

MINUTES OF THE HOUSE TRANSPORTATION.

The meeting was called to order by Chairperson Gary Hayzlett at 1:40 p.m. on February 25 , 2002 in Room 519-S of the Capitol.

All members were present except:

Representative Compton, excused
Representative Howell, excused
Representative Kauffman, excused

Committee staff present:

Bruce Kinzie, Office of the Revisor
Hank Avila, Legislative Research Department
Beverly Adams, Acting Secretary

Conferees appearing before the committee:

Jim Keating, Safe Kids
Cherie Sage, AAA
Trista Beadle, Office of the Governor
Julie Sergeant - KDHE
Rosalie Thornburgh - KDOT

Others attending:

See attached sheet

HB 2886 - child passenger safety act

Chairman Hayzlett opened hearings on **HB 2886** and called on Bruce Kinzie, Revisor, to explain the bill and the changes from SB 172 which was introduced in 2001. He said the major differences are the term "booster seat" is not defined, the age for being included in safety restraints change from 14 to 16, fine raised from \$20 to \$60, if fine is waived court costs are still included, and exemption if the vehicle only has lap seat belts and warning citations will be issued for one year.

Jim Keating, Safe Kids, was the first proponent to speak. He said this bill closes many of the gaps in Kansas' current Child Passenger Safety laws and will provide Kansas parents with better guidance on how to best protect their children. It will also send a clear message to motorists that the state considers child safety seat, booster seat and seat belt use necessary for the safety of our children. He also stated they no longer list "booster seats", rather child passenger safety restraining system as this language would cover any technology that may come later. (Attachment 1)

Cherie Sage presented testimony for the American Automobile Association of Kansas. She told the committee that each year more than 1.700 children die and approximately 300,000 are injured as occupants in motor vehicle crashes. Child safety seats, when properly used and installed, reduce the risk of death by 71 percent for infants and by 54 percent for toddlers. She concluded that since its formation in 1902, AAA has been an advocate for the motorist, as well as for traffic safety. She said support of **HB 2886** is a step forward towards making the roads and highways a safer place to be for the children of Kansas. (Attachment 2)

The next proponent was Trista Beadle from the Office of the Governor. She said parents and other caretakers look to the government to provide them with information and guidelines about issues in which they do not have expertise. She said a review conducted by the National Safe Kids Campaign in 2001 showed that Kansas merited only 52.29 points on a 100 point system and did not receive a passing grade. She said this review should be taken as a call to enact much needed legislation to improve the child occupant protection laws. (Attachment 3)

Julie F. Sergeant, Kansas Department of Health & Environment, supplied statistics to show that Kansas routinely experiences more motor vehicle crash deaths than the national average. She said that in addition to improved quality of life for Kansans, this legislation will result in reduced costs for insurance, programs such as the Medicaid Brain Injury Waiver Program that serve citizens with a traumatic brain injury and health care such as hospitalizations. (Attachment 4)

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE, Room 519-S of the Capitol at 1:40 p.m.
on February 25, 2002.

Rosalie Thornburgh, Chief of the Bureau of Traffic Safety for Kansas Department of Transportation, was the next speaker. She said saving lives and preventing serious injury is the purpose for enhanced child passenger protection. Providing an appropriate and safe transition from infant seats to lap/shoulder belts is important to ensure that the child will continue to use safety belts throughout his/her life. She concluded that statistics show that the most effective means to reach the objective of increased child passenger safety is a stronger law. (Attachment 5)

2nd Lieutenant John Eichkorn, Kansas Highway Patrol, said, regrettably, Kansas current law regarding child occupant protection has been identified as having provisions that do not necessarily provide the highest level of safety. In amending this law, **HB 2886** proposes to increase children's level of protection as they travel on Kansas' roadways. (Attachment 6) He showed a video on the correct way to position child safety seats and seatbelts.

Written testimony in support of **HB 2886** was presented by Carolyn Ward, State Child Death Review Board, (Attachment 7) Sally Finney, Kansas Public Health Association, Inc. (Attachment 8) and Terri Roberts, Kansas State Nurses Association. (Attachment 9)

There were no opponents.

Following questions by the committee, Chairman Hayzlett closed hearings on **HB 2886**.

The next meeting of the House Transportation Committee is scheduled for Tuesday, February 26th at 1:30 p.m.

HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: February 25, 2002

NAME	REPRESENTING
Anne Lowder	KDHE
Rally Finney	Ko. Public Health Assoc.
Tom Roberts	KSNA
Julie Sergeant	KDHE
Eden Detrixhe	Kansas Highway Patrol
Carolyn Ward	AG/SCDRB
Tom Whitaker	KS Motor Carriers Assn
GARY DAVENPORT	KS Motor Carriers Assn
Christi Stewart	KS Motor Carriers Assoc.
Cherie Sage	AAA Kansas
T. Valerie Thornburg	KDOT
Marcia Slambough	KDOT
Dan Rudman	KS Resident
Eric Collins	KS Government Consulting
Helin Naylitt	
Ralph	Kansas Highway Patrol
John	KANSAS HIGHWAY PATROL
Bon Hubbard	KS Ind Oil & Gas



February 25, 2002

Testimony Presented to the House Transportation Committee

House Bill 2886

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Coordinator:
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Dennis Cooley, MD
Medical Advisor
American Academy of
Pediatrics, Kansas
Chapter

Lt. John Eichkorn
Kansas Highway Patrol

Sally Finney
Kansas Public Health
Association

Cindy Hermes
State Capitol Area
Firefighters Association

Ami Hyten
Kansas Trial Lawyers
Association

James Keating
Kansas Fire Service

Roseanne Rutkowski
Kansas State Nurses
Association

I am pleased to provide testimony today on behalf of the Kansas SAFE KIDS Coalition which has worked hard to assist in creating legislation that provides Kansas parents with better guidance on how to best protect their children by closing gaps in our current Child Passenger Safety Law.

