

STATEMENT OF TOM BALOGA

PRESIDENT, BRITAX CHILD SAFETY INC.

SUBMITTED BEFORE THE SUBCOMMITTEE ON
CONSUMER AFFAIRS, FOREIGN COMMERCE AND TOURISM

SENATE COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION

APRIL 24, 2001

Summary of the Statement of Tom Baloga, Britax Child Safety, Inc.

Seat belts in vehicles are designed to be used by themselves to protect adults not children. Most parents wrongly believe that after 3-4 years of age children can safely use an adult seatbelt. Until a child's iliac crests (hip bones) are developed at about the age of 7 to 10 and the child is big enough to avoid the lap belt resting against the soft abdomen, an adult seatbelt provides inadequate protection. Britax recommends that a balance between increased education, "big kid" attractive restraints, and more up-to-date statutes be used to achieve higher usage rates for children too young for adult belts.

While improvements in childseat usage can always be made, most infants and toddlers are being restrained. Many parents find out that State Laws for child restraints end at about 3 years of age and then mistakenly believe that above this age children can use adult belts. Britax believes that the same formula for success in getting infants and toddlers into childseats will work for getting "big kids" into restraints. Laws need to be updated as soon as possible. Since State Laws seem to be very slow in getting started it may be appropriate to enact a National Child Restraint Use Law. For about the 10 years Germany, Sweden and Austria require the use "an appropriate restraint device" for children up to 12 years old or less than 1.5 meter in height (i.e. 59 inches or 4 ft. 11 in.). There is now activity underway to make this a Europe-wide directive. A US Federal Law or strong encouragement to States to adopt uniform child restraint laws up to 80 lbs. or 4 ft. 9 in. would be very desirable.

Child restraint manufacturers must do a better job attracting "big kids" to restraints.

There are many wonderful organizations and volunteers providing education on child restraint use. The majority of adults want children to be protected and when they realize the need they will respond. In the US there is currently a significant disincentive for more people to become involved in education on child restraints. Fear of litigation stops many organizations, volunteers, and sales people from helping educate adults on proper child restraint use. A "Good Samaritan Law for Child Passenger Protection Educators" would remove this disincentive and free up tremendous resources to provide personal education to those who can use it.

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Mr. Chairman and members of the subcommittee, I am Tom Baloga, President of Britax Child Safety, Inc. My company is located in Charlotte, NC and we are the US subsidiary of Britax International, Warwick, England. Based on global sales, Britax is the world's leading manufacturer of child restraints. Britax has manufacturing and R&D in England, Germany, and Australia and sales offices in France, Sweden, Finland, and the Far East. We have been manufacturing in the US since 1996.

All over the world, children in childseats are being protected. Despite everything, childseats are doing an excellent job protecting children, but we can and must always do better.

Seat belts in vehicles are primarily designed to be used, by themselves, to protect adults not children. The reason is that the vehicle seatbelts are positioned optimally for adults and they are therefore "too big" for children. If vehicles were produced with a wide range of adjustment for adults and bigger children there would be a potentially huge problem of misuse by adults who would never adjust the seatbelts to the "adult position." Most parents wrongly believe that after 40 lbs. or 3-4 years of age their children can safely use an adult seatbelt. They don't understand that until a child's iliac crests (hip bones) are developed at about the age of 7 to 10 and the child is big enough to avoid the lap belt resting against the soft abdomen, an adult seatbelt provides inadequate protection to a young child.

Seatbelts MUST hold a human in a crash via the human's bone structure. Only strong bone can support the crash loads. Frontal crash forces can easily make the child's body momentarily "weigh" 2,000 pounds This would be a 50 pound child experiencing a 45 g. frontal crash as in a 30 mph crash into a bridge abutment. If a restrained child presses against a seatbelt with a momentary 2000 pound force and the force is going into the abdomen, the child will suffer "lap belt syndrome" which means severe internal injuries including spinal column separation and paralysis. This happens if the child is too small for the adult belt and the lap belt rides up on the abdomen.

The problem is NOT one of available products to protect children since there are many restraints on the US market for children older than 3 years old. The problem is that most parents honestly don't know adult seatbelts are too big for their children and this false impression is partly due to State Laws that end requirements for child restraint too young.

Current State Laws are out of date

Most infants and toddlers are being restrained but many parents find out that State Laws for child restraints end at about 3 years of age and they believe that above this age children can safely use adult belts. I believe that the same formula for success in getting infants and toddlers into childseats will work for getting "big kids" into restraints. Laws need to be updated as soon as possible. Since State Laws seem to be very slow in getting started it may be appropriate to enact a National Child Restraint Use Law. For about the 10 years Germany, Sweden and Austria require the use "an appropriate restraint device" for children up to 12 years old or less than 1.5 meter in height (i.e. 59 inches or 4 ft. 11 in.). There is now activity underway to make this a Europe-wide directive. A US Federal Law or strong encouragement to States to adopt uniform child restraint laws up to 80 lbs. or 4 ft. 9 in. would be very desirable. Recently the Florida State Senate approved legislation to require children 8 or younger to ride in child restraints and we hope this sparks interest and action by other States. I hope that bringing attention to the issue can at least educate parents that adult belts are too big.

Manufacturers must do more

We child restraint manufacturers have an obligation to do even more to make our "big kids seats" attractive to the kids. There are boosters on the market with fabrics in denim, camouflage, and themes for older kids like NASCAR racing etc. but we manufacturers need to mobilize our efforts to prove that it's cool to be restrained. I believe our industry via the Juvenile Products Manufacturer's Association (JPMA) is ready and willing to do it's part to attract older kids.

Removing a roadblock to education

There are many wonderful organizations and volunteers providing education on child restraint use. The majority of adults want all children to be protected and when they realize the need they will respond. In the US there is currently a significant disincentive for more people to become involved in education on child restraints. Fear of litigation stops many organizations, volunteers, and sales people from helping educate adults on proper child restraint use. A "Good Samaritan Law for Child

Passenger Protection Educators” would remove this disincentive and free up tremendous resources to provide personal education to those who can use it.

While instructions, labels, flyers, videos, manuals, and demonstration fixtures are important, person-to-person information with hands-on guidance is often most effective.

It is frustrating to us when retailers tell us that they are afraid to provide detailed fitting instructions to consumers because they fear product liability lawsuits. On the advice of legal counsel most retailers forbid their staff from attaching a childseat into a consumer’s vehicle. Volunteer advocates who conduct safety seat checks do a terrific job but many admit that they operate in fear of litigation.

In closing I would like to reiterate that :

- Products are already on the market to better protect children
- Parents often wrongly believe that adult seatbelts are ok after 3 years of age
- Updating laws and improving education can lead to significant improvements to restraints for big kids.

Thank you and I’m ready to answer any questions you might have.