

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES

The meeting was called to order by SENATOR ROBERT V. TALKINGTON at
Chairperson

9:00 a.m. a.m./p.m. on Thursday, March 22, 1984 in room 254-E of the Capitol.

All members were present except:

Senator Rehorn

Committee staff present:

Fred Carman, Hank Avila, Rosalie Black

Conferees appearing before the committee:

See attached list

The meeting was called to order by Senator Talkington, Chairman, for Hearings on HB 2723 and HB 2963. House Bill 3054, originally scheduled for today, will be heard at a later date due to the large number of conferees for the other two bills.

HOUSE BILL 2723 - HEARING

Representative Jessie Branson explained that the bill changes existing law regarding child passenger safety restraining systems from age two to four years in accordance with federal motor vehicle safety standards. (See Attachment 1.)

Representative Stephen Cloud presented a photo of a wrecked car that flipped over in which three children were contained in restraining systems unhurt.

Representative Branson requested that Mary Pat Beals, President, KS Head Injury Association and State Trooper Curtis Waite be mentioned in the minutes as being in support of HB 2723.

John B. Kemp, Secretary of Transportation, said DOT considers the child passenger safety issue as one of great importance and supports the concept of strengthening the existing law. A 3½ minute video film was shown by the department. (See Attachment 2.)

Sgt. Bill Jacobs indicated that from an enforcement standpoint, the patrol is concerned about the ability to determine the age of a person under the age of four and determining the relationship to the driver. He asked for an amendment to make it mandatory for a driver to provide this information when asked by a law enforcement officer and provide a penalty for failure to do so or when providing false information. (See Attachment 3.)

Dr. Art Cherry, Dr. Patricia Schloesser, Elizabeth Taylor, Diane Bottorff, Ron Welch, Ted McFarlane, Betty Anglin and Lois Jebo testified in support of HB 2723 and

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES,
room 254-E, Statehouse, at 9:00 a.m./p.m. on March 22, 1984, 19 .

HOUSE BILL 2723 - HEARING

the amendments to strengthen existing law. (See Attachment 5.)

No Atch. 4

HOUSE BILL 2963 - HEARING

Representative James Lowther and Representative Harold Guldner discussed the danger to passengers in a normal car when colliding with an elevated vehicle and the problem of elevated vehicles obstructing the vision of drivers in regular vehicles. Representative Guldner requested changing the distance from the surface of the highway for elevated vehicles to 36 inches instead of 24 inches and to add "no altered vehicle" rather than manufactured vehicle.

Larry Mogge, Robert Perez, Dave Long and Rick Brickei testified in opposition to HB 2963 indicating legislation is not necessary since there have been no serious accidents or destruction of property due to elevated vehicles in Topeka. Mr. Mogge added that interest in off-road competition and recreation has spawned an expanded auto parts business within the state and a number of specialty four-wheel drive shops. With passage of the bill, these business activities would be curtailed and individual owners who worked and paid to improve their vehicles would suffer grievous monetary injury. (See Attachment 6.)

The meeting adjourned at 10:00 a.m.

Robert J. Jolly

Please PRINT Name, Address, the organization you represent, and the Number of the Bill in which you are interested. Thank you.

Thurs. 3-22-54

NAME	ADDRESS	ORGANIZATION	BILL NO.
TED McFARLANE	LAWRENCE	Ks. Asso. of Emis Admin.	
ED DE-SOIGNIE	TOPEKA	KDOT	3054 2723
Ron Welch	Topeka	AAA	2723
SGT BILL JACOBS	TOPEKA	KANSAS HIGHWAY PATROL	HB 2723 + 2963
Trooper Curtis Wark	Leavenworth	" " "	2723
Allen Chamberlain	Topeka	Ks Chapter Am. Academy Pediatrics	2723
Pat Schlobaum MD	Topeka	Kanadog & Nat	2723
Betty Bunch	Topeka	PTA	2723
Gail Greening	Wichita	Kansas PTA	2723
Bernie Bottom	Topeka	KSNL	2723
Tom Winters	Topeka	Ks Motor Carriers Assn	
Barb Remitt	"	Ks Women Political Caucus	2723
P. N. Wilson	Wichita	KWCH-TV	
JERRY SLAVHETZ	TOPEKA	Ks MEDICAL SOCIETY	2723
Bunny Reinhart	Chanute	Ks PTA Ks Women in Business Safety	
Jessie Brause		Leg	
Mitch Lousch		Rep. Harold Dyck's intern	
Jay Scott		REP R. H. Miller intern	
Robin Damer	Topeka	KDHE	2723
Virginia & Tucker			
Don Demy			
JIM SULLINS	TOPEKA	Ks. Motor Car Dealers Assn.	
John B. Kemp	Topeka	KDOT	2723
Nancy Zielke-Blasay	"	"	

STATE OF KANSAS

JESSIE M. BRANSON
REPRESENTATIVE, FORTY-FOURTH DISTRICT
800 BROADVIEW DRIVE
LAWRENCE, KANSAS 66044
(913) 843-7171



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER EDUCATION
PENSIONS INVESTMENTS AND BENEFITS
PUBLIC HEALTH AND WELFARE

March, 1984

KANSAS CHILD PASSENGER SAFETY ACT

Existing law (passed in 1981)

- Applies to children under 2 years
- Applies to front seat only
- Applies only to parents and legal guardians
- Applies only to passenger cars
- No penalty; oral warning only

House Bill 2723 (changes in existing law)

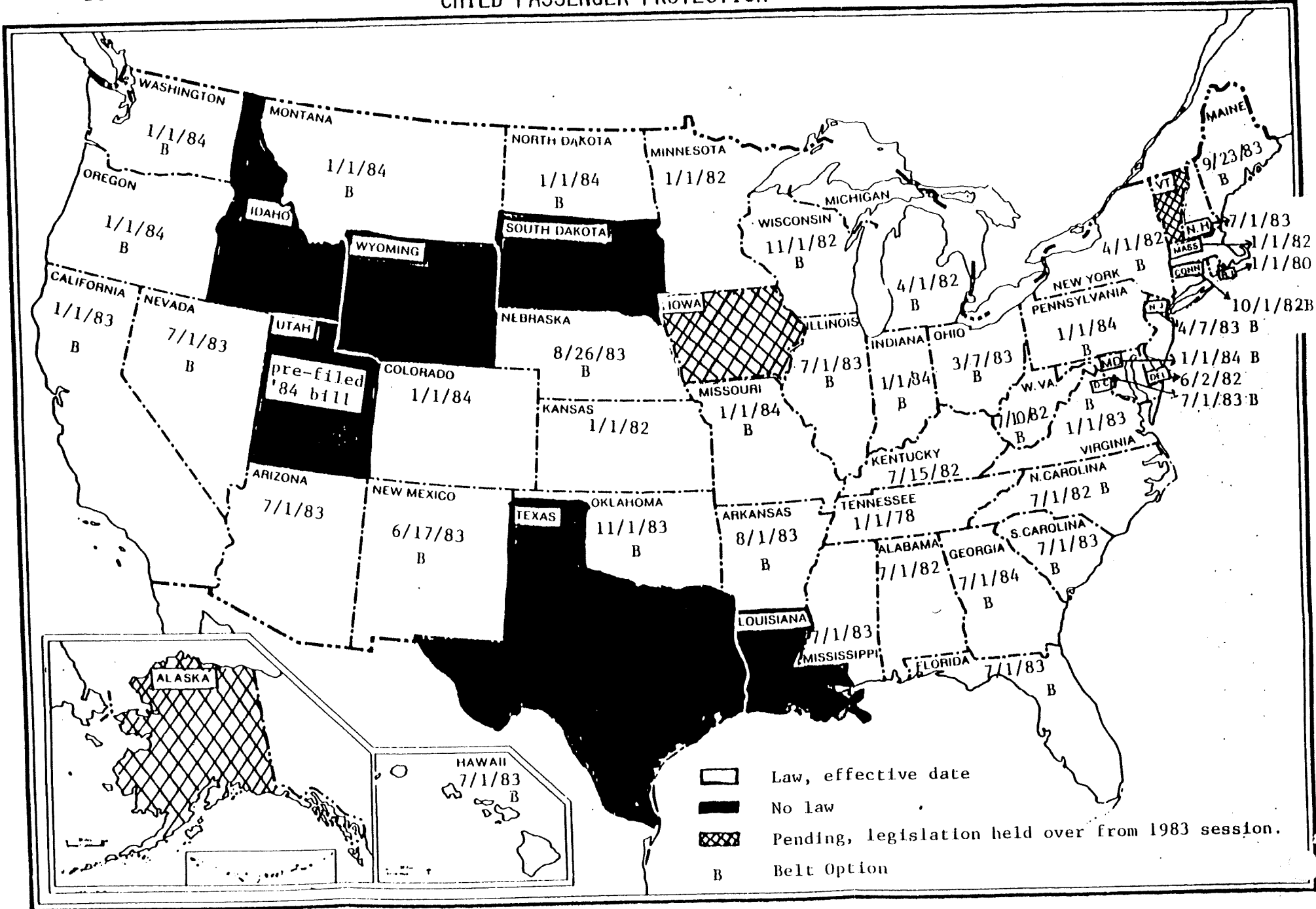
- Applies to children under 4 years
- Imposes a \$10.00 fine for violations. Fine and court costs would be waived prior to trial upon proof of purchase or acquisition of an approved safety restraint device, and upon proof that the child is 4 years or older.
- Kansas Department of Transportation required to provide information to law enforcement officers

