DEPARTMENT OF TRANSPORT

MOTOR VEHICLE SAFETY ACT

Order Modifying the Operation of the Motor Vehicle Restraint Systems and Booster Cushions Safety Regulations and the Motor Vehicle Safety Regulations

Whereas the *Motor Vehicle Restraint Systems and Booster Cushions Safety Regulations* (see footnote a) and the *Motor Vehicle Safety Regulations* (see footnote b) are inconsistent with amendments made on June 24, 2003, by the Government of the United States to Federal Motor Vehicle Safety Standard No. 213, Child Restraint Systems, title 49, part 571 of the *Code of Federal Regulations* of the United States;

Therefore, the Minister of Transport, Infrastructure and Communities, pursuant to subsection 13(1) of the *Motor Vehicle Safety Act* (see footnote c), hereby issues the annexed *Order Modifying the Operation of the Motor Vehicle Restraint Systems and Booster Cushions Safety Regulations and the Motor Vehicle Safety Regulations*.

Ottawa, April 30, 2008

LAWRENCE CANNON
Minister of Transport, Infrastructure and Communities

ORDER MODIFYING THE OPERATION OF THE MOTOR VEHICLE RESTRAINT SYSTEMS AND BOOSTER CUSHIONS SAFETY REGULATIONS AND THE MOTOR VEHICLE SAFETY REGULATIONS

1. This Order modifies the operation of the *Motor Vehicle Restraint Systems and Booster Cushions Safety Regulations* (see footnote 1) and the *Motor Vehicle Safety Regulations* (see footnote 2) to make them consistent with amendments to Federal Motor Vehicle Safety Standard No. 213, Child Restraint Systems, title 49, part 571 of the *Code of Federal Regulations* of the United States (hereinafter referred to as FMVSS 213), which raises the upper mass limit for certain child restraint systems from 22 kg to 30 kg. The purpose of this Order is to permit the use in Canada of child restraint systems and built-in child restraint systems designed for use by children with a mass of up to 30 kg.

MOTOR VEHICLE RESTRAINT SYSTEMS AND BOOSTER CUSHIONS SAFETY REGULATIONS

2. (1) The term “child” in the *Motor Vehicle Restraint Systems and Booster Cushions Safety Regulations* (see footnote 3) means a person whose mass is not less than 9 kg and not more than 30 kg.

(2) In this section,

(*a*) “ATD” means an anthropomorphic test device; and

(*b*) “Test Method 213” means *Test Method 213 — Child Restraint Systems* (October 2001).

(3) For the purposes of Schedule 3 to the Regulations, a child restraint system that is designed for use by children with a mass of over 22 kg shall conform to the requirements set out in Schedule 3 to the Regulations to the extent that their application is not limited by subsections (4) to (11), which relate to the test conditions and procedures set out in FMVSS 213 for add-on child restraint systems — other than booster seats, car beds or harnesses — as defined in FMVSS 213.

(4) For the purposes of Schedule 3 to the Regulations,

(*a*) the expression "subsection 3.4.2 or 3.6.2 of Test Method 213" in the portion of section 6 of Schedule 3 to the Regulations before paragraph (*a*) and in the portion of subsection 8(1) of that Schedule before paragraph (*a*) shall be read as "section S10 of FMVSS 213";

(*b*) the expression "Test Method 213" in paragraph 8(2)(*b*) of Schedule 3 to the Regulations shall be read as "section S6.1 of FMVSS 213";

(*c*) the expression "subsection 3.3 of Test Method 213" in paragraph 9(2)(*a*) of Schedule 3 to the Regulations shall be read as "section S6.2.1 of FMVSS 213";

(*d*) the expression "section 4 of Test Method 213" in paragraph 9(2)(*b*) of Schedule 3 to the Regulations shall be read as "sections S6.2.2 to S6.2.4 of FMVSS 213"; and

(*e*) the expression "section 3 of Test Method 213" in the portion of subsection 13(1) of Schedule 3 to the Regulations before paragraph (*a*), in subsection 13(1.1) of that Schedule and in the portion of subsection 13(2.1) of that Schedule before paragraph (*a*) shall be read as "section S6.1 of FMVSS 213".

(5) For the purposes of Schedule 3 to the Regulations, a child restraint system shall be subjected to the dynamic test set out in section S6.1 of FMVSS 213 and the inversion test set out in section 6 of Test Method 213 by using the following ATDs instead of the one specified in subsection 2.4 of Test Method 213:

(*a*) if the system is designed for use by children with a minimum mass of not less than 9 kg but not more than 18 kg, the ATDs specified in paragraphs S7.1.2(c), S7.1.2(d) and S7.1.2(e) of FMVSS 213, or, if the system is manufactured before August 1, 2008, the ATDs specified in paragraphs S7.1.2(c) and S7.1.2(e) and section S7.1.3 of FMVSS 213;

(*b*) if the system is designed for use by children with a minimum mass of more than 18 kg but not more than 22 kg, the ATDs specified in paragraphs S7.1.2(d) and S7.1.2(e) of FMVSS 213, or, if the system is manufactured before August 1, 2008, the ATDs specified in paragraph S7.1.2(e) and section S7.1.3 of FMVSS 213; and

(*c*) if the system is designed for use by children with a minimum mass of more than 22 kg, the ATD specified in paragraph S7.1.2(e) of FMVSS 213.

