CHILD PASSENGER SAFETY ASSOCIATION OF CANADA

L'ASSOCIATION POUR LA SÉCURITÉ DES ENFANTS PASSAGERS DU CANADA

CPSAC's feedback regarding Transport Canada's proposal to update the regulatory requirements concerning the safety of restraint systems and vehicle anchorages

22-April-2026 | cpsac.org | info@cpsac.org

Introduction

The Child Passenger Safety Association of Canada (CPSAC) appreciates the opportunity to provide feedback on the proposed updates to the Restraint Systems and Booster Seats for Motor Vehicles Regulations.

Our response reflects:

- National expertise in child passenger safety
- Input from partners across Canada
- A hospital-based injury prevention perspective, including clinical realities for infants, children, and youth with special transportation needs

We recognize and value several key intentions within this proposal:

- Maintaining a Canadian regulatory framework
- More closely aligning with U.S. standards where appropriate with the goal of
    - Making our standards safer
    - Maintaining our supply of products through closer alignment
- Improving availability of child restraint systems, including adaptive options
- Improving ease of use for caregivers

These are important and necessary goals.

However, while we acknowledge the effort and intent behind this proposal, we have identified significant errors, gaps, inconsistencies, and areas requiring clarification. Some of

these issues have the potential to negatively impact child safety, access to appropriate restraints, and equity for children with special transportation needs.

Reference documents:

Our response references the following documents for the purposes of this consultation:

Provided by Transport Canada:

A. Background: Proposal to update the regulatory requirements concerning the safety of restraint systems and vehicle anchorages, published February 6, 2026, and attached as Document A.
B. U.S. Federal Motor Vehicle Safety Standards; Child Restraint Systems, Child Restraint Anchorage Systems, Incorporation by Reference, Recommendation for Tether Anchorage Use Regardless of Child Weight, linked from the above Background document, a portion of which is attached as Document B
C. TECHNICAL STANDARDS DOCUMENT, No. 213a, Revision 0, Child Restraint Systems - Side Impact Protection, attached as Document C
D. TECHNICAL STANDARDS DOCUMENT, No. 213b, Revision 0, Child Restraint Systems, attached as Document D
E. TECHNICAL STANDARDS DOCUMENT, No. 225, Revision 0, Child Restraint Anchorage Systems, attached as Document E
F. Proposed Motor Vehicle Restraint Systems and Booster Seats Safety Regulations, attached as Document F
G. Proposed Motor Vehicle Safety Regulations, attached as Document G

Additional reference document:

H. Canadian Paediatric Society letter June 2020, attached as Document H

Question 1: Do you have any feedback on the reference documents?

Overall feedback

We would like to acknowledge several strengths:

- Continued commitment to Canadian standards and regulatory oversight
- Retention of key safety features unique to Canada (e.g. tether use)
- Desire to increase safety in Canada through alignment with newer standards
- Recognition that alignment with U.S. standards can support market stability and affordability

However, we have the following concerns:

- The consultation process felt limited and not inclusive enough and is missing perspectives of key partners, including those in child passenger safety education, injury prevention, and healthcare.
- There are apparent errors and inconsistencies within the documents, which raises concerns about unintended consequences.
- There was no accessible knowledge translation (e.g. plain language summaries or presentations), resulting in national organizations relying on CPSAC to interpret the proposal and provide guidance for others.
- Given the scope and impact, this work required earlier and more transparent engagement.

To address these concerns, we respectfully request that Transport Canada:

Conduct meaningful stakeholder/partner engagement on a regular basis

- Conduct regular consultations with organizations representing child passenger safety education and advocacy, healthcare providers, injury prevention professionals, public health, disability advocates, and organizations who support families and caregivers.

We are aware that Transport Canada regularly engages with U.S.-based manufacturer associations and industry representatives such as Juvenile Products Manufacturers Association and Baby Alliance. While industry stakeholders have a legitimate role in consultation, these organizations are accountable to their own members and operate with

fiduciary and commercial obligations and interests. Trade associations may engage in lobbying or advocacy activities to influence policy, standards, and regulation in ways favorable to their members and their member's stakeholders. It is therefore essential that their perspectives be balanced with meaningful engagement from public health, healthcare, injury prevention, accessibility, child passenger safety education and advocacy groups and consumer stakeholders to ensure the broader public interest remains central.