JMB:pm

Attch. 1



CHILD PASSENER PROTECTION



- Law, effective date
- No law
- Pending, legislation held over from 1983 session.
- B** Belt Option

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TOPEKA

HOUSE OF
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS
 MEMBER: EDUCATION
 PENSIONS, INVESTMENTS AND BENEFITS
 PUBLIC HEALTH AND WELFARE

March, 1984

Fatalities and Injuries in Young Children in Kansas - Age 0-4 years

<u>Year</u>	<u>Fatalities</u>	<u>Injuries</u> (Total)
1977	10	1,075
1978	10	1,060
1979	4	1,002
1980	4	925
1981	14	1,016
1982	15	830
1983	10 (12 mos)	379 (first 6 mos. only)

In 1982 - Accident records show that 5,822 children under 4 years of age were involved in accidents. The result was 15 fatalities and 74 incapacitating injuries. In accidents where a child restraint device was in use, there were no fatalities and only 5 incapacitating injuries.

1981-83 - The most compelling statistic involves fatality accidents since 1981. In the three-year period 1981 through 1983, 39 fatalities to children under the age of 4 occurred. Records show that none of the 39 innocent victims were protected by being properly restrained.

Safety Restraint Usage - In 1980, 9.2% of those children under 4 years involved in an accident were properly restrained. This compares with 8.9% in 1981 and 14.6% in 1982. These comparisons indicate a slight increase in usage since the Child Passenger Safety Act went into effect.

Source: Motor Vehicle Accident Records/KDOT

CHILD PASSENGER PROTECTION IN TENNESSEE
1978 - 1983

Public and professional concern about deaths of young children from motor vehicle crashes provided the impetus for the Tennessee Child Passenger Protection Act of 1977. An average of 25 children per year died in motor vehicle crashes prior to passage of the law. Table 1 shows the number of children under four years of age whose lives would have been saved by child restraint use.

TABLE 1

Selected Motor Vehicle Deaths of Passenger
Children Less than Four Years of
Age, Tennessee 1974-1983

	Age in Years				
Year	Total	Under 1	1	2	3
1974	29	7	10	4	8
1975	22	5	4	4	9
1976	17	6	4	2	5
(Law passed) 1977*	21	9	3	7	2
1978*	17	7	4	3	3
1979*	25	12	5	3	5
1980**	20	11	3	4	2
1981*	11	3	1	2	5
1982	5	-	2	2	1
1983	4 (through November)				

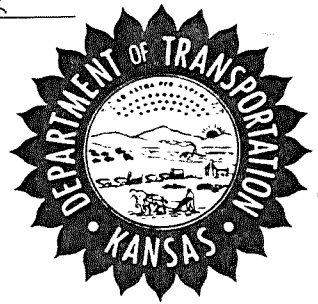
* One death each in 1977, 1978, 1981 and 1982, and two deaths in 1979 are not reflected because the crash was so severe that child fatalities were unavoidable regardless of restraint use.

** Enforcement of the law via citation issuance did not really occur until November of 1980, when officials noticed that fatalities were not being reduced. Enforcement appears to be a very important component of child passenger legislation.

Source: Tennessee Department of Public Health - Health Statistics Section

KANSAS DEPARTMENT OF TRANSPORTATION

STATE OFFICE BUILDING—TOPEKA, KANSAS 66612



JOHN B. KEMP, Secretary of Transportation

JOHN CARLIN, Governor

MEMORANDUM TO: SENATE TRANSPORTATION AND UTILITIES COMMITTEE
FROM: JOHN B. KEMP, P.E.
SECRETARY OF TRANSPORTATION
REGARDING: HOUSE BILL 2723 CHILD PASSENGER SAFETY
DATE: MARCH 22, 1984

MR. CHAIRMAN AND COMMITTEE MEMBERS:

I APPRECIATE THE OPPORTUNITY TO APPEAR BEFORE YOU THIS MORNING ON HOUSE BILL 2723. THE KANSAS DEPARTMENT OF TRANSPORTATION (KDOT) HAS A SINCERE COMMITMENT TO CHILD PASSENGER SAFETY AND SUPPORTS FURTHER MEANS OF REDUCING INJURIES AND FATALITIES TO CHILD PASSENGERS IN HIGHWAY ACCIDENTS.

ABOUT 10 CHILD PASSENGERS, FOUR YEARS OF AGE AND UNDER, ARE FATALLY INJURED IN KANSAS AUTOMOBILE ACCIDENTS EACH YEAR. HUNDREDS MORE SUSTAIN INJURIES, SOME PERMANENTLY DISABLING. IN RESPONSE TO THE SAFETY NEEDS OF OUR YOUNG CHILDREN, THE 1981 LEGISLATURE ENACTED LEGISLATION DESIGNED TO PROTECT CHILD PASSENGERS FROM DEATH AND SERIOUS INJURY; THE CHILD PASSENGER SAFETY ACT.

ON APRIL 13, 1981 GOVERNOR JOHN CARLIN SIGNED HOUSE BILL 2208 INTO LAW CREATING THE CHILD PASSENGER SAFETY ACT; MAKING KANSAS THEN ONE OF SIX STATES TO ENACT SUCH LEGISLATION. THIS ACT REQUIRED THAT EVERY PARENT OR LEGAL GUARDIAN OF A CHILD UNDER THE AGE OF TWO SHALL USE AN APPROVED CHILD PASSENGER SAFETY RESTRAINING SYSTEM WHEN TRANSPORTING SUCH CHILD IN THE FRONT SEAT SECTION OF A PASSENGER CAR. THESE PROVISIONS DO NOT APPLY TO CHILDREN TRANSPORTED IN VEHICLES REGISTERED IN ANOTHER STATE NOR TO TRANSPORTATION IN A TEMPORARY SUBSTITUTE VEHICLE. AS OF MID-FEBRUARY 1984,

Atch. 2

MEMORANDUM TO: SENATE TRANSPORTATION AND UTILITIES COMMITTEE
MARCH 22, 1984
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42 STATES PLUS THE DISTRICT OF COLUMBIA, NOW HAVE SOME TYPE OF CHILD OCCUPANT PROTECTION LEGISLATION.