Motor vehicle crashes are still the leading cause of death for Kansas children ages one through 17. It would appear that Kansas may indeed be failing its children in the area of child passenger safety - particularly after they reach the age of 4. While observational usage surveys done last year indicate that 92% of Kansas children ages 0-4 were in child seats, the same survey found that only 52% of children ages 4-14 were protected by a booster seat or seat belt. One reason for this drop may be that seat belts, which were designed for adults, do not fit a 4 to 8 year old child. Parents want to do the right thing, but many parents of 4 to 8 year old children are surprised to learn that the current Kansas law does not correctly guide them on the best way to protect their children.

HB2886 provides more specific guidance for parents by following current NHTSA Guidelines which state that "All children who have outgrown child safety seats should be properly restrained in booster seats until they are at least eight years old, unless they are 4' 9" tall. The approximate weight range for most booster seats on the market is 40-80 lbs.

A belt-positioning booster seat raises the child up so that the lap and shoulder belts are properly positioned around the child's body, with the shoulder strap snugly between the neck and arm and the lap belt flat across the upper legs. Since children in booster seats use the adult seat belt, no installation of the seat is required. A belt-positioning booster seat can not only make a child safer, but make the safety belt fit better and feel better to the child. Age, height and weight together are good indicators that children will be appropriately protected in a booster seat.

Fortunately, booster seats that meet federal safety standards and fit children from 40 to 80 lbs. are readily available for \$20 - \$40. Booster seats are also available in Kansas through a variety of community programs (see map). Parents can obtain information on local distribution programs from the SAFE KIDS hotline 1-800-332-6262 or telephone counseling by a certified cps technician at 1-800-745-SAFE (English) and 1-800-747-SANO (Spanish). Families with multiple



House Transportation Committee
February 25, 2002
Attachment 1



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Chapter

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Kansas Highway Patrol

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Kansas Public Health
Association

Cindy Hermes
State Capitol Area
Firefighters Association

Ami Hyten
Kansas Trial Lawyers
Association

James Keating
Kansas Fire Service

Roseanne Rutkowski
Kansas State Nurses
Association

Kansas SAFE KIDS Coalition Member Organizations

AAA Kansas
American Academy of Pediatrics
American Red Cross - Wichita
Anderson County SAFE KIDS Chapter
Attorney General of Kansas
Barber County SAFE KIDS Chapter
Board of Emergency Medical Services
Brain Injury Association of Kansas
Children's Mercy Hospital
Chanute SAFE KIDS Chapter
Clay County SAFE KIDS Chapter
Dillon Stores
Fire Education Association of Kansas
Fire Marshal's Association of Kansas
Ford County SAFE KIDS Chapter
Hutchinson SAFE KIDS Chapter
Johnson County SAFE KIDS Coalition
Kansas Academy of Family Practice
Physicians
Kansas Association of Counties
Kansas Assoc. of Local Health Dept.
Kansas Assoc. of Osteopathic Medicine
Kansas Association of School Boards
Kansas Chapter International Assoc.
Arson Investigators
Kansas Chiropractic Association
Kansas Congress of Parents and Teachers
Kansas Cooperative Extension 4-H
Kansas Dental Association
Kansas Dept. of Health & Environment
Kansas Dept. of Human Resources
Kansas Dept. of Transportation
Kansas District of Kiwanis International
Kansas Emergency Medical Services
Assoc. Kansas Emergency Nurses
Association
Kansas Farm Bureau
Kansas Head Start Association
Kansas Healthy Start Home Visitors
Kansas Highway Patrol
Kansas Hospital Association
Kansas Insurance Department
Kansas MADD
Kansas Medical Society
Kansas Nat'l Employers for Traffic Safety
Kansas Public Health Association
Kansas Recreation & Park Association
Kansas Rehabilitation Hospital
Kansas SADD
Kansas Safety Belt Education Office
Kansas School Nurses Organization
Kansas State Association of Fire Chiefs
Kansas State Board of Education
Kansas State Fire Marshal
Kansas State Firefighters Assoc.
Kansas State Nurses Association
Kansas Trial Lawyers Association
Kaw Valley Girl Scout Council
KNEA
KUMC Burn Center
KUMC Child Development Unit
Lawrence SAFE KIDS Coalition
Leavenworth SAFE KIDS Chapter
Manhattan SAFE KIDS Chapter
Marion County SAFE KIDS Chapter
Montgomery County SAFE KIDS Chapter
NHTSA Regional Office
Norton SAFE KIDS Chapter
Office of the Governor
Osage County SAFE KIDS
Pottawatomie County SAFE KIDS
Safe State Kansas
Safety & Health Council Western MO&KS
Salina SAFE KIDS Chapter
Shawnee County SAFE KIDS Coalition
State Farm Insurance Companies
State Capitol Area Fire Fighters Assoc.
Stormont-Vail Regional Medical Center
United School Administrators of Kansas
Via Christi - St. Francis Burn Center
Western Resources
Wichita Area SAFE KIDS Coalition

1/02



House Bill 2886



Parents in Kansas want to depend on our state's child passenger safety law to correctly guide them on the best way to protect their children.

