

Provided by: Brier Grieves Agency

Riding in Cargo Areas Laws by State

Federal standards require that occupant compartments of vehicles be designed to protect occupants during a crash. The beds of pickup trucks are designed to carry cargo, not people, and are not designed to provide protection in a crash. In addition, children and adults can be easily ejected from cargo areas at relatively low speeds as a result of a sharp turn to avoid an obstacle or crash.

The hazards of riding in cargo areas have been addressed in 30 states and the District of Columbia by a variety of laws, most of which are designed to protect children, but few of which provide comprehensive protection for all children younger than 16. Safety belt and child restraint laws also may apply to prevent people from riding unrestrained in cargo areas.

The following table and map show which states have laws regarding riding in cargo areas and the major gaps or exemptions in those laws.

State	Riding in Cargo Areas Prohibited	Exemptions
Alabama	no state law	no state law
Alaska	no state law	no state law
Arizona	no state law	no state law
Arkansas	yes ¹	employees on duty; people within bodies of trucks in a space intended for merchandise
California	yes	if the person is restrained by a federally approved restraint system; farmer owned vehicle used exclusively within farming land or 1 mile of highway between 1 part to another; parade if not more than 8 miles per hour; emergency situations
Colorado	yes	people sitting in the cargo area if it is fully or partially enclosed on all 4 sides
Connecticut	yes	people 16 and older; people 15 and younger if belted; parades; farming operations; hayrides August through December
Delaware	no state law	no state law
District of Columbia	yes ¹	employees on duty; people riding within truck bodies in a space intended for materials
Florida	yes	all persons 18 and older; persons 17 and younger in an enclosed cargo area; persons 17 and younger on non-limited-access roads unless local law exempts them from the prohibition on minors riding the cargo areas of pickup trucks and flatbeds; persons 17 and younger on non-limited-access roads in a seat fitted with a safety belt that has been added to the pickup or flatbed; employees on duty
Georgia	yes	people 18 and older; people 17 and younger in pickup trucks with covered cargo areas; any pickup truck off the interstate
Hawaii	yes	people may ride in back of pickup trucks if there are no available seats in the cab and the side racks and tailgate are securely closed, and the passengers are seated on the floor and do not attempt to unlash cargo; also exempts life threatening emergencies; parades; employees on duty
Idaho	no state law	no state law
Illinois	no state law	no state law
Indiana	no state law	no state law
Iowa	no state law	no state law

Kansas	yes	people 14 and older; parades; employment; does not apply to vehicles not being operated in the state highway system or within the corporate limits of a city
Kentucky	no state law	no state law
Louisiana	yes	people 12 and older if the truck is being moved on a non-interstate highway; parades moving less than 15 mph; emergencies if the child is with an adult in the cargo area; emergencies while moving on an interstate highway
Maine	yes	people 19 and older; agricultural workers and hunters 18 and younger; parades; and people in OEM installed seats outside passenger compartment
Maryland	yes	people 16 and older; people 15 and younger if the vehicle is traveling 25 mph or less; employees being transported to work sites or people engaged in farming operations; exceptions do not eliminate requirement to use child restraint or belts; inapplicable to pickup trucks with covered cargo areas
Massachusetts	yes	people 12 and older; people 11 and younger if the vehicle is being driven less than 5 miles and less than 5 mph; parades; farming activities
Michigan	yes	18 and older; 17 and younger if the vehicle is moving 15 mph or less; parades; military vehicles; emergency situations; farming; construction
Minnesota	no state law	no state law
Mississippi	no state law	no state law
Missouri	yes	people 18 and older; people 17 and younger if the vehicle is not being operated on a highway which is part of the state or federal highway system or within the corporate limits of any city; exceptions for employment; agricultural activities; parades; where there is a device to keep the passenger from being thrown or falling out of the vehicle; special events; assisting people in a recreational activity; family owned truck with insufficient room in the cab for all passengers; inapplicable to pickup trucks with covered cargo areas
Montana	no state law	no state law
Nebraska	yes	people age 18 or older; parades
Nevada	yes	people age 18 or older; people younger than 18 when the vehicle is used in farming or ranching or if vehicle is used in an authorized parade; vehicles operated on unpaved roads; people riding in areas enclosed by a camper shell
New Hampshire	no state law	no state law
New Jersey	yes	employees engaged in their duties
New Mexico	yes	people 18 and older
New York	yes	inapplicable to trips of 5 miles or less; inapplicable to trips of more than 5 miles if one-third or less of the passengers are standing or if suitable seats are securely attached and there are side rails and a tailgate; inapplicable to trips of more than 5 miles if there are less than 5 persons 17 or younger in the cargo area or if at least one person 18 or older is in the cargo area
North Carolina	yes	people 16 and older; persons 15 and younger if a supervising adult is present in the cargo area; when the child is belted; emergencies; parades; vehicle being used in agriculture; vehicles with permanent overhead structures
North Dakota	no state law	no state law

Ohio	yes	people 16 and older; people 15 and younger if the vehicle is driven less than 25 mph or if the person is seated and belted in an OEM seating position; emergencies; inapplicable to pickup trucks with covered cargo areas
Oklahoma	no state law	no state law
Oregon	yes	people 18 and older; minors secured with a safety belt or harness; parades; minors seated on the floor of the open bed of a motor vehicle in which all available passenger seats are occupied by minors, the tailgate is securely closed and the minor is being transported either in the course and scope of employment or between a hunting camp and hunting site or between hunting sites during hunting season and the minor has a hunting license
Pennsylvania	yes	people 18 and older if the vehicle is traveling less than 35 mph; inapplicable to occupants 17 and younger if the cargo area is enclosed; parades, hunting, and farm operations
Rhode Island	yes	people 16 and older; people 15 and younger who are secured in the cargo area
South Carolina	yes	people 15 and older; people 15 and younger when an adult is present; when the child is belted; parade; emergency situation; agricultural activities; hunting; vehicle has a secured metal tailgate and operated less than 36 mph; vehicle operated in county
South Dakota	no state law	no state law
Tennessee	yes	people 12 and older; people 6-11 in a vehicle being operated off the interstate or state highway system; parades if vehicle going less than 20 mph; agricultural activities; or on city or county roads unless prohibited by local ordinance or resolution
Texas	yes	people 18 and older; vehicles that are the only vehicles owned by members of the household; vehicles in parades, hay rides, or on beaches, or being used in an emergency; vehicles in farm operations used to transport people from field to field or on farm
Utah	yes[Cargo]	off highway operation; employees performing their duties; people riding in a vehicle space that is intended for any load
Vermont	no state law	no state law
Virginia	yes	people 16 and older; farmers when crossing a highway to go from field to field
Washington	no state law	no state law
West Virginia	no state law	no state law
Wisconsin	yes ¹	inapplicable to enclosed areas; farm operations; parades; deer hunting; employees; people riding in truck bodies in spaces intended for merchandise
Wyoming	no state law	no state law

¹This provision is designed to prohibit riding on hoods, fenders and other places not designed for passengers. The exemption for people in the body of a truck applies to enclosed areas like the cargo area of a straight truck or van.

Sources: Insurance Institute for Highway Safety. Legislation is continually changing. Therefore, this information is not intended to be exhaustive nor should any discussion or opinions be construed as legal advice. Readers should contact appropriate legal counsel for advice.