THE KDOT FIRST DEVELOPED ITS CHILD PASSENGER RESTRAINT PROGRAM IN SEPTEMBER, 1979. BROCHURES AND POSTERS WERE DESIGNED FOR HANDOUTS AS A PART OF THE PROGRAM. THE AGENCY HAS DISTRIBUTED OVER 58,000 COPIES OF THE BROCHURES TO A VARIETY OF ORGANIZATIONS THROUGHOUT THE STATE.

THE KDOT PURCHASED APPROXIMATELY 50 COPIES OF A CHILD SAFETY RESTRAINT FILM PRODUCED BY PHYSICIANS FOR AUTOMOTIVE SAFETY. THESE HAVE BEEN LOANED TO DIRECTORS OF SEAT-LOAN PROGRAMS FOR USE IN PARENT EDUCATION AND PRE-NATAL CLASSES. A SPECIAL BROCHURE WAS DESIGNED AND PRINTED IN 1981 FOR DISTRIBUTION TO THE KANSAS HIGHWAY PATROL AND OTHER LAW ENFORCEMENT AGENCIES, OF WHICH 70,000 COPIES HAVE BEEN DISTRIBUTED.

THE KDOT HAS PURCHASED AND DISTRIBUTED OVER 5,300 CHILD PASSENGER RESTRAINING SEATS TO CHILD SAFETY-SEAT LOAN PROGRAMS IN ABOUT 60 COUNTIES WITH THE ASSISTANCE OF THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT. THESE LOAN PROGRAMS ARE SPONSORED BY COUNTY HEALTH DEPARTMENTS, COUNTY EXTENSION OFFICES, HOSPITALS, RED CROSS CHAPTERS AND OTHER NON-PROFIT ORGANIZATIONS.

IN RESPONSE TO OUR COMMITMENT FOR CHILD PASSENGER SAFETY, A CHILD PASSENGER SAFETY ADVISORY COMMITTEE WAS APPOINTED IN 1982 TO REVIEW THE CHILD PASSENGER FATALITY AND INJURY RATES, CONSIDER THE EFFECTIVENESS OF THE 1981 CHILD PASSENGER SAFETY ACT, AND ADVISE THE DEPARTMENT OF TRANSPORTATION OF POSSIBLE ACTIONS THE DEPARTMENT COULD TAKE THAT WOULD BE MOST EFFECTIVE IN REDUCING THE NUMBER OF CHILD PASSENGERS INJURED OR KILLED IN KANSAS IN MOTOR VEHICLE ACCIDENTS. CERTAIN OF THESE RECOMMENDATIONS ARE REFLECTED IN THIS BILL.

MEMORANDUM TO: SENATE TRANSPORTATION AND UTILITIES COMMITTEE
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AS SECRETARY, I HAVE RECENTLY ADOPTED AND APPROVED RULES AND REGULATIONS FOR THE PERFORMANCE, DESIGN, AND INSTALLATION OF CHILD PASSENGER SAFETY RESTRAINING SYSTEMS FOR USE IN PASSENGER CARS FOR CHILDREN WHO WEIGH NOT MORE THAN FIFTY POUNDS. THESE AGENCY RULES AND REGULATIONS ARE IN ACCORDANCE WITH FEDERAL MOTOR VEHICLE SAFETY STANDARDS.

OUR WORK IN THIS AREA IS NOT YET COMPLETE. THE KDOT CONSIDERS THE CHILD PASSENGER SAFETY ISSUE AS ONE OF GREAT IMPORTANCE AND WHOLLY SUPPORTS THE CONCEPT OF STRENGTHENING THE EXISTING LAW. ALTHOUGH AMENDING THE LAW WILL NOT IN ITSELF ENSURE INCREASED USAGE OF CHILD RESTRAINTS, WE BELIEVE THE PROPOSED LEGISLATION COULD ASSIST IN PROVIDING GREATER PROTECTION FOR YOUNG CHILD PASSENGERS. THE KDOT WOULD THEREFORE ASK THE COMMITTEE TO FAVORABLY CONSIDER HOUSE BILL 2723.