HB 2886 closes many of the gaps in Kansas' current Child Passenger Safety law by:

- ★ Requiring children from age 4 to 8 who weigh less than 80 pounds or are less than 4'9" in height to ride in an appropriate child restraint (booster seat). This section does not apply in seating positions where there is only a lap belt available.
- ★ Increasing from age 14 to age 16 (or children weighing more than 80 lbs or taller than 4'9") the age of children who are required to wear a safety belt.
- ★ Increasing the fine for a child passenger safety violation to \$60, which brings it in line with other standard traffic fines which were increased last session. However, the entire fine is waived if a driver provides proof to the court of a child seat acquisition.
- ★ Providing for a one year "warning" period for the booster seat section to provide public agencies time to educate parents about the importance of booster seats and allow parents time to obtain appropriate seats.

Booster Seat Facts:

- ★ A belt-positioning booster seat raises the child up so that the adult lap/shoulder belt fits the child's body, with the shoulder strap snugly between the neck and arm, and the lap belt flat across the upper legs. A belt-positioning booster seat can not only make a child safer, but make the safety belt fit better and feel better to the child.
- ★ NHTSA guidelines state that "All children who have outgrown child safety seats should be properly restrained in booster seats until they are at least eight years old, unless they are 4'9" tall". A child safety seat or booster seat can safely be used for 5-7 years.
- ★ Booster seats that meet federal safety standards and fit children from 40 to 80 lbs. are readily available for \$20 - \$40. Booster seats are also available in Kansas through a variety of community and state programs (see map). For example, the Boost America Program will be distributing 2500 booster seats in Kansas in June.
- ★ Observational surveys conducted in 2001 found that 92% of Kansas children ages 0-4 were in child seats, but only 52% of children ages 4-14 were protected by a booster seat or seat belt.
- ★ Motor vehicle crashes are still the leading cause of death for Kansas children ages one through 17 (Child Death Review Board). In 2000, 79% of Kansas adolescents 14-15 years of age seated in the second seat when involved in a fatal motor vehicle traffic crash were not wearing seat belts. Only 33% of high school student report they always wear seat belts when riding with someone else.

Passage of HB 2886 will provide Kansas parents with better guidance on how to best protect their children and will send a clear message to motorists that the state considers child safety seat, booster seat, and seat belt use necessary for the safety of our kids.

Thank you for helping make all Kansas kids SAFE KIDS.



PG-8 PARENTS STRONGLY CAUTIONED
Place Children Under 8 Years Old in a Child Safety Seat or Booster Seat

