



Welcome to an overview of Child Care Vehicle Safety Alarms in Child Care Vehicles. This training is for child care providers who transport children. Initially, Wis. Stat. 48.658 was passed and took effect on August 1, 2009. In July 2016, rules were amended for DCF 202 (certified operators), 250 (licensed family child care providers), 251 (licensed group child care providers) and 252 (licensed day camp providers).

## Learning Points

- Background of the Child Safety Alarm Bill and what the law requires
- Identify examples of child safety alarms
- Provide situational examples of violations

### Objectives:

- To provide a brief background of the Child Safety Alarm Bill and what the law requires.
- To identify examples of child safety alarms, that when installed and used properly, meet the intent of the Child Safety Alarm law.
- To provide examples of violations in regards to the Child Safety Alarm law that a licensing specialist or certification worker may cite.

## § 48.658 Child Care Vehicle Safety Alarm



- A child care provider or contractor of a child care provider that is the owner or lessee of the child care vehicle shall have an alarm system that prompts the driver of the vehicle to inspect the vehicle for children before exiting
- Drivers and child care providers who knowingly transport children in vehicles without alarms or with alarms that are not properly maintained or in good working order may face criminal penalties of up to a year in jail and \$1,000 in fines.
- Individuals and child care providers who remove, disconnect, tamper with, or turn off the alarm without checking the vehicle may be charged with a felony punishable by up to 3.5 years in prison and \$10,000 in fines.

### **Brief History:**

Senator Spencer Coggs proposed the initial Child Safety Alarm Bill in 2005 when 2-year old Asia Jones died after being left unattended in child care van that had picked her up from her home earlier in the day. The driver was arrested but not charged. In 2009, Jalen Knox Perkins died in a similar situation and it served as a catalyst in passing statute 48.658 that requires a child care center to install a child safety alarm in certain vehicles used to transport kids to and from a child care facility.

The Child Safety Alarm law states a child care provider or contractor of a child care provider that is the owner or lessee of the child care vehicle shall have an alarm system that prompts the driver of the vehicle to inspect the vehicle for children before exiting.

Drivers and child care providers who knowingly transport children in vehicles without alarms or with alarms that are not properly maintained or in good working order may face criminal penalties of up to a year in jail and \$1,000 in fines.

And, individuals and child care providers who remove, disconnect, tamper with, or turn off the alarm without checking the vehicle may be charged with a felony punishable by up to 3.5 years in prison and \$10,000 in fines.

## Definitions



- **Child care provider:** A child care center that is licensed under Wis. Stat. [48.65](#), a child care provider that is certified under Wis. Stat. [48.651](#), or a child care program that is established or contracted for under Wis. Stat. [120.13 \(14\)](#).
- **Child care vehicle:** A vehicle that has a seating capacity of 6 or more passengers in addition to the driver, that is owned or leased by a child care provider or a contractor of a child care provider, and that is used to transport children to and from the child care provider.
- **Child safety alarm:** An alarm system that prompts the driver of a child care vehicle to inspect the child care vehicle for children before exiting the child care vehicle.

**Child care provider:** A child care center that is licensed under Wis. Stat. 48.65 (1), a child care provider that is certified under Wis. Stat. 48.651, or a child care program that is established or contracted for under Wis. Stat. 120.13 (14).

**Child care vehicle:** A vehicle that has a seating capacity of 6 or more passengers in addition to the driver, that is owned or leased by a child care provider or a contractor of a child care provider, and that is used to transport children to and from the child care provider.

- A provider may not alter the vehicle (i.e. take seats out) to reduce capacity.
- Parent volunteers using their own vehicles are not required to have an alarm.
- Employees/staff/licensees using their own vehicles during the hours of operation are required to have alarms if their vehicle seats more than 6 passengers in addition to the driver.