Establish a multi-stakeholder advisory process

- Create or engage with an ongoing advisory council that includes national, provincial, territorial, and regional representation from public health, clinical healthcare teams, injury prevention partners, child passenger safety training and advocacy groups, law enforcement, accessibility advocacy groups, and caregiver focused perspectives.

Invite injury prevention partners to review documents for errors and to clarify inconsistencies at an earlier point in the process

- A council or committee could preview future proposals and review for drafting issues, conflicting language, and unintended policy outcomes. Prior review would allow for clarification at an earlier point to avoid unintended issues affecting product availability, or child safety.

Improve public knowledge translation

- Provide plain-language summaries, comparison charts, webinars, slide decks, and FAQ resources explaining the proposed changes and their rationale so that the Canadian public can better understand what is proposed and provide informed feedback.
- Ensure materials are accessible to educators, healthcare, retailers, and community organizations.

Commit to ongoing collaboration

- Work collaboratively with CPSAC, Parachute and other national and provincial, and territorial partners to support regular consultation, review, issue identification, knowledge translation, implementation planning, and evaluation of the real-world impacts of current and proposed regulations.

In conclusion:

We support modernization of Canadian child restraint regulations. However, successful modernization requires not only technical alignment, but also transparent process, inclusive

engagement, and careful implementation. We remain committed to working collaboratively to help achieve that goal. Section-specific feedback for conventional child restraint regulations

Proposed change: Forward-facing minimum weight increase (9 kg → 12 kg)

We strongly support:

- An increase of the minimum weight to use a forward-facing car seat to 12 kg (26.5 lb)
- The intent to promote extended rear-facing, which aligns with Canadian and international best practice guidelines and injury prevention evidence

However, the current Canadian standard is 10 kg and not 9 kg as stated.

- This error raises concerns about accuracy and reduces confidence in the proposal overall. [document A]

Proposed change: Definition of child restraint (up to 36 kg / 80 lb)

We strongly support:

- Increasing the maximum weight for a harnessed child restraint from 30 kg (65 lb) to 36 kg (80 lb), allowing for the possibility of higher-weight harnessed restraints.

However, this definition was changed to include booster seats.

Major concern: booster seat weight limits would be limited to 36 kg (80 lb)

Including booster seats within the same category as other child restraints creates unintended consequences:

- As written, this proposed change would effectively limit booster seat use at 36 kg (80 lb)
- This change is misaligned with the U.S. standards and creates division in the market

This is problematic:

- All currently available booster seats are rated to 100–120 lb
- There is no upper weight limit set for a booster seat in the current Canadian standard
- A child requires a booster seat until a good seat belt fit can be achieved without a booster seat - typically at approximately 145 cm (57 inches) in height which occurs

between age 10 and 12. A 97th percentile male is 80 pounds at 8.5 years old. Many children will exceed this weight limit at a much younger age and a shorter height.
- This would also affect built-in child restraint systems and booster seats, limiting future restraints in a way that does not align with the U.S, which may require re-labelling specific to Canada in these vehicles.

Impact:

- This change would prematurely transition children out of a booster seat
- It may increase unsafe belt fit and injury risk
- It disproportionately affects children with higher body weights
- In some jurisdictions there would be no legal way for some children to travel
- It would also create misalignment with the U.S. market, potentially increasing barriers to product availability and supply in Canada.

This appears to be an oversight and must be corrected.

Proposed change: Improvements to lower anchors and tether usability

We strongly support:

The many proposed improvements to lower anchors and tether usability including:

- Consistent requirement for tether use in all forward-facing restraints, regardless of the child or child restraint weight.

  As noted in the supporting rationale: [document B]
  "*...the benefits of tether use for all children in the subject CRSs (regardless of child weight) outweigh the potential risks occurring from tether anchorage failure due to a higher combined weight and/or a higher severity crash."*
  Department of Transportation, National Highway Traffic Safety Administration, https://www.federalregister.gov/d/2024-31142/page-1335

- Child Restraint labeling requirement to clearly state the weight limit for installation with the lower anchors.

Simplifying these requirements and improving consistency has significant potential to reduce misuse and improve real-world child restraint performance.