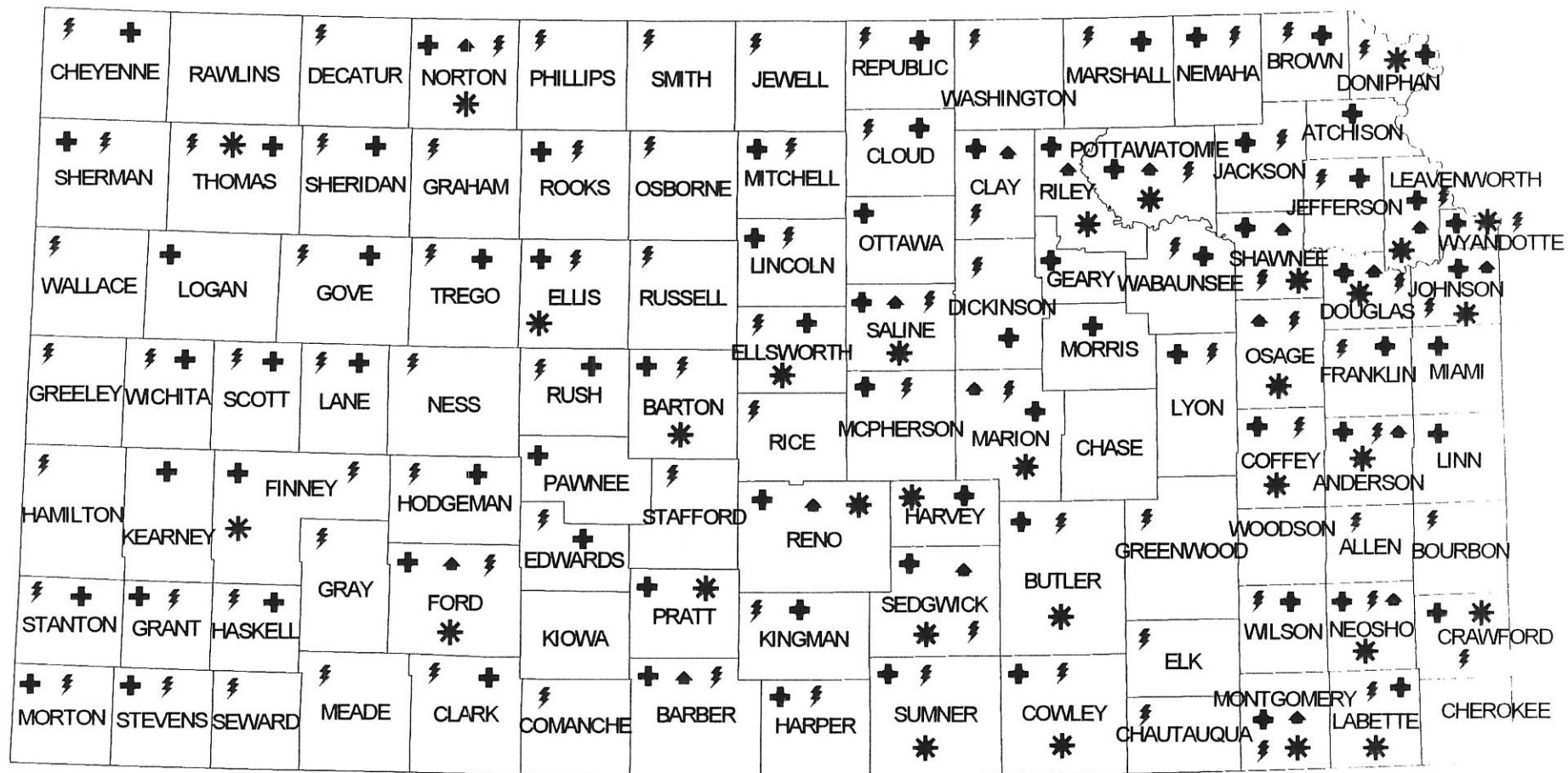
Kansas
**SAFE
KIDS**
Coalition



KANSAS

CHILD PASSENGER SAFETY RESOURCES

1-4



- * Child Safety Seat Check Up Events 1997-2001; Educate, Check For Proper Installation, Provide Safety Seats
- ⚡ Child Safety Seat Distribution Programs-Educate, Check For Proper Installation, Loan And Provide Seats
- ▲ SAFE KIDS Chapters & Coalitions Provide Education And Referrals For Community Resources And Seat Distribution
- ⊕ Trained And/Or Certified Child Passenger Safety Educators

Telephone Counseling by Certified Child Passenger Safety Technician: 800-745-SAFE (Eng) or 800-747-SANO (Spanish)
 SAFE KIDS Hotline: (800) 332-6262-Provides Information on Loaner Programs

www.safekids.org-Provides List Of Scheduled Check Up Events

02/20/2002

Testimony in support of HB 2886
House Transportation Committee
February 25, 2002
Presented by: Cherie Sage, AAA Kansas

My name is Cherie Sage and I am the Public Affairs Coordinator for the American Automobile Association of Kansas. AAA Kansas is an organization representing over 140,000 members in our state.

On behalf of AAA Kansas and its members, I am here to urge your support of HB 2886 for the enhancement of child passenger safety laws.

According to NHTSA, each year more than 1,700 children die and approximately 300,000 are injured as occupants in motor vehicle crashes. Child safety seats, when properly used and installed, reduce the risk of death by 71 percent for infants and by 54 percent for toddlers (in passenger vehicles.) Most parents look to the law as a guideline to help keep their kids safe, but current gaps in coverage include:

- Children age 14 and older riding in the back seat are not covered under the current law,
- Children age 4-8 are allowed to wear an adult seat belt restraint.

Booster seats are designed so that when used with a shoulder-lap seat belt, the child "fits" into the adult seat belt. To define the word "fit", we mean that the lap belt lies on the upper thighs of the child instead of riding up onto their belly. It also means that the shoulder strap of the seat belt crosses their chest and collarbone without lying against their neck. By maintaining the proper "fit" of an adult seatbelt through the use of a booster seat, we are reducing the risk of injury that a child would be potentially exposed to in the event of a crash, including internal abdominal injuries, neck injuries, or even spinal injuries. (Spinal injuries could be caused if the child moved the shoulder belt behind them to alleviate discomfort of the belt lying across their neck.)

In a survey last November of AAA Kansas members, a strong majority (81%) said that manufacturer-installed adult seat belts are not adequate protection for children age 4 and up. In fact, 81% of those surveyed also agreed children ages 4 to 8 and weighing less than 80 pounds are better protected in a booster seat. For those respondents who said that they rarely or never use booster seats when transporting children age 4 to 8, the top two reasons given were: they do not think it is necessary for additional safety protection, and state does not require booster seat. This illustrates how the public looks to the law to determine what is best for their children.

With the low cost of booster seats (as low as \$12), and the presence of loaner and give-away programs, as well as fitting stations in our state, we believe it is reasonable to ask parents and caregivers to take this action to ensure the safety and well-being of the children of Kansas.