**Child safety alarm:** An alarm system that prompts the driver of a child care vehicle to inspect the child care vehicle for children before exiting the child care vehicle

## Types of Safety Alarms & Devices

- Devices hard wired into a vehicle's electrical system and activated when the ignition is turned on
- Wireless devices
- Reminder systems\*
- Child sensing or tracking systems\*

There are many types of child safety systems on the market but many do not meet the intent of the child care vehicle safety alarm law. It is important to be familiar with the types of systems available and which ones are used to meet the intent of the law. These child safety systems devices can be identified by the following groups:

- Alarm systems that are hard wired into the vehicle's electrical system and activated when ignition is turn on (when installed and used properly meet the intent)
- Wireless devices (may meet the intent of the law as long as the device is not compromised by interference that would disable its use)
- \*Reminder systems (not considered a child care vehicle safety alarm System and will not meet intent)
- \*Child sensing or tracking systems (not considered a child care vehicle safety alarm System and will not meet intent)

## Hard Wired Alarm Systems



Child Check-Mate System™

Examples of Hard Wired Alarm Systems can be found on the BECR Internet at <https://dcf.wisconsin.gov/ccregulation/providers>. Select “Vehicles” from the drop down menu of resources.

Each of the hard wired systems listed here act on the same premise: Once the ignition is turned on, the alarm is activated. When these devices are installed and used properly, the intent of the Child Care Vehicle Safety Alarm law is met.

A few examples of the hard wired alarm systems listed on the DCF website and how they work are shown in the next couple of screens. Please note that new vehicle alarm systems are being developed, and the ones shown here are just examples of what to look for. DCF can not endorse a specific product, and it is the child care provider’s responsibility to determine which child care vehicle safety alarm best meets their needs.

The Child Check-Mate System™ is usually installed in busses. When the ignition is turned on, the alarm will emit an audible noise indicating the system is operational and flip the master switch to the on position. It is activated when the flashers are on and the front door is opened. When the front door is opened the red overhead lights will flash and an audible sound from the alarm will be heard as the red lights are activated. When the front door is closed the overhead lights will stop flashing. Before the ignition is turned off, the driver does a child check on the way to the back of the bus to depress the “STOP and check!” button.

If the ignition is turned off, the alarm will emit a high pitched beep, after eight seconds the bus horn will begin to sound. Turn the ignition back to on position and the alarm will sound 3 times at 30 second intervals to remind driver to perform their child check by walking to the back of the bus and depressing

the reset button for at least three seconds; a deactivation signal will sound. The alarm has been deactivated and the key can be removed from the ignition.

## Hard Wired Alarm Systems



A picture of the The Sleeping Child Check Monitor™ is located on the upper left of the screen. Warning lights are activated when children enter the bus. The alarm is turned on and becomes engaged when the ignition of the bus is turned off. To deactivate the monitor, the bus driver must move to the back of the bus and depress a button on the monitor. If a driver fails to deactivate the monitor and exits a door, the horn will sound reminding him or her to check for any sleeping children on the bus.

A picture of the Bus-Scan®, is located on the upper right in the picture. At the end of each trip, turning off the ignition (or other activation source) activates a reminder tone for the driver to begin a seat check. If a disarming switch at the back of the vehicle is not pressed within the prescribed time, the vehicle horn will sound; alerting all who are nearby that the required check was not performed.

The Kiddie Voice™ system is automatically armed each time the ignition switch is turned ON and automatically activated whenever the ignition key is turned OFF. Electronic oral warning message begins prompting the driver to commence checking the vehicle for passengers. Once message system has been activated, it can only be deactivated by the driver's walking to the rear interior of the vehicle and manually depressing the cancellation button. During this walk to the rear of the vehicle, the driver is prompted to check each seat for occupants. A secondary visual inspection is automatically accomplished as the driver returns to the front of the vehicle to exit.



## Hard Wired Alarm Reset Methods

**School Bus & Mini Bus** - Reset button located in back of the bus or reset by lifting the emergency door handle.



### Hard Wired Alarm Reset Methods

The most common vehicles used for child care transport are passenger vans, school buses, mini buses and vehicles with capacity to seat six plus the driver (mini van, larger SUVs). Each child care vehicle safety alarm reset is different depending on the model that is installed.

