is the policy of the Office of Protective Services(OPS) that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle collision.

1009.3 WEARING OF SAFETY RESTRAINTS

Best Practice MODIFIED

All employees shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by DSH while on- or off-duty, or in any privately owned vehicle while on-duty. The employee driving such a vehicle shall ensure that all other occupants, including non-employees, are also properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the member or the public. Employees must be prepared to justify any deviation from this requirement.

1009.4 INOPERABLE SEAT BELTS

Best Practice MODIFIED

DSH vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

DSH vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff.

Employees who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

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1009.5 TRANSPORTING CHILDREN

State **MODIFIED**

Children under the age of 8 shall be transported in compliance with California's child restraint system requirements (Veh. Code § 27360; Veh. Code § 27363).

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer's design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side airbag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible. A child shall not be transported in a rear-facing child restraint system in the front seat in a vehicle that is equipped with an active frontal passenger airbag (Veh. Code § 27363).

1009.6 VEHICLES MANUFACTURED WITHOUT SEAT BELTS

Best Practice

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

1009.7 VEHICLE AIRBAGS

Best Practice

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.