COMPARISON OF CHILD PASSENGER ACCIDENTS

AGES FOUR YEARS AND YOUNGER

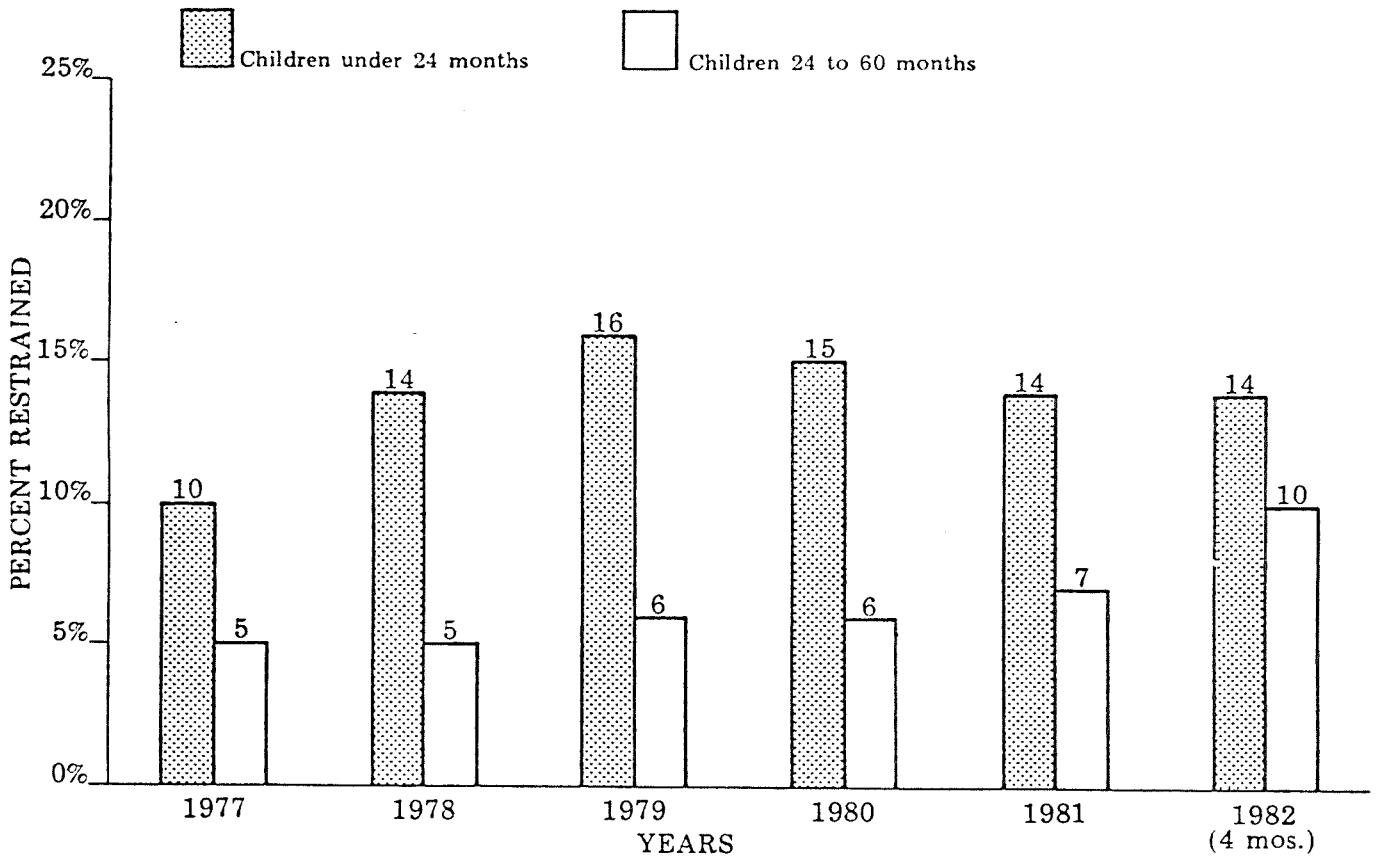
1977 TO 1983

<u>YEAR</u>	<u>NUMBER OF FATALITIES</u>	<u>PERCENTAGE CHANGE FROM PRIOR YEAR</u>	<u>NUMBER OF INJURIES</u>	<u>PERCENTAGE CHANGE FROM PRIOR YEAR</u>
977	10	-	1,075	-
978	10	0%	1,060	(1.40%)
979	4	60%	1,002	(5.47%)
980	4	0%	925	(7.68%)
981	14	250%	1,016	9.84%
982	15	7.14%	830	(18.31%)
983	10	(33.3%)	379 *	(8.67%) **

* Data for first six months of 1983.

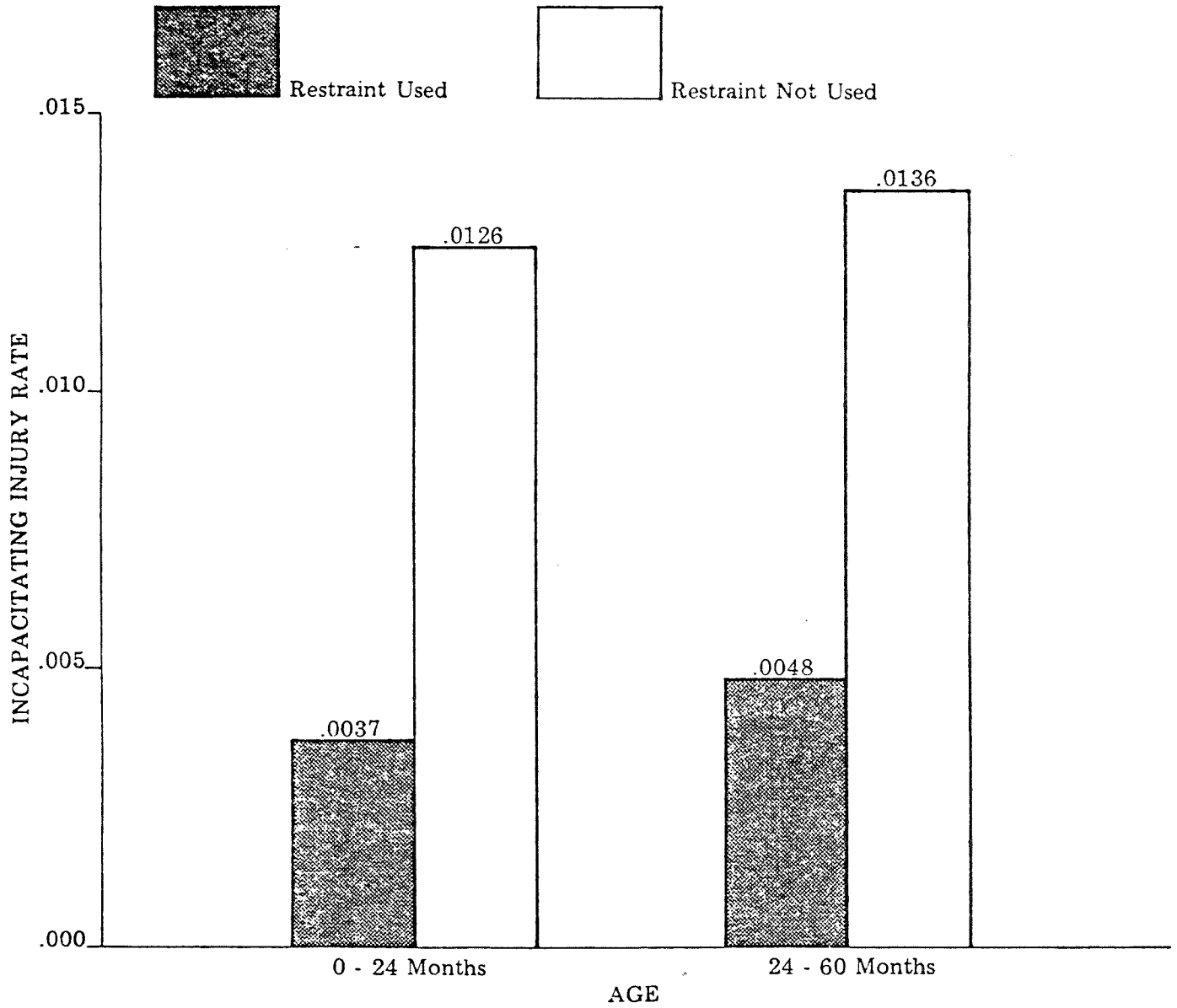
** Percentage difference based on six month number of injuries multiplied by a factor of two.

CHILD PASSENGER PROTECTION IN ACCIDENTS



Source : Kansas Highway Safety Information System (KS - HYSIS) Basic Accident Record Data Base. Information contained in data base taken from accident report form submitted by Kansas law enforcement agencies to the Kansas Department of Revenue, Division of Vehicles. Above data requested and received October/1982.

CHILD PASSENGER INJURIES
RESTRAINT - USE vs NON-USE
1977 thru 1981



Source : Kansas Highway Safety Information System (KS - HYSIS) Basic Accident Record Data Base. Information contained in data base taken from accident report form submitted by Kansas law enforcement agencies to the Kansas Department of Revenue, Division of Vehicles. Above data requested and received October/1982.

VIDEO CASSETTE PRESENTATION
INSURANCE INSTITUTE FOR HIGHWAY SAFETY

AT THIS TIME, MR. CHAIRMAN, I WOULD LIKE TO DRAW THE COMMITTEES ATTENTION TO THE VIDEO SET IN THE ROOM FOR A BRIEF SERIES OF CRASH TESTS PREPARED BY THE INSURANCE INSTITUTE FOR HIGHWAY SAFETY. THESE SIMULATED TESTS SHOULD GRAPHICALLY DEMONSTRATE THE SEVERITY OF INJURIES THAT COULD RESULT TO INFANTS AND TODDLERS WHEN PROPER RESTRAINING SYSTEMS ARE NOT UTILIZED.

TEST I: UNRESTRAINED INFANT LYING ON FRONT SEAT (25 M.P.H. FRONTAL COLLISION)

CLIP 1: (6 SECONDS) EXTERIOR VIEW OF A FRONTAL COLLISION

NARRATIVE: THIS INITIAL CLIP QUICKLY ILLUSTRATES THE SEVERITY OF THE FRONTAL COLLISION AND THE PHYSICAL DAMAGE TO THE VEHICLE AFTER THIS 25 M.P.H. SIMULATED BARRIER CRASH.