Please consider these additional recommendations for vehicle regulations:

To further improve usability and correct use, we recommend that Transport Canada also consider requiring:

- Clear tether routing instructions to be stated in vehicle manuals
    - Include instructions for whether the tether should be routed over, under, or around the head restraint, and any steps required to access the tether anchor (e.g. removing cargo covers or adjusting head restraints).
- Tether anchors in all forward-facing rear seating positions.
    - Every rear seating location that can accommodate a child restraint should include a tether anchor to maximize safe seating options for families.

These additional measures would further reduce confusion, improve correct use, and strengthen child passenger safety outcomes across Canada.

Additional changes requested:

Please consider updating this: Consumer Information Notice (2016)

The consumer advisory (2016) created confusion by contradicting manufacturer instructions and recommending that consumers used both the seat belt AND the UAS when the weight limit was unknown.

Recommendation:

- Immediately correct this consumer advisory to recommend instead: when the weight limit of the UAS is unknown, install the child restraint with the seat belt instead. This statement aligns with the child restraint manufacturer instructions.
- Avoid issuing guidance that directly conflicts with manufacturer directions in future
    - Alignment across all messaging sources maintains consumer confidence.

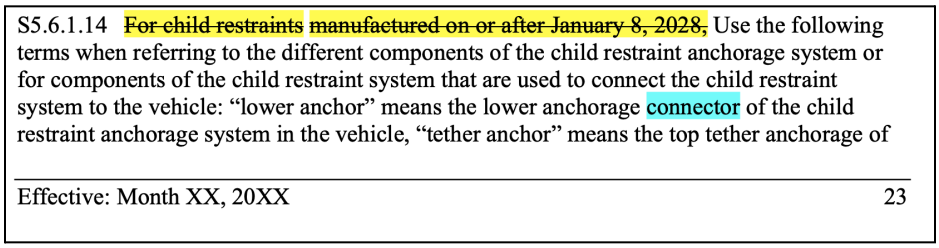
Suggested edit:

"If you cannot find complete instructions ~~in these manuals~~ for the maximum child weight permitted when installing the car seat with the UAS/lower anchors, and your child weighs 18kg (40 lb) or more, ~~we recommend you~~ install the child car seat using **~~both~~** ~~the UAS (if equipped) and~~ the vehicle seat belt, **together with** the top tether anchor when your child seat is installed forward-facing."

Please correct the following error:

- The term "connector" was added incorrectly in this section (TSB 213b 2026, S5.6.1.14, [document D]. The term "connector" refers to the portion on the child restraint - not the vehicle portion in the NHTSA TSB 213 2026 document.

- This appears to be an oversight. Please remove "connector" here.



S5.6.1.14 ~~For child restraints manufactured on or after January 8, 2028,~~ Use the following terms when referring to the different components of the child restraint anchorage system or for components of the child restraint system that are used to connect the child restraint system to the vehicle: "lower anchor" means the lower anchorage connector of the child restraint anchorage system in the vehicle, "tether anchor" means the top tether anchorage of

Effective: Month XX, 20XX 23

Canadian-specific testing requirements:

We strongly support:

- Maintaining a distinct Canadian National Safety Mark, rather than moving toward a harmonized North American standard for conventional seats.
- Retaining the Canadian requirement for tether use.
- Retaining the quasi-static test (compression requirement) for booster seats.

However, we do not have enough information to support the following changes:

- Removal of the rebound requirement for rear-facing restraints
- Removal of the slow-recovery energy absorbing foam requirement

We are unable to form an informed position due to limited evidence provided.

Please provide answers to the following questions:

- What evidence supported the original inclusion of each of these requirements in Canada?
- What evidence supports its removal now?
- How do head injury outcomes compare between Canada and the U.S., accounting for differences such as tether use?

Please also consider the following impacts and questions:

- Canadian caregivers have come to expect anti-rebound features as a safety benefit
    - This change will require clear public communication and evidence supporting the removal
    - The U.S. market has benefited from the Canadian rebound requirement in that child restraint manufacturers have engineered their products to meet this higher Canadian standard. If the requirement is removed, this safety feature may be phased out.
- Because this is already an expectation of child restraint manufacturers currently, what is the benefit to removing it now?