**School Bus & Mini Bus** - Most alarm systems in a school bus or a mini bus will have a single “reset button” that is installed. The reset button is usually located above the back row of seats so the driver walks to the back of the bus (and checks for children) to reset the alarm.

In some child safety alarm models there is not a reset button. Rather, the emergency door handle needs to be lifted up to reset the alarm. The door does not have to be physically opened, just lifting up on the red emergency handle suffices.

In other models there may be a “dual button” reset in which both buttons need to be pressed at the same time (to avoid kids being able to reset the alarm in lieu of the driver).

**There is no rule to the placement of reset buttons in the child care vehicle alarm system, so the provider must demonstrate that the location prompts the driver to look for children.**

## Hard Wired Alarm Reset Methods



**Passenger Van** - Reset button located in the center of the van (opposite of side passenger doors) or in the back of the van

In a passenger van, the child care vehicle safety alarm reset button may be located in the back of the van above the rear seat where the driver must walk/crawl over the seats to the back to reset the alarm (while checking for kids) or above the van's middle seat on the driver's side which allows the driver to open the service doors and check seats in front and back before pressing the alarm button.

Note: If a driver unloads children from the passenger side service doors but then opens the rear door of the passenger van to deactivate the alarm, he/she may not have actively checked for children. Even if the driver goes through the motions, if he/she does not actively check for children then the intent of the law has not been met.

Please review the BECR publication DCF-P-PFS4088 Use of 10+ Passenger Vans to Transport Children to and From Schools: <https://dcf.wisconsin.gov/files/publications/pdf/4088.pdf>

## Hard Wired Alarm Reset Methods

Mini Van/SUVs - Reset button located in the center or in the back of the vehicle.

What's wrong with this picture?



In vehicles with a capacity of six or more such as mini-vans or larger sport utility vehicles (SUVs) the reset button may be located in the back of the vehicle so the driver looks in all of the seats as he/she walks/crawls to the back of the van to reset the alarm or open the back door/hatch to turn it off (again, if the driver does not actively check for children, the intent is not met).

The reset button may also be located in the middle of the vehicle within arm's reach of the service door so the driver needs to get out, open the service door and reach to press the reset button as they scan for children.

**What is wrong with this picture?** These reset buttons are meant to be arms length apart so a child cannot reset the alarm for the driver.



Now that you are familiar with the systems that will meet the intent of the Child Care Vehicle Safety Alarm rules, we'll look at some systems that do not meet the intent of the rule such as reminder systems or child sensing or tracking systems.

You may encounter these systems but they **will not** meet intent of the rule for various reasons.

\*Please note that some wireless devices do not prompt the driver to check the rear of the vehicle to make sure all children have exited so the provider would need to demonstrate the device meets this requirement and the integrity of the wireless device is not compromised by interference that would disable its use. So long as these requirements are met, a wireless device may be used.

## **How the Child Care Vehicle Safety Alarm Rule is Monitored**

### **Licensed Family Child Care**

250.08(8) & 250.12(2)(b)

### **Group Child Care**

251.08(8) & 251.12(2)(b)

### **Day Camps**

252.06(2)(b) & 252.09(5)

### **Certified Family Child Care**

202.08(9)(f)

#### Licensed Family Child Care:

DCF 250.08 (8) CHILD CARE VEHICLE SAFETY ALARM. (a) A vehicle shall be equipped with a child safety alarm that prompts the driver to inspect the vehicle for children before exiting if all of the following conditions apply: 1. The vehicle is owned or leased by a licensee or a contractor of a licensee. 2. The vehicle has a seating capacity of 6 or more passengers plus the driver. The seating capacity of the vehicle shall be determined by the manufacturer. 3. The vehicle is used to transport children in care. 5 (b) No person may shut off a child safety alarm unless the person first inspects the vehicle to ensure that no child is left unattended in the vehicle. (c) The child safety alarm shall be properly maintained and in good working order each time the vehicle is used for transporting children to or from a center.