CLIP 2: (9 SECONDS) INTERIOR VIEW OF FRONTAL COLLISION

NARRATIVE: IT'S IMPORTANT TO NOTE, HOW AN UNRESTRAINED CHILD IN THE FRONT SEAT IS PARTICULARLY VULNERABLE TO INJURY. THE INFANT IN THIS COLLISION IS THROWN FROM THE SEAT INTO THE LOWER DASH AREA OF THE CAR.

CLIP 3: (18 SECONDS) SLOW-MOTION INTERIOR VIEW OF FRONTAL COLLISION

NARRATIVE: THIS SLOW-MOTION CLIP AGAIN EXPLICITLY SHOWS THE CLOSE-UP IMPACT OF THE INFANT HITTING THE DASH AREA, THEN BEING TOSSED ABOUT THE VEHICLE.

ADULTS DRIVING A VEHICLE CAN BE THE MOST CAUTIOUS AND DEFENSIVE DRIVERS, BUT ONE CANNOT PROTECT AGAINST ALL ACCIDENTS OR CRASHES CAUSED BY OTHER DRIVERS, POOR ROAD CONDITIONS OR AUTOMOTIVE DEVICES. UNRESTRAINED CHILDREN ARE THE MOST VULNERABLE IN THESE SITUATIONS.

TEST II: LAP HELD INFANT IN SEDAN FRONT SEAT (24 M.P.H. FRONTAL COLLISION)

CLIP 1: (10 SECONDS) INTERIOR VIEW OF COLLISION

NARRATIVE: AS SHOWN HERE, FREQUENTLY INFANTS OR SMALL CHILDREN ARE HELD BY ADULTS WHILE RIDING IN A VEHICLE. HOWEVER, AT 24 M.P.H. THE ADULT WILL CRUSH THE INFANT DURING THE COLLISION.

CLIP 2: (26 SECONDS) INTERIOR CLOSE-UP VIEW OF COLLISION

NARRATIVE: AS VIVIDLY SHOWN IN THIS CLOSE-UP TEST SERIES, ONE CAN SEE WHY THE SECOND MAJOR CAUSE OF DEATH AND INJURY TO YOUTH IN VEHICLES IS CAUSED FROM BEING CRUSHED BY UNRESTRAINED ADULTS. IF THE CHILD WAS NOT CRUSHED FROM THE FORCE OF THE COLLISION, THE CHILD WOULD PROBABLY HAVE SUSTAINED A SEVERE BLOW TO THE HEAD AREA AND WOULD HAVE BEEN EXPOSED TO FLYING SCATTERED GLASS.

RESEARCH COMPLETED BY INSURANCE INSTITUTE FOR HIGHWAY SAFETY INDICATED THAT THE WEIGHT OF A 20 POUND INFANT BEING HELD BY AN ADULT DURING A 20 M.P.H. COLLISION, WOULD BE OVER 400 POUNDS BEING RIPPED FROM THEIR ARMS AND SLAMMED INTO THE DASHBOARD.

TEST III: UNRESTRAINED 3 YEAR OLD IN SEDAN FRONT SEAT (24 M.P.H. FRONTAL COLLISION)

CLIP 1: (7 SECONDS) INTERIOR COLLISION VIEW

NARRATIVE: IN THIS SIMULATED TEST SERIES, A REAL TODDLER WOULD HAVE BEEN SEVERELY INJURED IN THE CRASH. THE VIOLENCE OF THE IMPACT IS EVIDENT.

CLIP 2: (11 SECONDS) SLOW-MOTION INTERIOR COLLISION VIEW

NARRATIVE: AS SHOWN IN THIS SLOW-MOTION COPY THE TODDLER IS THROWN ABRUPTLY INTO THE DASH COMPONENT, THEN BOUNCED BACK AGAINST THE FRONT SEAT, POSSIBLY RESULTING IN SEVERE INJURIES TO THE HEAD AND/OR NECK AREA OF THE CHILD.

CLIP 3: (11 SECONDS) EXTERIOR OVERHOOD COLLISION VIEW

NARRATIVE: FROM THIS OVER THE HOOD CAMERA ANGLE, ONE CAN OBSERVE THE POTENTIAL INJURY TO THE TODDLER, WITH THE CHILD'S THROAT AND LARYNX AREA BEING CRUSHED WHEN THE YOUTH IS PHYSICALLY THROWN INTO THE DASH AREA, THEN TOSSED BACK HITTING THE FRONT SEAT.

TEST IV: UNRESTRAINED 3 YEAR OLD AND 6 YEAR OLD IN CARGO AREA OF STATION WAGON (30 M.P.H. REAR IMPACT COLLISION)

CLIP 1: (8 SECONDS) EXTERIOR COLLISION VIEW

NARRATIVE: MOTOR VEHICLES, LIKE STATION WAGONS FILLED WITH CHILDREN, CAN BE LIKE A MOBILE PLAYROOM. ORDINARY SCENES LIKE THIS CAN UNEXPECTEDLY, TURN INTO SCENES LIKE THIS, WHEN CHILDREN ARE CATAPULTED AGAINST A CAR'S INTERIOR WITH DEADLY FORCE THEN THROWN OUT THE CARGO WINDOWS.

CLIP 2: (13 SECONDS) INTERIOR COLLISION VIEW

NARRATIVE: THE SAME COLLISION AGAIN FROM AN INTERIOR CAMERA ANGLE, GRAPHICALLY ILLUSTRATES HOW THE UNRESTRAINED CHILDREN ARE TOSSED ABOUT THE CAR, BOUNCING AGAINST THE INTERIOR WALLS, THEN THROUGH THE OPEN REAR WINDOW. A CLOSED WINDOW WOULD HAVE RESULTED IN SIMILAR DEVASTATING RESULTS.

TEST V: LAP AND SHOULDER BELTED 3 YEAR OLD IN FRONT SEAT (25 M.P.H. FRONTAL COLLISION)

CLIP 1: (9 SECONDS) INTERIOR COLLISION VIEW

NARRATIVE: THE USE OF VEHICLE LAP AND SHOULDER BELTS BY OLDER AND BIGGER TODDLERS WILL PREVENT THE CHILDREN FROM BEING TOSSED ABOUT THE VEHICLE. HOWEVER, SEAT BELT DEVICES ON THE YOUNGER PERSON DO NOT ELIMINATE ALL PHYSICAL FOWARD MOVEMENT IN THE SEAT WITH SMALLER CHILDREN RESULTING FROM INJURY UPON FORCE OF THE COLLISION.

CLIP 2: (10 SECONDS) OVERHOOD SLOW-MOTION VIEW

NARRATIVE: IN SLOWER MOTION, THE TODDLER IS THRUST FOWARD WITH THE TORSO AND LUMBAR AREA OF ITS BACK BEING EXTENDED.

INFORMATION CONTAINED BY KANSAS HIGHWAY SAFETY INFORMATION SYSTEM (KS - HYSIS) BASIC ACCIDENT RECORD DATA BASE TAKEN FROM ACCIDENT REPORT SUBMITTED THROUGH OCTOBER 1982, SHOWED AN INCREASE IN THE USAGE OF INFANTS AND TODDLERS SAFETY RESTRAINTS IN ACCIDENTS DURING A SIX YEAR STUDY PERIOD.