Additional changes requested: required labelling

Please consider the following labeling requirement recommendations:

Require an expiry date and regulate a standard location on the child restraint:

Transport Canada advises caregivers to follow the manufacturer's instructions and warnings for each specific child car seat or booster seat model. Although not required by regulation, all car seats and booster seats sold in Canada have an expiry date or useful life date as determined by the manufacturer. However, because it is not required by regulation, there is significant inconsistency between products in how and where this information can be found. Some manufacturers print the expiry date on the main product label with the date of manufacture and model number, some use a separate label, and some mould it into the plastic shell in raised lettering, and others only provide this information in the instruction manual. This inconsistency creates confusion for caregivers and increases the likelihood of a seat being used beyond its intended life span.

Recommendation: Standardize the requirement for the display of the expiry/useful life date on the product label, ensuring it is clearly visible and easily located.

Require labelling to indicate the CMVSS version a child restraint complies to:

When the current standard came into force on January 1, 2012, there was no clear way for consumers, retailers, technicians, or enforcement agencies to determine which version of CMVSS a child restraint complied with. In many cases, the only option was to contact the manufacturer, and even then, this information was often difficult to obtain or not clearly understood.

Recommendation: Require manufacturers clearly indicate on product labels which version or revision of CMVSS the child restraint is certified to meet. This would improve transparency, reduce confusion during transition periods, and support education, enforcement, and product lifespan decisions.

See the more comprehensive background on this point in Question 4, response to Health Canada.

Adaptive restraints for infants, children, and youth with disabilities and special transportation needs

Clinical and hospital reality

From a hospital, children's rehabilitation, and injury prevention perspective, transportation needs are often urgent and time-sensitive. Children may require a specialized restraint immediately following surgery, injury, hospital discharge, new diagnosis, growth, or functional decline. Delays of weeks or months in accessing an appropriate transportation product can result in missed medical care, delayed discharge, significant family hardship, undue burden on the healthcare system (professional/ambulance transport), or unsafe transportation arrangements.

For adaptive restraints, the key issue is not theoretical regulatory alignment - it is whether a family has access to a safe transportation option today and the support of an informed and empowered healthcare provider.

This document proposes several changes related to adaptive and special needs restraints, including:

- A broader definition of disability to align with the federal definition, which will result in an expansion of the population eligible to use adaptive restraint systems.

We support the intent of this change, as they reflect a more inclusive and realistic understanding of the diverse needs of children requiring specialized transportation support.

We strongly support Transport Canada's recognition that:

- The current system is inequitable, fragmented, and difficult to navigate
- There is limited availability of adaptive restraints in Canada

However, we do not see how the proposed changes will resolve these issues.

With the proposed regulatory changes as written, there is a significant risk that:

- Access will not improve;
- Costs may increase significantly for families, hospitals, and public and private funding systems, further reducing access;
- Available options will decrease.

We recommend Transport Canada revise the proposal to focus on access and safety and urge them to:

- Clarify product categories
- Maintain meaningful performance/crash-test standards
- Avoid unnecessary Canadian-only barriers
- Communicate clear pathways for the importation of U.S./international approved products where medically necessary
- Consider how changes will affect provincial funding and hospital loaner programs
- Provide practical guidance for families and clinicians

Key concern: access vs regulatory barriers

The current proposal prioritizes Canadian compliance (NSM) while proposing new Canadian-specific categories that remove crash testing requirements for adaptive booster seats and positioning harnesses and vests, while insufficiently addressing the urgent access needs of families requiring specialized products today.

It's important to recognize that the reality for many children with disabilities affecting transportation in Canada, the alternative to a U.S.-approved restraint is often no appropriate restraint at all. This is a critical gap with many implications that are outlined below.

Studies estimate that children with developmental disabilities are two to three times more likely to be injured than typically-developing children. Children with medical or behavioural needs often travel more frequently and longer distances than their peers for health care appointments, increasing exposure to crash risk.

Without access to safe adaptive restraints that can meet the diverse needs of these children, caregivers and health care teams may be left with only unsafe options, such as modifying a child's conventional car seat or booster seat, transporting a child unrestrained or held in arms, or using a non-certified device that meets no safety standards.

Unrestrained children are disproportionately represented among child passenger fatalities.

The needs of these families are immediate. Clear guidance is needed immediately to permit the use of U.S.-compliant products and ensure timely access to safe transportation solutions for all children without delay.

