

SESSION OF 2006

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2732

As Amended by House Committee of the Whole

Brief*

HB 2732, as amended, would enact the Unattended and Unsupervised Children in Motor Vehicle Safety Act. The bill would:

- Define a motor vehicle to mean a passenger vehicle, as defined in K.S.A. 8-1445 (every motor vehicle, except motorcycles and motor driver cycles, designed for carrying 10 passengers or less and used to transport persons), including vans, but not a motorhome.
- Define "unattended and unsupervised" as leaving a child in a motor vehicle not accompanied by another person 13 years of age or older;
- Make it unlawful for a driver who is 16 years of age or older to leave a child eight years of age or less unattended and unsupervised in a motor vehicle;
- Provide that a driver violating the new law would, upon first conviction, be guilty of an unclassified misdemeanor punishable by a fine of \$25;
- Provide that on a second conviction, within three years of a prior conviction, the driver would be guilty of a class C misdemeanor and would be subject to a fine of at least \$250 but not more than \$500;
- Provide that the law would be enforced on public and private property;
- Require the Secretary of Transportation to develop a program of public education that includes education on and increases the awareness of the dangers of leaving young children unattended and unsupervised in motor vehicles; and

*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>

- Require the Kansas Department of Transportation to make available to law enforcement officers for dissemination, information concerning the dangers of leaving young children unattended and unsupervised in motor vehicles.

Background

The following testified in support of the bill before the House Transportation Committee: Representative Huff; Jannett Fennell, Kids and Cars; Cindy Samuelson, Safe Kids Kansas; Dennis Cooley, M.D., American Association for Pediatrics; Lt. John Eichkorn, Kansas Highway Patrol; Lori Haskett, Kansas Department of Health and Environment; Laura Kaiser, President, Kansas PTA, Overland Park. Written testimony in support of the bill also was offered by Terri Roberts, Kansas State Nurses Association; Cindy D'Ercole, Kansas Action for Children; Kansas Department of Transportation; Judith Lee Stone, Advocates for Highway and Auto Safety; Andrew McGuire, Trauma Foundation; and Phyllis Larimore, BSN, CPS Educator, Children's Mercy Hospital, Kansas City, Missouri.

The House Committee amendment proposed by the Kansas Highway Patrol was technical.

The House Committee of the Whole amendment clarifies the definition of a passenger vehicle.

The fiscal note prepared by the Director of the Budget indicates that the Department of Transportation states that development of printed materials for the program would cost approximately \$15,000. The agency states that federal safety funding can be used for this purpose. Only fiscal effect associated with the bill is not included in *The FY 2007 Governor's Budget Report*.