TEST VI: LAP BELTED 3 YEAR OLD IN SEDAN REAR SEAT (25 M.P.H. FRONTAL COLLISION)

CLIP 1: (23 SECONDS) SLOW-MOTION INTERIOR COLLISION VIEW

NARRATIVE: THIS CRASH SIMULATION GRAPHICALLY ILLUSTRATES THAT THE USE OF A SEAT LAP BELT WILL REDUCE SOME INTERNAL MOVEMENT. HOWEVER, THE TODDLER IS STILL EXPOSED TO A SIGNIFICANT AMOUNT OF PHYSICAL DISTRESS AND POSSIBLE INJURY. THE CHILD'S WAIST IS EXTENDED DOWNWARD APPROXIMATELY 90 DEGREES WITH IT'S HEAD ALSO SKIMMING THE BACK OF THE FRONT SEAT.

THE NATIONAL INSTITUTE FOR TRAFFIC SAFETY ADMINISTRATION INDICATES THAT OVER 1500 CHILDREN ANNUALLY BECOME FATALITY VICTIMS IN MOTOR VEHICLE ACCIDENTS, VIRTUALLY ALL OF THEM BEING UNRESTRAINED.

IN KANSAS, THE ACTUAL NUMBER OF CHILD PASSENGERS INJURED IN HIGHWAY ACCIDENTS HAS DECREASED BY 18.31% BETWEEN 1981 AND 1982 AND APPROXIMATELY 8.67% BETWEEN 1982 AND 1983. EVEN WITH THE INCREASE USE AND AWARENESS OF CHILD RESTRAINING SYSTEM, THERE'S STILL ROOM FOR ADDITIONAL PROVISIONS TO PROTECT OUR YOUNGER CITIZENS.

TEST VII: LAP AND SHOULDER CHILD RESTRAINING SYSTEM - SLED TESTS

CLIP 1: INFANT RESTRAINED IN REAR CAR BED SYSTEM

NARRATIVE: INFANTS ARE BEST PROTECTED IN SPECIAL INFANT DESIGNED OR CHILD RESTRAINING SYSTEMS, LIKE THIS CAR BED RESTRAINT. THE STURDY RESTRAINING BED IS FASTENED TO THE FRONT SEAT OF THE CAR BY THE LAP SEAT BELTS. THE INFANT IS THEN TIGHTLY SECURED IN THE DEVICES WITH ITS OWN SHOULDER BELT, POSITIONED AWAY FROM THE WINDSHIELD AND DASH COMPONENT.

CLIP 2: TODDLER RESTRAINED IN REAR CHILD RESTRAINING SYSTEM

NARRATIVE: CHILDREN AGES 1 THROUGH 4 CAN BE GRADUATED TO CRASH WORTHY CHILD RESTRAINTS. A DEVICE SIMILAR TO THE ONE DEMONSTRATED IS SECURED BY THE VEHICLES REAR LAP BELTS WITH THE TODDLER BEING FASTENED INTO THE SEAT WITH A SEPARATE SHOULDER HARNESS. TODAY, CHILD CAR SEATS MUST COMPLY WITH FEDERAL STANDARDS ON DESIGN AND SAFETY STANDARDS. MANUFACTURERS MUST PERMANENTLY LABEL THE DEVICES WITH INFORMATION THAT THE SYSTEM CONFORMS TO ALL APPLICABLE FEDERAL MOTOR VEHICLE SAFETY STANDARDS WITH RECOMMENDATIONS FOR THE MAXIMUM WEIGHT AND HEIGHT OF CHILDREN WHO CAN SAFELY OCCUPY THE SYSTEM.

CLIP 3: TODDLER IN SHIELD RESTRAINING SYSTEM

NARRATIVE: MANY CHILD RESTRAINTS CAN BE LEFT BELTED IN PLACE WITH THE CHILD BEING ABLE TO GET IN AND OUT WITHOUT ANY HELP.

CLIP 4: SLED TEST - TODDLER IN RESTRAINING SYSTEM

NARRATIVE: THIS SHORT SIMULATED LAB TEST CLEARLY DEMONSTRATES THE EFFECTIVENESS OF CHILD RESTRAINING SYSTEMS. IN THIS CRASH, THE TODDLER IS HELD SECURELY IN THE SEAT WITH MINIMAL, PHYSICAL MOVEMENT IN THE TORSO AND HEAD AREA. THE USE OF A SYSTEM, LIKE THIS, COULD SAVE THE LIFE OF A CHILD OR PREVENT FURTHER INJURY, AS GRAPHICALLY ILLUSTRATED IN THE PREVIOUS SIX CRASH TESTS.

SUMMARY OF TESTIMONY
BEFORE THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES

HOUSE BILL 2723

Presented by the Kansas Highway Patrol
(Sergeant William A. Jacobs)

March 22, 1984

APPEARED IN SUPPORT

The Patrol supports House Bill 2723.

It cannot be denied that restraint systems are a critical need in todays traffic, particularly for young persons who cannot fend for themselves. Especially when one considers National Safety Council research that indicates approximately 50% of all traffic deaths and injuries could be avoided through their use.

Statistics were not complete for calendar year 1983 when requested, therefore, statistics for calendar year 1982 pertaining to Kansas accident experience in the age group 0-4 years are used for the following illustrations.

ALL KANSAS ACCIDENTS-1982

INJURY SEVERITY-AGE 4 AND UNDER

<u>Total Involved</u>	<u>No Injury</u>	<u>Fatal</u>	<u>Incapacitating Injury</u>	<u>Non-Incapacitating Injury</u>	<u>Possible Injury</u>	<u>Unknown If Injured</u>
5,822	4,897	14	74	384	372	81

The statistics also indicate that of the 14 fatalities, 12 did not have a child restraint installed and 2 were unknown.

We are in agreement with the amendments to K.S.A. 8-1345 which would establish a fine for non-compliance. We feel that the oral warning now stipulated, does little to encourage compliance. Also, we cannot determine to what extent the law is violated. A written record would afford this information.

From an enforcement standpoint, we have a concern about the ability to determine the age of a person under the age of four and determining the relationship to the driver. Possibly, the bill could be amended to make it mandatory for a driver to provide this information when asked by a law enforcement officer and provide a penalty for failure to do so or when providing false information.

The bill was amended by House Committee to prevent prosecution of a parent or legal guardian if they later produce proof that a child was four years of age or older at the time of violation; but, this does not alleviate the initial determination that must be made by a law enforcement officer during the initial stop as to age and relationship. Possibly, the fact that failure to provide this information would constitute a separate offense would be an incentive to respond and result in greater voluntary compliance with the law.

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

TESTIMONY ON HOUSE BILL 2723 - CHILD SAFETY RESTRAINT BILL

PRESENTED: March 22, 1984

SENATE TRANSPORTATION COMMITTEE

This is the official position taken by the Kansas Department of Health and Environment on House Bill 2723.

NEED FOR:

House Bill 2723 amends the existing Kansas Child Passenger Safety act by changing the age of children to whom the law applies from under 2 to under 4 years of age. The existent bill imposes no penalty, only an oral warning by a law enforcement officer to parents or legal guardians who fail to place their infant or child in an approved seat safety restraint. The amended law imposes a \$10.00 fine for violations. The fine and court costs would be waived prior to trial upon presentation of proof of purchase or acquisition of the approved seat device.

Data from the 1982 Annual Summary of Vital Statistics, Kansas Department of Health and Environment, lists motor vehicle accidents as the most common cause of death in children 1 - 4 years of age. Since accidents are the fourth leading cause of all deaths in Kansas and since Kansas exceeds the accident death rate for the United States, an assertive effort to enforce a proven method of reduction of motor vehicle fatality and injury of children less than 4 years of age must be mandated. A three year study done the latter part of the '70's demonstrated an approximately 60% reduction in injury rates and a 100% reduction in fatality rates for children 1 - 5 when seat restraints were used. House Bill 2723 would provide enforcement of a proven mechanism of motor vehicle injury and fatality for children under 4.