Real-world product considerations:

In actuality, we are discussing a very limited and specialized market of a specific group of products and manufacturers (6 manufacturers of fewer than 20 products). Find a complete listing here: https://www.saferidenews.com/resources/adaptivecrs/

Cost implications

- Adaptive restraints are already high-cost ($2,000+)
- Meeting a different Canadian certification significantly increases cost. A recent product with a Canadian NSM is priced at 3x the cost of comparable U.S. certified products.
- In many provinces there is no funding available for families, not through their provincial health care, private insurance, nor any other government programs.

Impact:

- Reduced accessibility for families already facing significant medical and financial burdens
- Increased inequity across provinces and income levels
- Greater reliance on unsafe or suboptimal transportation arrangements
- Delays in accessing healthcare, rehabilitation, and community supports

Proposed change: New belt-positioning harnesses standard

Major concern: definition that excludes nearly half of current products that could be classified in this category

The proposed category of belt-positioning harnesses is unclear and potentially misclassified.

This new proposed standard appears to conflate the following restraint types:

- Adaptive booster (a booster seat that provides positioning for occupant protection with a lap-shoulder seat belt, but also offers a harness or other positioning supports. May or may not require use of the tether or lower anchors for stability)
- Positioning harness/vest (a harness that either provides occupant protection, or positioning support for a child using the seat belt for occupant protection - may or may not require use of the tether, lower anchors, or the installation of heavy-duty anchors as a vehicle modification)

These are not equivalent products.

Key issues with the proposed new standard: conflicts with many current U.S. products

- New standard requires a product have a minimum capacity of 18 kg (40 lb) or greater
    - Some current U.S.-approved products can be used for a child under 18 kg (40 lb) - where medically necessary (Ride Safer Travel Vest (RSTV), Carrot 3, EZ-ON vests).

    - Without access to these products, some children who weigh less than 18 kg (40 lb) or greater will have no safe transportation option.
- New standard requires the lap and shoulder seat belt be used as the occupant restraint system
    - Some current U.S.-approved systems replace the seat belt as the occupant restraint system and instead use their own webbing attached to the vehicle anchorages or heavy-duty anchorages drilled into the frame of the vehicle (EZ-ON vests).
- New standard prohibits lower anchor and/or tether use for restraints in this category
    - Some current U.S.-approved systems require lower anchors and/or tether use for stability and structure - but not child occupant restraint (Merritt Churchill, Ride Safer Travel Vest (RSTV), Carrot 3).
    - Some accessible vehicle seat replacements require an option that can be attached via lower anchors and/or tether for stability in ease of transfer (BraunAbility Turny Evo Swivel Seat, Bruno valet swivel seat) .
- New standard prohibits lower anchor and/or tether use for occupant restraint
    - Some current U.S.-approved options require lower anchors and/or tether use for occupant restraint (EZ-ON vests).
- New standard requires an occupant to be seated upright
    - Some current U.S.-approved options support supine positioning (EZ-ON lay down vests).
- New standard requires an occupant to be restrained using both the lap and shoulder belt as expected
    - Some U.S.-approved options alter belt function (EZ-ON vests often require the lap/shoulder belt to be routed to function like a lap-only belt + tether).

Many current U.S.-approved options do not align with the proposed definition of a belt-positioning harness.

Specific concern: Minimum weight requirement (18 kg)

This requirement:

- Excludes valid clinical use cases
- Limits access for children who require earlier support but who can not otherwise use a conventional or adaptive car seat despite their lower weight

Major concern: lack of performance testing

The proposal states:

- No dynamic bench testing required for a belt-positioning harness.

This is a critical safety concern and may open the Canadian market up to potentially unsafe products that are not approved in the U.S. because they do not meet the U.S. standards which include dynamic performance testing. This removal of safe testing is not in alignment with the expressed desire for safer products for children with disabilities in Canada.

Please respond to the following questions:

- Without a requirement for dynamic performance testing, how will safety be evaluated?
- Why would Canada adopt a standard with no dynamic testing, when the U.S. requires testing for all products under 36 kg? (including adaptive products)

Regulatory impact

If this new standard is implemented:

- Many adaptive products currently approved for the U.S. market will not meet these requirements.
    - Some manufacturers will have some products that could meet this standard and others that won't.
    - Some products would require different instructions for use in Canada, creating additional barriers to compliance and reducing access and confusion for Canadian healthcare providers.
- Products like Ride Safer Travel Vest (RSTV) would require full Canadian compliance
    - This product is currently available in Canada because it falls into a category that is currently unregulated under CMVSS.
    - This creates a barrier to access, not an improvement

Products intended for adaptive use by infants, children, and youth with special transportation needs affecting travel require:

- Clear categorization
- Recognition of distinct product types
- Reconsideration of:
    - Weight limits
    - Testing requirements
    - Functional use cases

Proposed change: Aircraft use requirements for adaptive seats

We support the intent to enable safe air travel.

