



THE PAEDIATRIC SOCIETY OF NEW ZEALAND

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Child Restraints Amendment
Rules Team
NZ Transport Agency
Private Bag 6995
Wellington

Submission on Proposed Child Restraint Amendment

This submission is from the Paediatric Society of New Zealand (PSNZ), a multi-disciplinary organisation with a membership of more than 450 child health professionals. Its members have wide-ranging expertise in clinical practice and research. In 2012 Paediatric Society Members adopted a Position Statement on safe child passenger travel. This submission is consistent with the recommendations of that Position Statement and was circulated to members on the email server.

The Paediatric Society submits to NZTA that:

Proposal 1: *To extend the mandatory use of child restraints until a child's seventh birthday. At present it is a requirement to use a child car restraint only until a child's fifth birthday.*

The Paediatric Society strongly supports lifting the age for the mandatory use of child restraints. The Society considers the recommendation that a child restraint or booster seat be used until a child is 148cms in height reflects best practice and urges government to adopt this as the Road Rule Amendment.

Proposal 2: *To introduce a new option so parents of children of all ages can ask a medical practitioner to provide a 'child restraint exemption certificate' based on medical reasons.*

The Paediatric Society strongly opposes the introduction of exemption certificates and requests no exemption certificates be available for children for whom restraint use is mandatory because:

- The current Road Rule states all child passengers must be seated in restraints that meet the specifications of AS/NZS 1754:2010. Clause 3.12 (page 44) of this Standard says restraints used for children with disabilities can be adapted but must *'comply with the intent of this standard'*. This makes it acceptable to modify a restraint for a disabled child as long as the seat keeps them safe.
- NZTA's discussion document states the use of Hip Spica plasters as a reason an exemption clause is needed. This is contested. The Standard AS/NZS 1754:2010 Clause 3.12 provides for a legally adapted a restraint. In-depth advice on how to adapt restraints is available in the Standard "Restraints of children with disabilities in motor vehicles" (AS/NZS 4370: 1996). This Standard also includes advice on how to safely transport children with Hip Spica plasters. Finally, child

restraints that accommodate Hip Spicas are now commercially available (Vic Roads 2011).

- Restraints are currently mandatory for all children younger than five years of age with no exceptions. This has been the status quo since at least 2004.
- The introduction of a 'medical exemption' clause for children opens the opportunity for families to ask a medical practitioner for an exemption certificate where a solution may be possible but expensive and/or challenging to find. The current 'no exemption' policy protects all children. Solutions are available.
- The Paediatric Society of New Zealand's position paper on child restraints recommends that a 'child restraint is used on every trip for every child'.

Proposal 3: *Remove the exemption for a driver of a goods vehicle having an unladen weight exceeding 20000 kg, in which seat belts are not available, from ensuring that passengers under five years of age are restrained.*

The Paediatric Society supports this proposal on the basis of NZTA's explanation and the paediatric Society's position that 'a child restraint is used on every trip, for every child'.

Thank you for this opportunity to submit.

Yours sincerely,



Dr Rosemary Marks
President

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