

**Linn Benton Lincoln
Education Service District**

Code: **EEBAA**
Adopted: 7/8/98
Revised: 1/11/06
Readopted: 3/13/13

ESD Vehicles/Seat Belts/Child Safety System

All ESD personnel using ESD-owned vehicles (drivers and passengers) must use seat belts as required by Oregon law. Failure to do so is grounds for discipline up to and including dismissal.

The driver of any ESD-owned vehicle is responsible for determining that the number of passengers does not exceed the number of seat belts. Additionally, the driver shall ensure that children who weigh 40 pounds or less, regardless of age, are properly secured in a child safety system. The child safety system must elevate the person so that a safety belt or safety harness properly fits the individual and meets the minimum standards and specifications of law. A person over 40 pounds or who has reached the upper weight limit for the forward-facing car seat must use a booster seat until four feet nine inches or age eight and the adult belt properly fits.¹ A person who is taller than four feet nine inches or eight years of age or older must be properly secured with a safety belt or harness that meets the requirements under ORS 815.055. An ESD vehicle more than 10,000 pounds or equipped with a lap belt only is exempt from child safety system requirements. The vehicle shall not be driven until the driver and all passengers are buckled up and properly secured. The driver is responsible for not placing children under the age of 13 in the front seat of a vehicle equipped with passenger-side air bags.

END OF POLICY

Legal Reference(s):

[ORS 811.210](#)
[ORS 815.055](#)
[ORS 815.080](#)

[OAR 437-002-0223](#)
[OAR 735-102-0010](#)

¹“Proper fit” means the lap belt of the safety belt or safety harness is positioned low across the thighs and the shoulder belt is positioned over the collarbone and away from the neck.