Since its formation in 1902, AAA has been an advocate for the motorist, as well as for traffic safety. We support HB 2886 as a step forward towards making the roads and highways a safer place to be for the children of Kansas. It is our hope that you will agree and support HB 2886. Thank you for your attention.

STATE OF KANSAS

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OFFICE OF THE GOVERNOR

Testimony regarding HB 2886
Presented to
House Transportation Committee

February 25, 2001

Mr. Chairman and Committee Members:

I am pleased to appear before you today to testify in favor of strengthening Kansas laws that protect the safety of children riding on Kansas roads. Governor Graves remains committed to making safety on our roads and highways a priority.

Nationwide, traffic crashes are the leading cause of death for children between the ages of 6 to 14. In 1999, 88 children under the age of 17 were killed in motor vehicle accidents in Kansas. More than half of those children were not wearing seat belts or restrained in child safety seats.

Parents and other caretakers look to the government to provide them with information and guidelines about issues in which they do not have expertise. Many believe that by following the law, they will be safe. Unfortunately, this is simply not true as Kansas' child passenger safety laws are lacking critical protection for children.

As many of you are aware, in 2001 the National Safe Kids Campaign conducted a review of our nation's child occupant protection laws. The laws of each state were rated on a 100 point system and the Safe Kids Campaign assigned each state a grade. Kansas merited only 52.29 points and did not receive a passing grade. This review should be taken as a call to enact much needed legislation to improve our child occupant protection laws.

HB 2886 proposes a comprehensive law to help parents learn how to best protect their children in age and size-appropriate restraints.



KANSAS
DEPARTMENT OF HEALTH & ENVIRONMENT
BILL GRAVES, GOVERNOR
Clyde D. Graeber, Secretary

KDHE Testimony

Testimony on HB 2886
to
Committee on Transportation
Submitted by Julie F. Sergeant
Kansas Department of Health and Environment

February 25, 2002

Chairperson Hayzlett, and members of the Committee on Transportation, Kansas Department of Health and Environment is honored to provide this information in reference to HB 2886.

HB 2886 will save Kansas lives. Unintentional injuries kill more Kansans than any other cause, and motor vehicle traffic crashes comprise 48% of these unintentional injury deaths.¹ Passenger restraint systems (child safety seats, booster seats, seat belts) accompanied by safety belt use laws are an effective means of reducing deaths due to traffic crashes.^{2 3}

Statewide, Kansas routinely experiences more motor vehicle crash deaths than the national average. The figures attached to the written copy of this testimony illustrate 1) the state and national trends and 2) the Kansas counties with the highest death rates from motor vehicle crashes. National public health priorities outlined in *Healthy People 2010* include objectives addressing these issues.

Two age groups at risk for motor vehicle traffic deaths will benefit most from this legislation: early elementary and high school. The following statistics highlight the importance of ensuring that Kansas motor vehicle safety legislation covers these two populations:

- Only 33% of high school students report they always wear seat belts when riding with someone else.⁴

¹ Centers for Disease Control and Prevention (2001). *Fact Book and State Injury Profile for Kansas: Year 2000*. Atlanta, GA: CDC.

² Centers for Disease Control and Prevention (2002). *Injury Fact Book: 2001 – 2002*. Atlanta, GA: CDC.

³ Rivara, F.P., Thompson, D.C., & Cummings, P. (1999). Effectiveness of primary and secondary enforced seat belt laws. *American Journal of Preventive Medicine*. 16(1 Suppl): 30-9.

⁴ Centers for Disease Control and Prevention (2002). *Injury Fact Book: 2001 – 2002*. Atlanta, GA: CDC.

- In 2000, 79% of Kansas adolescents 14-15 years of age seated in the second seat when involved in a fatal motor vehicle traffic crash were not wearing seat belts.⁵
- Teens are more likely than older drivers to underestimate the dangers in hazardous situations, and they have less experience coping with such situations.⁶
- 10% of Kansas children ages 5-9 fail to always use a safety seat or safety belt, according to parent report in a statewide telephone survey.⁷

It is estimated that \$1.00 spent on child safety seats saves \$32.00.⁸ In addition to improved quality of life for Kansans, this legislation will result in reduced costs for insurance, programs such as the Medicaid Brain Injury Waiver Program that serve citizens with a traumatic brain injury, and health care such as hospitalizations.

I thank you for the opportunity to provide this information to the committee and will respond to any questions the committee may have on this topic.