Note: Information on the required vehicle safety alarm is available in the “child care licensing/information for providers” section of the department website at <https://dcf.wisconsin.gov/ccregulation/providers>

DCF 250.12 (2) is renumbered DCF 250.12 (2) (a). SECTION 6. DCF 250.12 (2) (b) is created to read: DCF 250.12 (2) (b) At least once per year, the department shall inspect each vehicle that is required to have a child safety alarm under s. DCF 250.08 (8) (a) to determine whether the child safety alarm is in good working order.

#### Group Child Care:

DCF 251.08 (8) CHILD CARE VEHICLE SAFETY ALARM. (a) A vehicle shall be equipped with a child safety alarm that prompts the driver to inspect the vehicle for children before exiting

if all of the following conditions apply: 1. The vehicle is owned or leased by a licensee or a contractor of a licensee. 2. The vehicle has a seating capacity of 6 or more passengers plus the driver. The seating capacity of the vehicle shall be determined by the manufacturer. 3. The vehicle is used to transport children in care. (b) No person may shut off a child safety alarm unless the person first inspects the vehicle to ensure that no child is left unattended in the vehicle. (c) The child safety alarm shall be in good working order each time the vehicle is used for transporting children to or from a center.

DCF 251.12 (2) (b) At least once per year, the department shall inspect each vehicle that is required to have a child safety alarm under s. DCF 251.08 (8) (a) to determine whether the child safety alarm is in good working order.

Day Camps:

DCF 252.06 (2) (b) At least once per year, the department shall inspect each vehicle that is required to have a child safety alarm under s. DCF 252.09 (5) (a) to determine whether the child safety alarm is in good working order.

DCF 252.09 (5) CHILD CARE VEHICLE SAFETY ALARM.

(a) A vehicle shall be equipped with a child safety alarm that prompts the driver to inspect the vehicle for children before exiting if all of the following conditions apply: 1. The vehicle is owned or leased by a licensee or a contractor of a licensee. 2. The vehicle has a seating capacity of 6 or more passengers plus the driver. The seating capacity of the vehicle shall be determined by the manufacturer. 3. The vehicle is used to transport children in care. (b) No person may shut off a child safety alarm unless the person first inspects the vehicle to ensure that no child is left unattended in the vehicle. (c) The child safety alarm shall be in good working order each time the vehicle is used for transporting children to or from a base camp.

Certified Family Child Care:

DCF 202.08 (9) (f) 1. A vehicle is equipped with a child safety alarm that prompts the driver to inspect the vehicle for children before exiting if all of the following conditions apply:

- a. The vehicle is owned or leased by a child care operator or a contractor of a child care operator.
  - b. The vehicle has a seating capacity of 6 or more passengers plus the driver. The seating capacity of the vehicle shall be determined by the manufacturer.
  - c. The vehicle is used to transport children in care.
2. No person may shut off a child safety alarm unless the driver first inspects the vehicle to ensure that no child is left unattended in the vehicle.
3. The child safety alarm is in good working order each time the vehicle is used for transporting children to or from a child care home.

Certified School-Age Care: DCF 202.09 (12) (h)

## Types of Child Safety Alarm Violations

- Alarm present but not turned on and no transportation being provided
- Alarm present but is broken, not working properly or has been disabled and/or tampered and no transportation is being provided

The following are examples of the type of violations that may be cited under the Child Care Vehicle Safety Alarm Rule:

### **Alarm present but not turned on and no transportation being provided**

When the vehicle alarm is turned off or disabled but the alarm is operational (when the licenser/certification worker ask for the alarm to be turned back on and tested); and there is no observation, evidence or admission by the licensee/operator and/or staff that children were transported.