Secondary benefits of both the existent bill and the proposed amendment include increased community awareness from publicity about the requirements and local loaner programs, as well as improved useage of seat belts by other family members.

House Bill 2723 is a step forward, e.g. providing seat restraint protection to children under 4, and a mechanism for monitary enforcement of the law. Ideally the following future steps should be considered: 1) the age protected should be increased to 5 years, 2) the law will apply to back as well as front seat restraints, 3) infant seats will be mandated to the back seat, 4) the law will cover other types of motor vehicles carrying children e.g. pick-up trucks, trailers, tractors, etc., 5) the law will apply to adults other than parents and legal guardians responsible for infants and children riding in motor vehicles.

DEPARTMENT'S POSITION:

The Department of Health and Environment recommends approval of House Bill 2723.

Atch. 5

KSNA

the voice of Nursing in Kansas

Statement of the Kansas State Nurses' Association
by Diane Bottorff, R.N., Assistant Director
before the Senate Transportation & Utilities Committee
March 22, 1984

In strong support of HB 2723, Amending the Child Passenger Safety Act

I am Diane Bottorff, an Assistant Director of the Kansas State Nurses' Association, the professional association for registered nurses in Kansas. KSNA was a supporter of the original child passenger safety act in 1982. We are strongly in favor of the amendments as proposed in HB 2723 because they would strengthen the existing law.

When this bill was heard on the House side, Linda Lundgren, head nurse in the emergency room at St. Francis Hospital here in Topeka, presented our testimony. In her years of experience in emergency room nursing, she has seen many children who have received injuries when involved in automobile accidents. These injuries were needless and could have been avoided had the children been restrained. She described one case in which a mother and child were involved in a one car accident. The mother had lost control of the car. The car left the road at a high rate of speed and flipped several times before landing upright. The mother received severe facial lacerations and a broken leg. She had to be hospitalized. The child, who was one year old, had been restrained properly in a safety restraint seat and came out of the accident without a scratch. In another case, two children were involved, a three year old and a three month old. The three year old was unrestrained and was thrown from her seat into the dash of the vehicle. Because a child's head is so heavy and large in proportion to their body, head and neck injuries are often seen in little children. The three year old did not lose consciousness but did have several lacerations to the top of her head, and bruising around her left eye. The three month old child had been properly restrained in a safety seat and was fine due to the protection of a safety restraint seat.

KSNA asks that you report HB 2723 favorably.



**AUTOMOBILE
CLUB OF KANSAS**

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GARDEN CITY
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316/231-8790

SALINA
157 NORTH 9TH
67401
913/827-3505

WICHITA
3340 EAST CENTRAL
67208
316/685-5241

Mr. Chairman, Members of the Committee:

I am Ron Welch, director of safety for the AAA Automobile Club of Kansas.

The AAA Automobile Clubs in Kansas support House Bill 2723. We believe that the provision for a \$10 penalty, not present in the current law, will lead to more usage of child restraints and subsequently to a reduction in the number of deaths and injuries sustained by young Kansans.

Every year some 1,200 American children die in auto accidents. A San Francisco doctor who has studied the situation claims more than 80 percent of these youngsters' deaths could have been prevented by the proper use of restraints.

Another tragedy is that numerous children suffer serious head injuries in crashes, and sudden stops, because they are unrestrained. These crashes and stops are the leading cause of epilepsy in children. They also place additional burdens on the tax paying public. Many severely brain damaged children become wards of the state when their parents can no longer care for them.

Forty-two states and the District of Columbia now have child restraint laws. Only two states issue oral warnings. They are Oklahoma and Kansas. Oklahoma, like Kansas, is moving to change its law to include a monetary penalty. Of the states with monetary penalties, Tennessee's is lowest with \$2-10 and Indiana and Hawaii convictions can result in penalties as high as \$500. \$25 fines are the norm.

The AAA Automobile Club of Kansas does not believe \$10 is too much to pay to insure a child's safety, especially when it is reimbursable upon acquisition of an acceptable restraint. Therefore we urge you to keep House Bill 2723 in its present form and act upon it favorably.

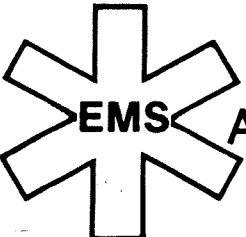
Thank you.

TED McFARLANE, Chmn.
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Lawrence, Ks. 66044
(913) 843-7777

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Lindsborg (913) 227-3355

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RICHARD KINSMAN, Treas.
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KANSAS
ASSOCIATION of  EMS ADMINISTRATORS

March 22, 1984

REFERENCE: House Bill 2723

My name is Ted McFarlane and I am the Director of the Douglas County Ambulance Service in Lawrence and Chairman of the Kansas Association of Emergency Medical Service Administrators. Our organization represents 50 administrators who serve more than 70% of the Kansas population.

I want to voice our support for House Bill 2723. We have seen the benefits of the original act and also the shortcomings. There is no doubt that the child safety seat is a life saver. No one can take on the windshield, door post or dash of a car and win. Adults can protect themselves with seat belts, but what can the 3 year old do?

The legislature was far sighted 3 years ago when it passed the original safety seat law. But the vision has blurred over the past 3 years. Safety seats save lives if they are used, but the current law has no penalty for lack of use except the death of a child. We believe the penalty in House Bill 2723 is just. We find little justice in the death of an infant. We urge your passage of 2723 as submitted so the infants of our state will all live to wear seat belts as children and adults.

Ted McFarlane, Chairman

Kansas Congress of Parents and Teachers

Branch of the National Congress

STATE OFFICE, 404 WEST 7TH

TOPEKA, KANSAS 66603

March 22, 1984

I am Betty Anglin, State President of the Kansas Congress of Parent & Teachers, PTA. I represent a Kansas membership of over 61,000 people, I thank you for this opportunity.

The PTA is more than parents and teachers meeting at their local school; it is a National organization dedicated to improving the lives of our country's children. What better reason then do we need to try to save our young children by the use of seat belts and seat restraints. This has been a top priority of ours for several years in Kansas. We have held workshops at our last two State Conventions and will again at our Convention this October.

We have a program with a kit, available for use by all local units on seat restraints and seat belt safety. It has been one of our Legislative Directives, voted on at our State Conventions for several years. Unfortunately, our studies show that most parents do not provide their children with the protection child seats can offer. A recent survey found that only 7 percent of young children were using child seats correctly. Whether adults do or do not use safety belts available in cars is a conscious choice. Small children cannot decide for themselves to buckle up. They depend on their parents to protect them from harm, and make that decision for them.

I just received a letter, dated February 8th, from our National PTA President, Elaine Stienkemeyer, who represents a membership of 5.3 million people stating: Safety Belt & Child Restraint is a 1984-85 National PTA priority project, pending a signed contract from the National Highway Traffic Safety Administration.

So we are very involved and feel very strongly that this bill should be passed.

Jelo

kansas action for children, inc.

2053 kansas avenue • p.o. box 5283 • topeka, kansas 66605 • 913/232-0550

March 22, 1984

TESTIMONY OF KANSAS ACTION FOR CHILDREN, INC. - HB 2723

Mr. Chairman and Members of the Committee:

Based on the information and statistics given by experts that work with children, Kansas Action for Children supports the changes this bill proposes.

Our statewide Board of Directors and members have voted to make the safety of child passengers a priority. We recognize that education of the necessity for restraints is the key to better protection. The provision for enforcement makes a clear statement that Kansas is serious about protection for the future citizens of this state.