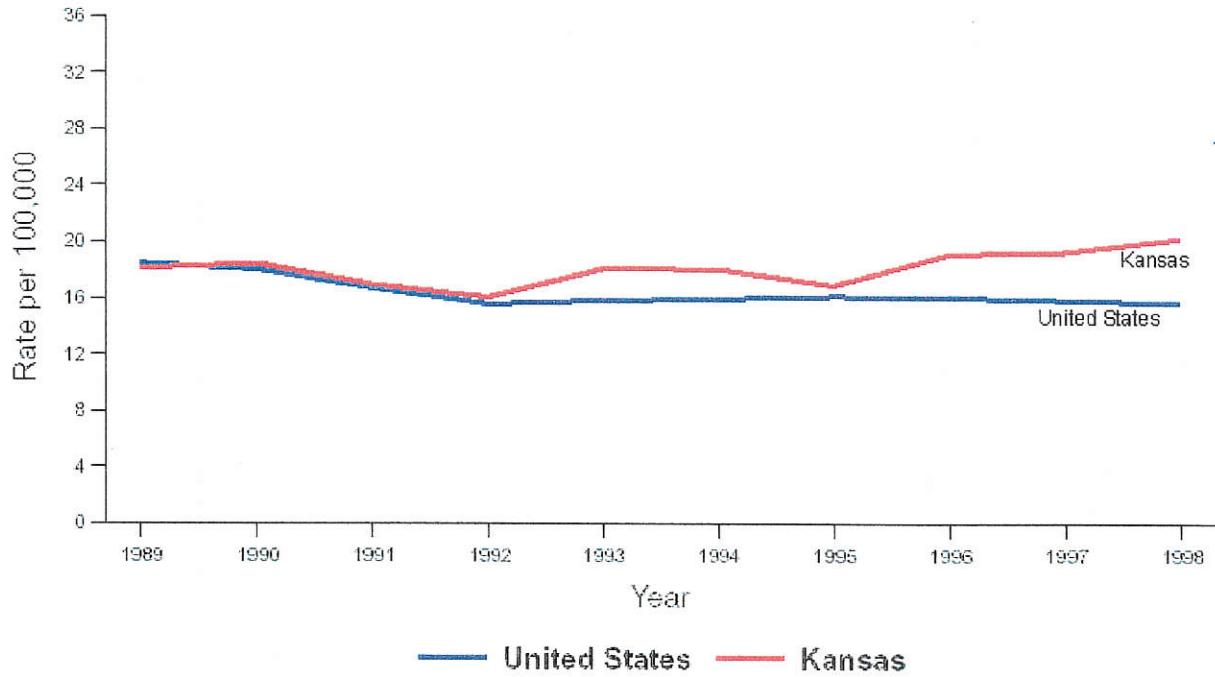
⁵ National Highway Traffic Safety Administration (2000). Fatal Analysis Reporting System (FARS).

⁶ Centers for Disease Control and Prevention (2002). *Injury Fact Book: 2001 – 2002*. Atlanta, GA: CDC.

⁷ Kansas Department of Health and Environment, Behavioral Risk Factor Surveillance System, 1999.

⁸ Centers for Disease Control and Prevention (2001). *Fact Book and State Injury Profile for Kansas: Year 2000*. Atlanta, GA: CDC.

United States and Kansas 1989-1998



Motor vehicle deaths, 1989 – 1996

Source: Injury Profile for Kansas: 2001-2002
National Center for Injury Prevention and Control, CDC

Mortality Related to Motor Vehicle Crashes in Traffic Kansas, 1989-1998

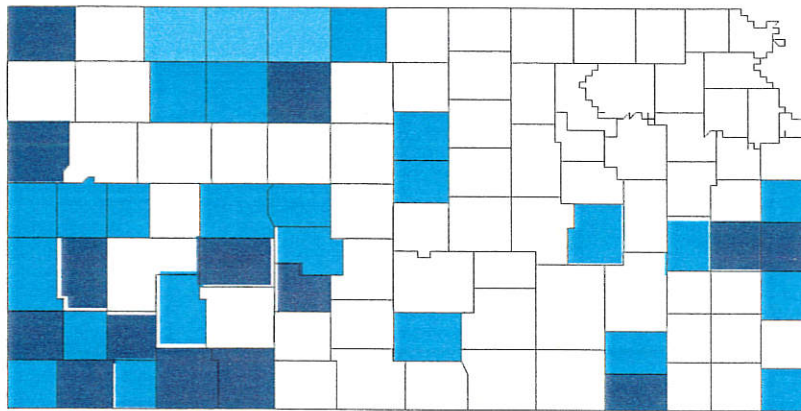
466 Kansas Deaths/Year

Age Adjusted Rates

- US 16.4 per 100,000
- KS 18.1 per 100,000

This comparison indicates

45 excess deaths/year in Kansas



Crude Death Rates

- Under 30 Deaths per 100,000
- 30-39 deaths per 100,000
- 40 and above deaths per 100,000

Data Source: Office of Analysis and
Epidemiology, National Center for Health
Statistics, Center for Disease Control and
Prevention



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E. Dean Carlson
Secretary of Transportation

Bill Graves
Governor

TESTIMONY BEFORE
HOUSE TRANSPORTATION COMMITTEE

REGARDING HOUSE BILL 2886
CHILD PASSENGER SAFETY ACT

February 25, 2002

Mr. Chairman and Committee Members:

I am Rosalie Thornburgh, Chief of the Bureau of Traffic Safety. On behalf of the Kansas Department of Transportation (KDOT), I am here to provide testimony in support of enhanced passenger safety for all minors under the age of 16.

Currently, Kansas law specifies that all children under the age of four must be in a federally approved child restraint system. For children four years and older, the law then specifies that the child must be appropriately protected with a seat belt.

