Research Protocol for Child Car Safety Seat Laws

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II. Scope: Compile statutes and regulations that meet the following inclusion criteria: present day child car safety seat laws (also referred to as child restraint laws) across all 50 states and Washington, DC.

III. Primary Data Collection

   a. Project dates: June 3, 2013 – August 2, 2013

   b. Dates covered in the dataset: July 1, 2001 – May 1, 2015

   c. Data collection methods: Two interns collected the law after first researching child restraint laws broadly, then researching in detail state-by-state. After the interns collected state laws relevant to the dataset, the laws were checked by two supervisors.

   d. Databases used: Research was conducted using: LexisNexis, WestLaw, WestLawNext, HeinOnline. Full text versions of the law were collected from state specific legislature websites.


   e. Search terms: child restraint system, child restraints, child /3 restraint, car restraint, safety car seats, car seats, child safety seat, child car seat, child car safety

   f. Information about initial returns and additional inclusion or exclusion criteria: Originally, collected but eventually excluded “primary vs. secondary” sections of the law pertaining to child car safety seats (e.g., whether or not an officer can pull over a car “just” because a child is not restrained).

IV. Coding

   a. Development of coding scheme: The project began with two interns conducting broad background research. After researching, each intern wrote background memorandums broadly outlining child car safety seat laws across the United States.
After each memo was reviewed by two project supervisors, the interns each began writing summary memorandums detailing statutes/regulations regarding child car safety seats for five assigned states. Once all research/memorandums were conducted and reviewed, the team (consisting of two interns, and two supervisors) began conceptualization. During conceptualization the team focused on important domains and narrowed the scope, ultimately allowing them to reduce the number of coding questions. The interns refined the coding questions and recorded them in the “Workbench Development Table.” The interns then started collecting the law for the first 10 states and recording their research schema in Daily Coding Sheets. After the law was reviewed by a supervisor, the interns entered the law into the appropriate legal text fields in Workbench. After the coding questions were finalized, the interns entered the questions into Workbench and began independent coding. After coding the first 10 states in Workbench, the team met to discuss adjusting the questions. Questions were added, some deleted, and the final question form was completed. After changing the question form, the interns re-coded the necessary questions in Workbench for the first 10 states. Weekly coding meetings were held to discuss questions or concerns. The remaining states were added and coded throughout July 2013. Throughout the coding process, two questions were eliminated from the coding form. One question was eliminated after the first 10 states were completed and reviewed: “Is there primary or secondary enforcement of this law?” the question was eliminated because it was not revealing any trends, or lack thereof, in the law. The second question was eliminated because it kept producing overly-broad, and unclear answers: “What exemptions to the child restraint law does the law include?”

b. Coding methods: The coding is done on an individual basis. The interns redundantly code every five jurisdictions to ensure quality control. The interns are supervised on a daily basis by two legal analysts. Coding is reviewed at the end of each day by at least one supervising analyst using a “Coding Review Sheet.” The “Coding Review Sheets” are then sent back to the coder to work on edits and address confusion. Bi-weekly and weekly coding meetings were held to flesh out any concerns.

c. Test with naïve coder: A naïve coder was brought on toward the end of the coding process to code eight randomly selected records (15% of 51 records). Once the naïve coding was finished, the two supervisors held a naïve coding meeting to discuss divergences with the two original coders, and the naïve coder.

V. Updating the Dataset

a. Update: September 24-October 24, 2013
i. **Data collection methods**: One researcher and one supervisor primarily worked on this update. In order to update, research began by taking the following steps: A search of WestlawNext was completed for the laws that had previously been collected. These laws were reviewed for any notes of change, reflected either by new effective dates, or red or yellow flags denoting pending legislation. A review for similar laws, either by term search or skimming of the table of contents of statutory laws, was also completed at this time. If laws appeared to have changed or be in the process of change, the relevant bills were reviewed for effective dates. Eleven states reflected updates to the relevant laws since original research/coding. In addition, one state (Ohio) will have an update within the next three months.