However:

- The market is extremely small (6 manufacturers, 20 products)
- A very limited number of U.S.-certified products are currently aircraft-approved

Concern:

- Additional certification requirements may:
    - Reduce available options
    - Limit clinically-appropriate solutions

Recommendation:
Transport Canada must update the guidance to clearly outline safe options for aircraft for infants and children with disabilities on aircraft and pathways to acquire these items. (CARES harness, U.S. certified options, other options as recommended through knowledgeable occupational therapists).

Clear guidance will support loaner programs where necessary and education on safe alternative transportation options for aircraft without limiting options for a family vehicle.

Provincial funding and legislation

We appreciate the inclusion of funding considerations, however, key gaps remain and nearly all provincial/territorial funding programs are unaffected by Canadian regulatory requirements:

- Some provinces (e.g. Quebec, Nova Scotia) already:
    - Fund U.S. restraints where no Canadian option exists
    - Allow their legal use through exemptions written into their respective Highway Safety Code, Highway Traffic Act, and so on.

Issues include:

- Approval processes are often slow
- Children may no longer need the device by the time funding is approved

These issues can be overcome at the provincial/territorial level with clear guidance from Transport Canada to reduce barriers to accessing a U.S. certified product when medically necessary.

Alternative approach for adaptive products for special transportation needs:

We strongly recommend Transport Canada consider the following alternatives:

Recommendation option 1:

Direct alignment with U.S. standards for adaptive products. Remove the Canadian regulatory standard for adaptive products for special transportation needs for infants, children, and youth with disabilities affecting travel. Provide guidance to use products that meet the U.S. standard immediately.

Recommendation option 2:

Allow U.S.-compliant adaptive restraints to obtain a Canadian NSM through a simplified pathway, reducing barriers. Add minimal Canadian requirements (bilingual labelling and instructions, consider recall integration).

Either approach would remove many of the costly barriers and confusion associated with meeting Canadian regulatory standards. Advocacy groups would come together to provide support and guidance for the manufacturers in meeting these requirements. Alternative labeling packages could be prepared for a streamlined transition.

Please consider the following recommendations to reduce barriers to available accessible child restraint options:

Recommendation: Transport Canada must update the outdated 2008 guidance document to clearly recommend the importation and use of products certified to another jurisdiction (U.S., E.U.) when medically necessary to reduce hesitancy and barriers to use.

- **Infants, children, and youth with disabilities and special transportation needs across Canada are at risk now.**
- Transport Canada has been aware of the lack of Canadian-certified options for nearly 6 years. [Document H]
- Immediately release the revised draft update prepared by Jocelyn Pedder with RONA Kinetics and Associates Ltd. intended to update prior guidance: Transporting Infants and Children with Special Needs in Personal Vehicles: A Best Practices Guide for Healthcare Practitioners (2008)

    - The updated draft was prepared in response to a letter sent to the Minister of Transport in July 2020 to request this update, signed by Parachute Canada, SickKids Hospital, the Canadian Paediatric Society and CPSAC. [Document H]
    - The response included a commitment to clarification around the regulations and legislation.
    - Work began on this update before January 2021. Many healthcare providers and occupational therapists from across Canada contributed to this work. They have received no response to their requests for a final draft or an update on the work.
- Encourage provinces and territories to update legislation to reflect real-world needs including provisions for legal use of appropriate U.S-, E.U-approved products where Canadian-approved products are not suitable or available.
    - Recommend that they streamline funding and approval processes
    - Recommend support for hospital-based loaner programs (currently lacking due to lack of clarity in legal use of U.S.-certified adaptive restraint systems)

School bus restraint systems (CMVSS 213.7)

We recommend reconsideration of the approach to a distinct Canadian standard for school bus restraint systems (CMVSS 213.7). While we recognize the intent to support safe transportation of children on school buses, creating or maintaining a separate Canadian-specific standard may introduce unnecessary complexity, limit product availability, and create barriers to implementation.