We now know that children should ride in a child seat beyond age three for appropriate protection. We also know that parents and caregivers rely on state law to provide appropriate guidance. Booster seats are now available to provide a safe transition to lap/shoulder belts. Even though KDOT works hard to disseminate child passenger protection information across the state, an upgrade to the state law would go a long way toward ensuring that all children are properly secured.

For those children affected by this provision, four years old through seven years old, state crash statistics indicate that 58 occupants incurred fatal injuries during the years 1990 – 2000. Of those child fatalities, only one-third were reported restrained.

Saving lives and preventing serious injury is the purpose for enhanced child passenger protection. Providing an appropriate and safe transition from infant seats to lap/shoulder belts is important to ensure that the child will continue to use safety belts throughout his/her life.

Statistics prove beyond a shadow of a doubt that buckling up is the single most effective action we can take to reduce our risk of death and serious injury. In addition, the laws of physics and simple human logic tell us we are safer if every passenger remains in their seat rather than being catapulted within or out of the vehicle. Statistics also tell us that the most effective means to reach our objective of increased child passenger safety is a stronger law and thus KDOT supports House Bill 2886.

KANSAS HIGHWAY PATROL

Service—Courtesy—Protection

Bill Graves
Governor



Col. Donald W. Brownlee
Superintendent

Summary of Testimony on HB 2886 House Transportation Committee

**Presented by
Second Lieutenant John Eichkorn
February 25, 2001**

Good morning, Mr. Chairman and members of the committee. My name is Second Lieutenant John Eichkorn, and I appear before you on behalf of Colonel Don Brownlee and the Kansas Highway Patrol to comment on House Bill 2886.

Regrettably, Kansas' current law regarding child occupant protection has been identified as having provisions that do not necessarily provide the highest level of safety. In amending this law, HB 2886 proposes to increase children's level of protection as they travel on Kansas' roadways.

Under current law regulating child passenger safety, children under the age of four years must be transported in an approved child safety seat and children four years but under fourteen years must be buckled by a safety belt, anywhere in the vehicle. Occupants fourteen years and older are not required to wear safety belts in the back seat.

Encouragingly, more and more adults in Kansas are using child safety seats to protect their little ones. According to KDOT'S 2001 Safety Belt survey, 92 percent of children under four are secured in child safety seats while travelling on Kansas' roadways. But when children outgrow their convertible seats around the age of four years and 40 pounds, many parents stop using child safety seats and move kids directly into safety belts or sometimes nothing at all. While keeping this in mind, KDOT's survey also showed only 52% of children 4 to 14 were buckling up. This means that children 4 to 14 buckle up 40% less than the under-four age group.

For adults trying to do the right thing, moving a child out of a child safety seat directly into a safety belt can be disastrous. Doing so can seriously harm small children in a crash because safety belts are primarily designed for adults. Lap/shoulder belts are made to ride over the bony areas of the shoulders and hips. With small children, the lap belt tends to ride up into

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House Transportation Committee
February 25, 2002
Attachment 6

their abdomens and the shoulder belt cuts across their necks. During a crash, improper fit such as this can lead to internal injuries or cases where the small child slips out of the safety belt.

The solution to this problem is simple. By using booster seats, children too small for safety belts alone, will be placed into position where maximum protection is afforded. HB 2886 expands coverage contained in our current law to include the use of a booster seat to ensure the safety of children in this category. The bill also establishes a 1-year "warning only" period for violations of the booster provision. During this time, law enforcement officers would issue warnings and no tickets to violators while working with others in the traffic safety community to make the public aware of changes in law.

Just as drivers use yield signs and curve signs as safety instructions, many caretakers look to state occupant protection laws for guidance in assuring the highest level of safety for themselves and their loved ones. Under our current occupant protection law, children 14 years and older are not required to wear a safety belt while traveling in the back seat. Luckily, HB 2886 also increases the age of children required to use safety belts. By requiring these children to buckle up longer, the chances are good that they will continue to do so for the rest of their lives. Buckling up becomes a lifelong habit which save lives.

Experience shows that safety belt usage goes up when occupant protection laws are actively enforced. With this in mind, an adequate fine is an excellent measure of effectiveness. A 1995 study conducted by the National Highway Transportation Safety Administration found that a state with a \$20 fine would tend to have a usage rate that is 8 percent higher than a state with a \$10 fine. Currently, a fine for violation of Kansas' child restraint law is \$20 plus court costs. HB 2886 proposes a fine increase to \$60 plus court costs. By doing so, Kansas could see a significant increase in usage from this change alone.

The Patrol has countless hours of hands-on experience with the benefits of buckling up and using child safety seats. Troopers have seen the unnecessary injuries and deaths associated with the failure to buckle up and properly restrain children. Many gruesome experiences will live forever in the minds of officers, especially tragedies involving children. Just ask one of them to describe these experiences. Years later, sensory details such as smells and touch are often as clear as they were the day of the tragic occurrence.

While the current safety belt and child passenger safety laws in Kansas have helped to reduce our fatality rates, there is more that should be done to reduce injuries and deaths. Because many Kansans look to their occupant protection laws for safety guidance, it is important that the State provide statutes that will do just that. The Kansas Highway Patrol strongly urges this Committee to give HB 2886 a favorable report. Let's take advantage of the life saving measures this bill has to offer.