*Technical assistance may be given by reminding the licensee/operator that the alarm should be operational (turned on) when the vehicle is used to transport children. No violation occurs in this situation.*

### **Alarm present but is broken, not working properly or has been disabled and/or tampered with and no transportation is being provided**

When a vehicle alarm is installed but is broken, no longer works properly or has been disabled and/or tampered with (when the licenser/certification worker ask for the alarm to be tested) and there is no evidence, observation or admission that children were transported in the vehicle without an operational alarm

*Violation cited for broken, tampered or disabled (non-working) alarm under DCF250.04 (2)(a), DCF 251.04 (2)(a) or DCF 252.41 (1)(a) or DCF 202.08(9)(f).*

*For licensed programs an order or a direct forfeiture may be issued. An order may be issued in conjunction with the direct forfeiture if appropriate.*

## Types of Child Safety Alarm Violations

- Alarm present but is broken, not working properly or has been disabled and/or tampered with and transportation is being provided
- No alarm present and transportation is being provided

### **Alarm present but is broken, not working properly or has been disabled and/or tampered with and transportation is being provided**

When a vehicle alarm is installed but is broken, no longer works properly or has been disabled and/or tampered with (when a certification worker or licenser asks for the alarm to be tested) and there is evidence, observation or admission that children were transported in the vehicle without an operational alarm

*Violation cited for broken, tampered or disabled (non-working) alarm under rule 250.08(8)(c), 251.08(8)(c) or 252.09(5)(c) or DCF 202.08(9)(f). For licensed programs an order or a direct forfeiture may be issued. An order may be issued in conjunction with the direct forfeiture if appropriate.*

### **No alarm present and transportation is being provided**

When a vehicle requiring a safety alarm is not equipped with the required alarm and there is observation, evidence or admission of transporting children in the vehicle without an alarm installed.

*Violation cited for no alarm under rule 250.08(8)(a), 251.08(8)(a) or 252.09(5)(a) or DCF 202.08(9)(f). For licensed programs an order or direct forfeiture may be issued. An order may be issued in conjunction with the direct forfeiture if appropriate.*



## **Types of Child Safety Alarm Violations**

- Deliberately not using or disabling the alarm and transportation is being provided – no harm to child
- Deliberately not using or disabling the alarm and transportation is being provided – a child was harmed

### **Deliberately not using or disabling the alarm and transportation is being provided – no harm to child**

When there is observation, evidence or admission that an individual has circumvented using a required safety alarm (i.e., no person may shut off a child care vehicle safety alarm that is installed in a child care vehicle unless the person first inspects the vehicle to ensure that no child is left unattended in the vehicle) but no child was harmed or left unattended in the vehicle

*Violation cited under rule 250.08(8)(b), 251.08(8)(b) or 252.09(5)(b) of DCF 202.08(9)(f). For licensed programs an order or direct forfeiture may be issued. An order may be issued in conjunction with the direct forfeiture if appropriate.*

### **Deliberately not using or disabling the alarm and transportation is being provided – a child was harmed**

When there is observation, evidence or admission that an individual has circumvented using a required safety alarm (i.e., no person may shut off a child care vehicle safety alarm that is installed in a child care vehicle unless the person first inspects the vehicle to ensure that no child is left unattended in the vehicle) and a child was harmed or left unattended

*Violation cited under rule 250.08(8)(b), 251.08(8)(b) or 252.09(5)(b) or DCF 202.08(9)(f). An order and direct forfeiture may be issued.*

## Questions | Considerations

Consult your Licensing Specialist or Certification Worker for questions or considerations related to the Child Care Vehicle Safety Alarm rules



Licensing: <https://dcf.wisconsin.gov/cclicensing/contacts>

Certification:

<https://dcf.wisconsin.gov/files/ccregulation/cccertification/certifiers.pdf>

If you have a questions or considerations related to the Child Care Vehicle Safety Alarm rule, please contact your Licensing Specialist or Certification Worker.