The market for these products is limited, and alignment with existing U.S. standards would better support access, consistency, and manufacturer participation. As seen with adaptive restraints, introducing unique Canadian requirements for a small and specialized product category risks reducing available options and increasing costs, without clear evidence of improved safety outcomes.

Recommendation:

We recommend that Transport Canada:

- Avoid maintaining or introducing a distinct Canadian-only standard for school bus restraint systems where equivalent U.S. standards already exist
- Align with U.S. regulatory frameworks for these products to support availability and reduce barriers to procurement and use
- Provide clear guidance to provinces, school boards, and transportation providers on the selection and use of U.S. compliant school bus restraint systems

This approach would better support real-world implementation, ensure access to appropriate products, and align with the broader goal of reducing fragmentation across restraint system regulations.

Question 2: Do you have any feedback or concerns about Transport Canada skipping the usual pre-publication phase and publishing the updated regulations directly to the Canada Gazette, Part II?

Process and implementation - pre-publication process

We have concerns with bypassing the Canada Gazette, Part I.

We recognize Transport Canada's desire to modernize the regulatory framework efficiently. However, the scope and significance of these proposed changes warrant a more robust implementation and engagement process.

These amendments affect:

- manufacturers and importers
- retailers and distributors
- healthcare organizations and hospitals
- child passenger safety technicians and educators
- injury prevention organizations
- provincial and territorial governments
- school transportation systems
- families across Canada, including children with disabilities and special transportation needs

Given the broad impact, stakeholders require adequate time and accessible materials to understand implications, consult internally, and provide informed feedback.

We therefore have concerns with bypassing the traditional Canada Gazette, Part I process for regulatory amendments of this magnitude. A more accessible consultation pathway would improve transparency, trust, and participation.

Recommendations: consultation process

We recommend that Transport Canada adopt a strengthened consultation model for this and future child restraint-related changes, including:

- Early engagement with key sectors before draft publication
- Plain-language summaries and comparison documents outlining proposed changes
- Briefings or webinars for stakeholders
- Opportunities for questions and clarification during consultation periods
- Targeted engagement with child passenger safety advocacy, injury prevention, paediatric healthcare providers, rehabilitation specialists, and Indigenous and northern communities

This would improve the quality of submissions and reduce the risk of unintended consequences.

Question 3: Do you have any feedback on the proposed timeline for when the changes will come into force?

a. The restraint regulations would come into force 2 years after being published in the Canada Gazette, Part II

b. The anchorage regulations would come into force on September 1, 2032

We support a two-year coming into force timeline for conventional child restraints.

However, implementation planning must distinguish between conventional child restraint products and highly-specialized adaptive restraint products for special transportation needs.

Regulations for adaptive products may need additional time and consideration. Further consultation with manufacturers of these specialized products is warranted.

We cannot express an informed opinion on the anchorage regulation timeline.

Question 4: How much time should companies have to comply with the new, mandatory requirements under the Restraint Systems and Booster Seats for Motor Vehicles Regulations?

Health Canada is managing feedback to this question but it is included in the complete response to Transport Canada as it provides context to the impact of these proposed updates.

During the previous significant update to CMVSS which came into force January 1, 2012, there was a substantial disruption in the Canadian marketplace. The original implementation date had been January 1, 2011, but was extended by one year with limited notice. Public communication was unclear, coordination between Transport Canada and Health Canada appeared limited, and there were significant gaps in product availability and stakeholder understanding.

There was also widespread confusion regarding how Health Canada administered the Canada Consumer Product Safety Act (CCPSA) as it related to secondhand child restraints, retail inventory, and continued distribution of existing stock. Consumers received little direct communication about how the updates affected them.

Further, there was no clear way to determine which version of CMVSS a particular child restraint had been certified to meet. Some manufacturers could provide this information based on model number or manufacture date, others identified updated compliance through design changes, and some offered no practical way for consumers or Child Passenger Safety Technicians (CPSTs) to verify compliance.

Enforcement challenges created inequities. Many community organizations that had received education on the legislation attempted to comply and limit liability, while some retailers continued selling non-compliant stock for extended periods without consequence. This placed the burden of understanding and interpreting the rules on those frontline educators rather than on the regulatory system itself - especially where there was no actual enforcement by Health Canada.

