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March 24, 2022

The Honorable Kumar P. Barve  
Chairman, House Environment and Transportation Committee  
Room 251, House Office Building  
Annapolis, MD 21401

***Re: Letter of Support – Senate Bill 176 – Rear-Facing Child Safety Seats - Requirement***

Dear Chairman Barve and Committee Members:

The Maryland Department of Transportation Motor Vehicle Administration (MDOT MVA) supports Senate Bill 176 as a means to better protect the roadways' most vulnerable users by requiring rear-facing safety seats to protect infants and toddlers in the event of a crash.

Senate Bill 176 requires children under the age of two being transported in a motor vehicle to be secured in a rear-facing child safety seat that complies with the manufacturer's weight and height limitations. The American Academy of Pediatrics and National Highway Traffic Safety Administration (NHTSA) recommends that children should ride rear-facing for as long as possible, as it offers the best protection in the event of a crash.

When children ride forward-facing, their heads, which for toddlers are disproportionately large and heavy, are thrown forward, possibly resulting in spine and head injuries. In contrast, rear-facing seats cradle the child's neck, head, and spine during a crash, reducing the risk of injury. There are no known harmful effects of riding rear-facing longer while the benefits of doing so have been observed for years. The back of the seat also absorbs most of the impact energy, reducing the amount of force exerted on the infant or toddler.

To reinforce NHTSA recommendations, 19 states, including neighboring Virginia and Pennsylvania, along with the District of Columbia, require children ride rear-facing until at least the age of 2. Adding the rear-facing seat requirement would bring Maryland in line with the most up-to-date safety standards. Families leaving Maryland are already subjected to these laws if crossing into those states or D.C. Senate Bill 176 would ensure those most vulnerable Marylanders are protected while traveling within Maryland's borders as well as outside the State.

In keeping with these updated standards, Senate Bill 176 would update Maryland law to require that children must be kept rear-facing until at least two years of age unless the child has grown to a size that explicitly meets the height and weight limits published on the seat's guidelines by the manufacturer. The guidelines are set in accordance with federal regulations in 49 CFR § 571.213, which establish the requirements for forward-facing and rear-facing child-seat performance criteria.

As currently printed on child safety seats, the manufacturer guidelines have a period of overlap between when a child can remain rear-facing or be moved to forward-facing if a reader is using strictly the size guidelines. This can inadvertently lead to placing children under two years of age in a forward-facing seated position despite the increased risk of head and neck injury based on age.

The confusion caused by such overlap would be clarified by Senate Bill 176's requirement that a child be placed rear-facing until the age of two unless the child explicitly outgrows the size specifications at the maximum limit for rear-facing seats. Senate Bill 176 would continue to comply with manufacturer and federal regulations but add additional protection that is not contained in existing Maryland statute or clearly understood in manufacturer guidelines as published on child safety seats.

Over the past five years, Maryland has averaged 12 fatalities and over 3,000 injuries in motor vehicle crashes involving passengers under the age of 13. During that time, there were 9 fatalities involving children under the age of two and an additional 581 were injured. Nationally, a total of 844 children younger than 13 died in motor vehicle crashes in 2019; nearly three-quarters of these deaths were children riding in passenger vehicles.

In consultation with law enforcement agencies in Maryland and other states, the MDOT MVA found that the inclusion of an age makes it easier for law enforcement officers to enforce child safety seat laws. Even more importantly, it helps law enforcement engaging the public in traffic stops and other highway safety partners public awareness events to educate drivers in the proper use of child restraint systems. Under the current law, if parents don't familiarize themselves with the manufacturer's guidelines, children may be placed in a forward-facing child seat before their body has developed enough to withstand the force from a collision, should it occur, and would thus face a higher risk of injury. Adding a clear age follows both the guidance from the NHTSA and the American Academy of Pediatrics, better assists law enforcement, and provides more clear guidance for parents and guardians.

In enacting this requirement, the MDOT MVA is helping to protect some of Maryland's most vulnerable individuals and supporting our statewide goal of reaching zero fatalities on Maryland roadways. For these reasons, the Maryland Department of Transportation Motor Vehicle Administration respectfully requests the Committee grant Senate Bill 176 a favorable report.

Respectfully submitted,

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