Prevention of death and incapacitating injuries is always more cost effective in both fiscal and human terms. When it is as easy as mandating safety restraints, to do otherwise demonstrates apathy.

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Lois Jelo

Special Projects Consultant
Cynthia A Robinson

Good afternoon! My name is Largo Callenbach and I live in Shawnee Mission, Kansas. Professionally, I am both a social worker and a certified childbirth educator. Personally, I am married to a pediatrician and the mother of two sons, ages 8 and 12.

As a social worker and grief counselor, the primary focus of my professional experience has centered on families who have experienced the death of a treasured child to the Sudden Infant Death Syndrome. SIDS is a disease for which there remains no cause and no cure. The remaining family members become the subsequent victims.

Sharing in the profound, devastating and long-lasting grief of parents whose children have died from a disease without cause or cure has been the primary motivator behind my efforts in the area of community safety belt and child restraint programs. This area provides an opportunity to prevent 90% of the deaths and to prevent up to 80% of the disabling injuries and subsequent emotional and financial drain that follows auto accidents.

As a result of my involvement in the development of a hospital-based, prenatal child restraint education program and my directorship of a community-wide child passenger safety project co-sponsored by the Parent Teacher Association and the American Association of University Woman (Shawnee Mission Branch), I was asked to testify at the federal Department of Transportation hearings held in Kansas City during December of 1983. During those hearings, Secretary of Transportation, Elizabeth Dole, once again reiterated her support of strong child passenger safety legislation. Secretary Dole's support of United States House Bill #2352 which would provide incentives to states that pass strong child restraint laws clearly demonstrates tangible commitment to child passenger safety.

The state of Kansas was a leader in the establishment of basic child passenger legislation. Of that we can be proud. However, of the current 41 states with existing child passenger safety laws, Kansas is one of only three without penalty for violation. It has been clearly documented that adequate enforcement increases the efficacy of the law. I encourage you to support HB #2723 which positively expands the age, efficacy, and educational impact of our current law. Your support can make a lifesaving difference! Thank you.

Largo Callenbach
6101 Lamar
Shawnee Mission, KS 66202
913-831-3372

REPORT OF TESTIMONY GIVEN IN OPPOSITION

TO HOUSE BILL NO. 2963

BEFORE THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES

Proponents of this Bill allege that there are a number of "elevated vehicles" on Kansas highways which are dangerous given their present body height. Herein, we, as opponents of this Bill, offer testimony that the vast majority of these elevated vehicles (predominantly four-wheel drive) are indeed safe, functional, and represent a growing hobby with sizeable investment by Kansans. House Bill No. 2963, in its present form, will effectively ban all elevated four-wheel drive vehicles from the State's highways. Such ban would be unreasonable, unconscionable, and unnecessary.

Admittedly, safety problems develop with elevated four-wheel drive vehicles when aftermarket suspensions, tires, and body lifts are carried to the extreme. Yet one must be cognizant of the fact that similar ground to body clearance problems exist with each and every semi-tractor trailer driven within the state. Studies have demonstrated that aftermarket suspensions with a body lift of four (4) inches or less have improved the stability and handling of four-wheel drive test vehicles (from "Effects of Aftermarket Suspension on Four-Wheel Drive Vehicle Handling," by Tim Jon Runner, Technical Director Specialty Equipment Market Association, and Lonnie Woods, President Rough Country, Inc.). Slalom and skid pad test results from this study show an average improvement of 3.3% in handling and 1.8% in braking, due to the installation of suspension kits. Thus, elevating a four-wheel drive vehicle not only broadens its functional uses but can improve said vehicle's performance on the road.

Kansas' unpredictable and varied weather conditions often necessitate the use of four-wheel drive vehicles. Aftermarket suspensions and oversized tires enhance a stock four-wheel drive vehicle's ability to surmount the heavy snow, ice, and flood that periodically strike the state. With the flooding of Rossville, Kansas, in 1982, the call went out for high four-wheelers, and it was answered. Those elevated vehicles maneuvered through the

flooding waters to rescue life and property where the stock four-wheel drive vehicle could not. Under similar emergency conditions, their superior handling, greater traction, and high clearance have proven the elevated vehicle's worth to both urban and rural residents.

The factors by which state government determines a vehicle to be safe and functional must not be predicated solely upon the urban environment of four lane highways populated with sub-compact passenger cars. Such determinations must remain as flexible as possible due to the varied climatic conditions, roadways, and legitimate uses to which Kansans put their passenger cars and trucks of 12,000 pounds G.V.W. or less.

Regardless of their functional application, a hobby interest centering around off-road and all-terrain vehicles is rapidly growing in this state. In the great American tradition of individual expression, backyard mechanics and truck enthusiasts have transformed worthless or mundane vehicles into works of high craftsmanship. Others have paid dearly for professionals to transform their own stock four-wheel drives to something equally grand--all in a spirit of competition and innovation. This work was accomplished in compliance with the single, existing Kansas Statute 8-1705, restricting the height of motor vehicle headlights.

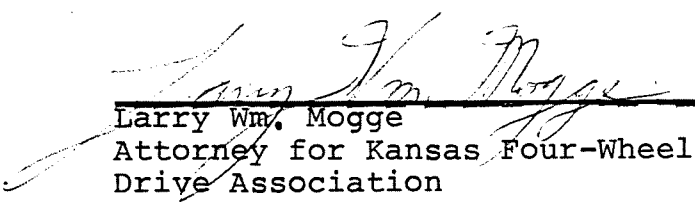
As well, the heightened interest in off-road competition and recreation has spawned an expanded auto parts business within the state and a number of specialty four-wheel drive shops. With passage of the proposed Bill, these business activities would be curtailed, and the individual owners who worked and paid to improve their prized vehicle would suffer grievous monetary injury.

Depending on the type of vehicle, the type of suspension kit utilized, and the amount of work performed by the owner, the cost of a single aftermarket suspension with four inch lift or less may vary from \$750.00 to \$1,500.00. Oversized tires and wheels, depending on their type and size, may cost between \$1,000.00 and \$1,500.00 per set. In application of the existing 24-inch height limitation set out in House Bill No. 2963, these suspension kits, tires, and wheels would effectively become worthless within the State of Kansas. An additional \$750.00 to \$1,000.00 would be required to return each vehicle to its stock height. Therefore, the average elevated four-

wheel drive vehicle owner in the State of Kansas would suffer monetary loss in the neighborhood of \$2,500.00 to \$4,000.00 as the result of the proposed Bill's enforcement.

In conclusion, the opponents to House Bill No. 2963 reject any attempt to regulate into non-existence all elevated vehicles within the state under the guise of safety. We have demonstrated that moderately elevated four-wheel drive vehicles with properly installed aftermarket suspension kits can handle better than their stock counterparts; that said vehicles provide numerous useful services within Kansas on a daily basis; that the owners of said vehicles have invested considerable sums of money and time in their creations; and that said owners would expend further money and time in compliance with the provisions of said Bill. Therefore, it would be unreasonable, unconscionable, and unnecessary to harm arbitrarily several thousand law-abiding Kansas citizens.

If regulation is deemed necessary, a compromise of the existing Bill is suggested which will allow the majority of elevated four-wheel drive vehicles (which are safe and functional) to remain on the road in their present condition. As well, said compromise should allow those vehicles in excess to be lowered to the legal limits with a minimal expenditure of money and time.


Larry Wm. Mogge
Attorney for Kansas Four-Wheel
Drive Association