

SESSION OF 2004

SUPPLEMENTAL NOTE ON SENATE BILL NO. 329

As Amended by House Committee on
Transportation

Brief*

The bill would amend existing law regarding child safety restraint systems in automobiles to require a driver who transports a child under the age of 18 years in a passenger car manufactured after January 1, 1968, to protect the child by using:

- a child passenger safety restraining system for any child four to seven years of age who weighs less than 80 pounds or is less than 4 feet 9 inches in height. The restraining system, commonly referred to as a “booster seat”, would have to meet or exceed applicable federal standards; or
- a safety belt manufactured in compliance with federal standards for any child eight to 17 years of age or who weighs more than 80 pounds or is more than 4 feet 9 inches in height. An exception to this requirement would be provided for any seating position where only a lap belt is available.

The fine imposed for violation of child safety restraint requirements would be increased from \$20 to \$60. The fine would be waived if the driver convicted of violating the booster seat requirement provides proof to the court that the driver purchased or acquired an approved booster seat. From July 1, 2004 to July 1, 2005, only warning citations would be issued for violations of the booster seat requirement.

Background

Conferees who testified in support of the bill at both the House and Senate Committee hearings on the bill included representatives of the: Kansas Safe Kids Coalition; Kansas Action for Children; Douglas

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

County Safe Kids; National Transportation Safety Board; Kansas Highway Patrol; Office of Health Promotion, Kansas Department of Health and Environment; Kansas Department of Transportation; American Automobile Association; Kansas Child Death Review Board; Kansas Chapter, American Academy of Pediatrics; Emergency Nurses Association; Clay County Emergency Medical Services; Kansas Public Health Association; State Farm Insurance; and individuals. Written testimony in support of the bill was submitted by representatives of Mothers Against Drunk Driving and Kansas Motor Carriers Association.

There were no opponents to the bill at either Committee hearing.

Both the House and Senate Committee amendments were technical in nature.

The fiscal note prepared by the Division of Budget on the introduced version of the bill states that the bill would have no fiscal effect on the state. Parents with children under the age of 18 could incur costs to comply with the law in purchasing vehicle restraint systems. There is no information, however, upon which to base an accurate estimate.