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STATE CHILD DEATH REVIEW BOARD



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State Registrar
Topeka

David Klamm, Senior Special Agent
KBI
Wichita

February 25, 2002

Representative Gary Hayzlett
House Transportation Committee
State Capitol
Topeka, KS 66612-1504

Dear Chairman Hayzlett and Members of the House Transportation Committee:

The State Child Death Review Board (SCDRB) strongly supports House Bill 2886. SCDRB statistics reveal that more Kansas children ages one through 17 die in motor-vehicle crashes than from any other cause of death. Car crashes are the leading cause of unintentional-injury deaths among all children through age 17.

We review these preventable deaths each year, and see the promise of young lives unfulfilled because of inadequate use of safety restraints or no use of the restraint systems at all. Gaps in the law directly equate to gaps in the understanding of basic safety requirements. Parents often don't realize they need to alter the type of safety restraints they use as children get older, unwittingly putting their children at risk.

Provisions of the bill address the need to more adequately define requirements for use of restraint systems for younger Kansans. According to the National Highway Transportation Safety Administration and the American Academy of Pediatrics, adult safety belts do not adequately protect small children (about 40 to 80 pounds or less than four foot nine inches tall) from injury in a crash.

Additionally, provisions in the bill specifically address one of the prime risk groups for fatality crashes related to non-use of seatbelts: namely, young teen drivers and passengers. Data from the SCDRB indicate that teens, ages 15 through 17, accounted for 50 percent of the 422 motor vehicle fatalities reviewed by the SCDRB from 1994 through 1999. Among children less than 14 years of age, 46 percent of children killed in motor vehicle crashes were unrestrained. Among 15 through 17 year old victims of fatal car crashes, 74 percent were not using safety restraints. For this reason, it is clear that extending primary enforcement for seatbelt use to age 16 can have a significant impact on the number of injuries and fatalities among teens.

Carolyn Ward

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This enhanced child passenger safety legislation, combined with loaner programs, ongoing education efforts and strong enforcement, will help reduce needless injuries and fatalities of our Kansas children.

Sincerely,

OFFICE OF THE ATTORNEY GENERAL
CARLA J. STOVALL

A handwritten signature in cursive script, appearing to read "Carolyn Ward".

Carolyn Ward
Executive Director, SCDRB



KANSAS PUBLIC HEALTH ASSOCIATION, INC.

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To: House Committee on Transportation
From: Sally Finney, M.Ed., Executive Director
Date: Monday, February 25, 2002
Re: HB 2886

I am submitting this testimony on behalf of the members of Kansas Public Health Association to ask your support of House Bill 2886. KPHA is an individual membership organization whose mission is to support sound public health programs and policies in Kansas. HB 2886 is good policy for Kansas because it helps to protect children from a leading cause of injury and death among young people – motor vehicle accidents.

The evidence on the benefits of child safety seats and safety belts is compelling and overwhelming. The National Injury Prevention and Control Center of the Centers for Disease Control and Prevention cites the following data in support of requiring proper restraints for children:

- Injuries resulting from motor vehicle crashes are the leading cause of death for children 1-14 years old. In 1998, they accounted for 46% of all unintentional injury-related deaths in this age group.
- When properly installed in passenger cars, child safety seats reduce fatal injury by 71% for infants (younger than one year old), and by 54% for toddlers (between 1 and 4 years of age).
- In 1998, 2,027 children 12 years old and younger were killed in motor vehicle crashes. Of those who died, 65% were passengers in vehicles, 23% were pedestrians, and 7% were pedalcyclists.

The requirements of HB 2886 are easy for parents to comply with. Child passenger seats are readily available and, for those parents who cannot afford to purchase them, can be obtained at little or no cost through various community programs, such as the Safe Kids Coalition's child safety events.

The Kansas Public Health Association respectfully asks you to help make Kansas a safer place for our children by supporting HB 2886.

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For More Information Contact
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February 25, 2002

H.B. 2886 Child Passenger Safety Act

Written Testimony-Support

Representative Hayzlett and members of the House Transportation Committee, the Kansas State Nurses Association is supportive of the changes proposed in H.B. 2886 and would like to offer the following comments regarding the bill.

- February 2001 data compiled in the report entitled "Child Passengers At Risk in America: A National Rating of Child Occupant Protection Laws", Kansas' law was one of 24 state laws which received a failing grade (52.29 points out of a possible 100 point scale).
- Motor vehicle crashes remain the leading cause of death for children in Kansas ages 1 through 17.
- Children aged 2-5 years who are restrained in an adult seat belt are 3.5 times more likely to suffer a significant injury than a properly restrained child.
- The one year warning period will provide public agencies time to educate parents about the importance of booster seats and allow parents time to obtain appropriate seats.
- A study at four Chicago area hospitals found that emergency room and hospital costs for victims of automobile accidents who hadn't worn their seats belts were **three** times as great as those for people who had buckled up.

Registered nurses of Kansas support this proposal and encourage your support and passage of it.

The mission of the Kansas State Nurses Association is to promote professional nursing, to provide a unified voice for nursing in Kansas and to advocate for the health and well-being of all people.

CONSTITUENT OF THE AMERICAN NURSES ASSOCIATION