Given current cost-of-living pressures, and the reality that many families rely on trusted secondhand seats from relatives or friends, the impact of the CCPSA should be carefully considered.

It is our strong recommendation that this scenario not be repeated. It created unnecessary market disruption, confusion for consumers, and an unreasonable burden on CPSTs and

community organizations to interpret and communicate unclear and unenforced requirements.

Phase-in period of products subject to the CCPSA:

Conventional car seats and booster seats

We support a thoughtful and practical implementation process for conventional child restraints (car seats and booster seats).

> **Option 1: (strongly preferred)**
>
> Permit the loan, gift, resale, or sale of seats certified to the previous CMVSS version throughout their full manufacturer-stated useful life/expiry period.
>
> **Option 2:**
>
> Implement a longer transition period (for example, two years or more) to allow for adequate public education, inventory turnover, and stakeholder adaptation.

In either case, we strongly recommend requiring manufacturers to clearly indicate on product labels which version or revision of CMVSS the restraint complies with. This would improve transparency, enforcement, and consumer understanding.

A longer transition period is especially important for community organizations that maintain child restraint inventories for low-income or vulnerable families. These programs often acquire seats in batches and distribute them over several years based on community need. Without an appropriate phase-in period, usable and previously compliant seats could be unnecessarily discarded, reducing access for families who rely on these essential supports.

Similarly, many organizations that transport children, including childcare centres, family support agencies, and child welfare organizations, maintain collections of child restraints to safely transport children in their care. Immediate restrictions on the continued use or transfer of previously compliant seats would create operational challenges, increase costs, and reduce the ability of these organizations to transport children safely and legally.

Adaptive / special needs products

Adaptive restraints require an extended transition period through their useful life or expiry date due to their high cost (upwards of $6,000 in some cases), limited supply, and essential clinical role.

These products are often:

- significantly more expensive than conventional restraints
- produced in small quantities
- purchased through hospitals, rehabilitation centres, charities, or public funding systems
- retained in hospital loaner collections for years
- difficult to replace quickly due to procurement delays and limited supply

Applying standard consumer timelines to adaptive products could unintentionally reduce access for medically vulnerable children and families.

We therefore recommend that adaptive restraints be permitted to remain in service through their full useful life unless a clear safety issue exists or an equivalent accessible replacement is readily available.

Conclusion

We commend Transport Canada for undertaking this important regulatory review and for recognizing the need to modernize Canada's framework for child restraints. In particular, we appreciate efforts to:

- Align with newer standards where this may improve safety outcomes and support marketplace stability
- Reduce unnecessary barriers that could affect the availability and affordability of conventional child restraints in Canada
- Acknowledge longstanding gaps in access to adaptive restraints for infants, children, and youth with disabilities and special transportation needs

These are meaningful and necessary objectives.

However, as currently written, the proposal contains significant gaps, inconsistencies, and areas requiring clarification. In several instances, the proposed changes may unintentionally reduce access to appropriate restraint options, increase costs for families and healthcare systems, or create new safety risks, particularly for children with disabilities and medically complex transportation needs.

We strongly recommend that Transport Canada:

- Undertake further consultation with healthcare, children's rehabilitation, injury prevention, and child passenger safety stakeholders

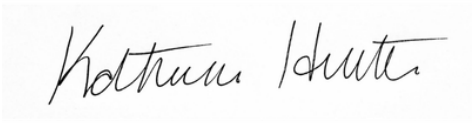
- Clarify key sections where definitions, scope, and intent are unclear
- Reconsider provisions that may limit access to adaptive products or create unintended consequences
- Ensure implementation timelines are realistic and reflect the realities of families, hospitals, loaner programs, and provincial funding systems
- Prioritize a final framework that advances both safety and equitable access

Every child in Canada deserves access to safe transportation, including those whose needs fall outside conventional systems. Canada's regulations must reflect both best practice and real-world realities, particularly for families navigating disability, medical complexity, rural geography, and financial barriers.

CPSAC remains committed to working collaboratively with Transport Canada and partners across Canada to support a practical, evidence-informed, and equitable path forward that improves safety and access for all children.

Respectfully submitted by the Child Passenger Safety Association of Canada (CPSAC), on behalf of the Board of Directors

April 22, 2026



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