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AMERICAN DRIVERS IN EUROPE SHOULD BE AWARE OF STANDARDS FOR CHILD SAFETY SEATS

HEIDELBERG, Germany -- Recent changes to German child car safety seat laws may not affect Americans driving in Germany, but U.S. Army Europe officials say travelers need to be aware of laws already on the books, especially if vacationing outside Germany.

Although USAREUR will not be requiring car seats approved by the U.S. Department of Transportation to be replaced, officials said, it's wise to know the laws for child safety restraints when traveling in Europe.

German law since 1993 states that passengers younger than 12 years of age and less than 150 centimeters (4 feet 11 inches) tall must be in a child restraint system. Passengers older than 12 or above the legal height must use the car's seat belt system.

DOT- and EU-approved seats are acceptable in Germany, and both are listed in AE Regulation 190-1 (Driver and Vehicle Requirements and the Installation Traffic Code for the U.S. Forces in Germany), which will be changed to reflect the new German standards, said Tom Lorenzini, USAREUR vehicle registrar.

The correct designations for EU-approved seats can be validated by checking the seat's label, which displays a multi-digit number placed below an encircled letter E. That figure must start with either 03 or 04.

"If you are buying a child seat it would make sense to buy the EU-certified seat, as it eliminates any possible enforcement issues; if it is installed correctly it is the way to go. However, no one wants to force Soldiers and Families to buy new EU seats that will not have the DOT certification when they return to the U.S., (although) some manufacturers sell in both markets and meet both standards," Lorenzini said.

Lorenzini explained that U.S. forces in Germany do not have to comply with EU standard certifications, based upon the Status of Forces Agreement and its Supplementary Agreement, just as American servicemembers' cars do not have to meet EU or German Technischer Ueberwachungs-Verein standards based upon the agreement. But he noted that Polizei are not SOFA experts.

“German Polizei or police from other countries should not be expected to be experts on the Status of Forces Agreement,” said Paul J. Conderman, chief of foreign law in the USAREUR Office of the Judge Advocate. “The bottom line is that if issued a ticket, the driver will have the burden to establish a basis for non-compliance.”

In addition, Conderman recommended that travelers check with the garrison public affairs office covering the area of travel for specific information. For example, the legal child seat height for the Netherlands and Belgium is 135 centimeters.

Lorenzini noted that German law also requires that pets -- categorized as cargo -- must be secured.

“That is why you see many people with the nets or screens mounted between the animals and the rest of the vehicle,” he said.

“From a practical perspective, this means that pets must not distract the driver or interfere with safe operation of the vehicle,” Conderman added. “As a rule, they should be in the back seat or cargo area, properly secured with special boxes, nets or cages.”

Lorenzini said in an accident an unsecured pet or cargo can become a dangerous missile, and noted that Polizei can fine drivers 35-50 euro, plus assess three points on their driver's licenses, for transporting unsecured cargo.

“If cargo is propelled into the driver or passengers during an accident, then the insurance would not pay for the injuries sustained,” he added.

(This article was compiled from reports by the Installation Management Command-Europe Public Affairs Office and Art McQueen of the U.S. Army Garrison Heidelberg Public Affairs Office.)



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