ii. **Databases used**: WestlawNext

iii. **Search terms**: The search terms/phrase that was used (because of its effectiveness) was “child restraint” and “LATCH.”

iv. **Information about initial returns**: Thirty-one states have proposed legislation on at least one of their enacted statutes, with three states set to make changes around the end of 2013 or beginning of 2014. No major additions or deletions of law were noted from the research across the states and the District of Columbia.

b. **Update**: January 2014

i. **Data Collection Methods**: One researcher and one supervisor worked on this update. The previous update identified pending changes with effective dates of January 2014. The researcher checked these previously built amendments for accuracy as well as searching every state for new relevant legislation or potential updates.

ii. **Information about initial returns**: In January 2014, Ohio and New Hampshire updated their Child Restraint statutes no other states had relevant changes to effective legislation as of January 31, 2014. On February 27, 2014 a federal law, 49 CFR 571.213, will become effective. This law requires child safety systems manufacturers to include labels advising users that the LATCH system should not be used when the combined weight of the child safety system and the child exceeds 65 pounds. This law does not directly impact our dataset.
iii. **Coding methods:** One of the original coders reviewed the updated laws. The only notable change was an increase in fines in one of the states. Some questions about proper reading of the statutory language still arose for at least one state. Some consideration is being given to improving the coding for infant passengers to five year olds who are unlikely to use seat belts alone as a restraint device. The team decided to describe this improbability stemming from the plain language on the law in the landing text.

iv. **Quality Control:** Additions to the law were made and coded for eleven states. At least three states will likely need to be updated within the next three to six months as additional statutes become effective. A naïve coder was brought on to code 20% of the new records (3 out of 11 records) in early November 2013. The rate of divergence was at 9%. The supervisor conducted a coding review on November 11, 2013. Re-coding was completed and the final rate of divergence was 0% on November 11, 2013.

In January 2014, a redundant coder was brought on to code the two updated entries (NH and OH). The rate of divergence was 3.64% on January 27, 2014. The supervisor conducted a coding review on January 27, 2014, solving every divergence. Re-coding was completed on January 28, 2014.

c. **Update:** January 2015

i. **Data Collection Methods:** Researcher sought to identify any new laws enacted between February 1, 2014 and January 31, 2015 and any pending legislation close to passage. The work of the Researcher was overseen by a Supervisor.

v. **Coding Updated Findings:** A total of seven states were found to have enacted amendments to their existing laws. One notable change was found in Florida that resulted in the addition of child booster seats as a qualified child safety restraint for children aged 4 through 5. Michigan and Ohio may need updates within the next three to six months as additional amendments become effective. Some questions about proper reading of the statutory language still arose for at least one state. Coders code for the average child passenger for each age unless the state explicitly provides instructions for over or undersized child passengers of the age. Coders also coded for every restraining device that could apply to child passengers of a particular age based upon the wording of the statutory
language. Coding based on the plain language of the law produced results that did not necessarily match the real world application of the state law (i.e. child passengers under 5 using only a booster seat).

vi. **Quality Control**: The supervisor assigned 20% redundant coding for the updated entries (2 out of 7). The rate of divergence was 10%. The supervisor conducted a coding review on January 30, 2015. Re-coding was completed and the final rate of divergence was 0% on January 30, 2015.

**d. Update**: April 2015

i. **Data Collection Methods**: Researcher sought to identify any new laws enacted between January 1, 2015 and May 1, 2015 and any pending legislation close to passage. Legal databases were searched for the laws that had previously been collected. These laws were reviewed for any notes of change, reflected either by new effective dates, or other indicators denoting pending legislation. A review for similar laws, using previous search terms was also completed at this time. If laws appeared to have changed or be in the process of change, the relevant bills were reviewed for effective dates. No states had relevant changes to effective legislation as of May 1, 2015. Utah, Tennessee, and North Dakota are set to make changes to relevant, effective legislation within the next four months.