(6) The ATDs referred to in subsection (5) shall be clothed and prepared in accordance with the requirements of section S9 of FMVSS 213.

(7) For the purposes of Schedule 3 to the Regulations, the ambient temperature and relative humidity shall be as specified in paragraph S6.1.1(d)(1) or S6.1.1(d)(2) of FMVSS 213,

depending on which ATD is used, instead of as specified in subsection 3.2 of Test Method 213.

(8) The tether strap referred to in subsection 7(2) of Schedule 3 to the Regulations shall be used during any dynamic test set out in section S6.1 of FMVSS 213.

(9) The ATD specified in paragraph S7.1.2(e) of FMVSS 213 shall be used for the test referred to in paragraph 9(2)(*b*) of Schedule 3 to the Regulations.

(10) A child restraint system that is tested with the ATD specified in paragraph S7.1.2(e) of FMVSS 213 is not required to conform to

(*a*) the resultant acceleration limit specified in paragraph 13(1)(*c*) of Schedule 3 to the Regulations; or

(*b*) the forward excursion limit specified in subsection 13(1.1) of Schedule 3 to the Regulations.

(11) For the purposes of subsection 13(3) of Schedule 3 to the Regulations, when a child restraint system is tested in accordance with the test conditions and procedures set out in section S6 of FMVSS 213, the standard seat assembly specified in paragraph S6.1.1(a)(1)(ii) of FMVSS 213 and shown in Figure 1A — *Seat Orientation Reference Line and Belt Anchorage Point Locations on the Standard Seat Assembly* and Figure 1B — *Location of Belt Anchorage Points and Forward Excursion Limits on the Standard Seat Assembly* of FMVSS 213 shall be used in the dynamic test instead of the standard seat assembly described in drawing package SAS-100-1000 and shown in Figures 3 and 5 of Schedule 10 to the Regulations and in Figure 1(a) of Test Method 213.

MOTOR VEHICLE SAFETY REGULATIONS

3. (1) The term “child” in the *Motor Vehicle Safety Regulations* (see footnote 4) means a person whose mass is not less than 9 kg and not more than 30 kg.

(2) In this section,

(*a*) “ATD” means an anthropomorphic test device; and

(*b*) “Test Method 213.4” means *Test Method 213.4 — Built-In Child Restraint Systems and Built-In Booster Cushions* (January 2007).

(3) For the purposes of section 213.4 of Schedule IV to the Regulations, a built-in child restraint system that is designed for use by children with a mass of over 22 kg shall conform to the requirements set out in section 213.4 of Schedule IV to the Regulations to the extent that their application is not limited by subsections (4) to (7), which relate to the test conditions and procedures set out in FMVSS 213 for built-in child restraint systems, as defined in FMVSS 213.

(4) For the purposes of section 213.4 of Schedule IV to the Regulations, a built-in child restraint system shall be subjected to the dynamic test set out in section S6.1 of FMVSS

213 by using the following ATDs instead of the one specified in subsection 3.1.2 of Test Method 213.4:

(*a*) if the system is designed for use by children with a minimum mass of not less than 9 kg but not more than 18 kg, the ATDs specified in paragraphs S7.1.2(c), S7.1.2(d) and S7.1.2(e) of FMVSS 213, or, if the system is manufactured before August 1, 2008, the ATDs specified in paragraphs S7.1.2(c) and S7.1.2(e) and section S7.1.3 of FMVSS 213;

(*b*) if the system is designed for use by children with a minimum mass of more than 18 kg but not more than 22 kg, the ATDs specified in paragraphs S7.1.2(d) and S7.1.2(e) of FMVSS 213, or, if the system is manufactured before August 1, 2008, the ATDs specified in paragraph S7.1.2(e) and section S7.1.3 of FMVSS 213; and

(*c*) if the system is designed for use by children with a minimum mass of more than 22 kg, the ATD specified in paragraph S7.1.2(e) of FMVSS 213.

(5) The ATDs referred to in subsection (4) shall be clothed and prepared in accordance with the requirements of section S9 of FMVSS 213.

(6) For the purposes of section 213.4 of Schedule IV to the Regulations,

(*a*) the ambient temperature and relative humidity shall be as specified in paragraph S6.1.1(d)(1) or S6.1.1(d)(2) of FMVSS 213, depending on which ATD is used, instead of as specified in subsection 3.3.5 of Test Method 213.4; and

(*b*) the ATD specified in paragraph S7.1.2(e) of FMVSS 213 shall be used for the test referred to in paragraph 213.4(14)(*b*) of Schedule IV to the Regulations, and the force applied to the ATD shall be as specified in section S6.2.3 of FMVSS 213 instead of as specified in paragraph 3.2.1(c) of Test Method 213.4.

(7) A built-in child restraint system that is tested with the ATD specified in paragraph S7.1.2(e) of FMVSS 213 is not required to conform to the resultant acceleration limits specified in paragraphs 213.4(5)(*b*) and (*c*) of Schedule IV to the Regulations.

EFFECTIVE DATE

4. This Order is effective during the period beginning on May 1, 2008 and ending on April 30, 2009.