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AUGUST 2026



Blackburn Romey attorneys (from left): Frank Wolferd, Ryan Lindinger, Tom Blackburn, Chad Romey, Christopher Blackburn and David Singleton.

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Is it Illegal to Leave a Child in a Car?

EVERY SUMMER INDIANA PARENTS ask the same question after another headline about a child left in a hot vehicle: **is it illegal to leave a child in the car**? At **Blackburn Romey**, we hear this question often, because the answer shapes how families plan even a short errand. A quick pharmacy stop or a daycare drop-off can turn into a life-altering event, and Indiana law treats that risk seriously, even though no statute is written for this exact scenario.

No Federal Law to Date



We've come a long way since the 1950s. At that time, any kind of seat belts or car seats were not standard in most cars and there were zero government crash test regulations. Any kind of child safety in cars was more about comfort and visibility. The baby seats were often put in the front seat, as shown in the vintage photo at right.

Today, no federal law directly addresses the issue of leaving a child in a car, and only around twenty states have passed a law that specifically makes it illegal to leave a child unattended in a vehicle. Even in states without a law like that, caregivers can still face serious criminal charges such as neglect or endangerment, no matter how old the child is.

When Can Leaving a Child in a Car Become Dangerous?

Before you ask yourself, "Is it illegal to leave a child in the car?," you must understand certain points. A parked car rarely remains a safe, neutral space for

long. Rising temperatures, moving vehicle parts, and a child's natural curiosity each introduce their own danger, and none of them are limited to hot summer afternoons.

Heatstroke, Vehicle Movement, and Other Safety Risks

Heatstroke is usually the first danger that comes to mind, but it is not the only way an unattended vehicle can turn dangerous. According to the National Highway Traffic Safety Administration, these are the most common risks:

- **Heatstroke:** A car's interior can climb 20 degrees within ten minutes, and a child's body heats three to five times faster than an adult's. More than half of these deaths happen because a caregiver simply forgot the child was in the vehicle, and 31 children died this way in 2025 alone, out of more than 1,000 nationwide since 1998.
- **Cold Exposure:** A child left in a vehicle during an Indiana winter can lose body heat rapidly, and hypothermia can set in before a parent expects trouble.
- **Vehicle Movement:** A curious child exploring buttons and levers within reach can release a parking brake, shift the vehicle into gear, or become trapped by a power window.



- **Unsupervised Access:** More than 230 children nationwide have died since 1998 after climbing into an unattended vehicle on their own and becoming trapped inside, which is why locking a parked car matters even in households without children.
- **Abduction:** An unlocked or running vehicle can give a stranger access to a child with no adult nearby.

Does Indiana Have a Law About Leaving Children in Vehicles?

- Indiana does not have one specific law that names "leaving a child in a car" as its own offense, unlike some other states. Instead, prosecutors typically rely on Indiana's broader child protection laws, most often Indiana Code 35-46-1-4, the neglect of a dependent statute. This law applies to a person who has care of a child and places that child in a situation endangering the child's life or health, but only when the person acts knowingly or intentionally, meaning on purpose or with clear awareness of the risk, not simply by accident. The charge starts at Level 6, Indiana's least serious felony level. It can rise to Level 5 if the child

suffers bodily injury, Level 3 if the injury is serious, and Level 1, the state's most serious felony level, if a person at least 18 years old causes the death of a dependent younger than 14.



Indiana Code 35-46-1-4.1, the reckless supervision statute, is sometimes mentioned alongside these cases as well, but it applies specifically to licensed and unlicensed child care providers, not to parents generally. That offense starts as a Class B misdemeanor and can rise to a Class A misdemeanor if a child suffers serious bodily injury, or to a Level 6 felony if the child dies. A parent who leaves a child unattended in a vehicle would typically be evaluated under the neglect statute described above instead.

Because Indiana relies on that broader neglect law rather than a dedicated "hot car" statute, how a case is charged often comes down to specifics like how long the child was left alone, the outdoor temperature, and the child's age.

The Legal Consequences of Leaving a Child Alone in a Car

The consequences of leaving a child alone in a car in Indiana can extend well beyond a single charge. Depending on the circumstances, a case can involve any of the following:

- **Criminal Penalties:** Neglect of a dependent carries penalties ranging from months to years in jail or prison depending on the felony level, along with substantial fines.
- **Child Welfare Involvement:** A conviction can also trigger a Child in Need of Services investigation that may affect custody.
- **Civil Claims:** If a child is injured, or if a third party's negligence contributed to the circumstances, a family may be able to pursue compensation separate from any criminal charge.
- If your family is facing questions about "**Is it illegal to leave a child in the car**?, a negligence case, CHINS *(child in need of special services)*

case, or an injury connected to a child left unattended in a vehicle, **Blackburn Romey** can help you understand what Indiana law requires and what options may be available to protect your family.

Get in Touch with an Indiana Attorney

- If your child was injured or died as a result of someone else's neglect, you may be able to seek compensation from the person responsible. Contact our Indiana personal injury lawyers today and let Blackburn Romey advise you on your available legal options.

Get Answers and Guidance on Blackburn Romey's YouTube Channel



Chris Blackburn and Chad Romey offer advice, guidance and answers on 185 short videos on the Blackburn Romey YouTube channel.

Click here to hear Chad Romey's incisive instructions on how to talk to the police if you're involved in an accident.

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★★★★★ 9 months ago

The people at Blackburn and Romey (Sarah and Frank) were very helpful to me while representing me in my accident case not only did they represent me well they always gave me a peace of mind the process unfolded as well and always showed me grace and patience as it was my first time having someone represent me in any form so i had a lot of questions that they answered. Really felt as tho it was friends trying to help me win my case and that's all I could ask for.

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