

SESSION OF 2002

SUPPLEMENTAL NOTE ON SENATE BILL NO. 411

As Amended by Senate Committee on
Transportation

Brief*

SB 411 would amend seat belt and child passenger safety laws to require a child, under the age of 7 but at least 4 years of age or who weighs less than 80 pounds but at least 40 pounds, to be fastened in a booster seat. This requirement, however, would not apply to vehicles equipped with only a lap belt. The bill further requires the driver to fasten in a seat belt children 7 years of age but under the age of 14. The bill also would require an occupant who is at least 14 years of age but less than 18 years of age to fasten a safety belt about the occupant's body at all times while the vehicle is in motion. The fine for failure to provide a child passenger safety restraining system, a booster seat, or a safety belt would be increased from \$20 to \$60, of which \$50 would be waived if the driver provides proof of purchase of an approved child seat to the court. The bill also increases the fine from \$10 to \$30 for occupants who fail to wear a seat belt. This would include children who are at least 14 years of age but less than 18 years old. Finally, the bill provides for a one-year warning period by law enforcement.

Background

Conferees who testified in support of the bill included Trista Beadles, Staff Attorney, Governor's Office; Cherie Sage, AAA; Lieutenant John Eichkorn, Kansas Highway Patrol; Jim Keating, Kansas Safe Kids Coalition; Rosalie Thornburgh, Kansas Department of Transportation; and Julie Sergeant, Kansas Department of Health and Environment. Carolyn Ward, State Child Death Review Board, submitted written testimony in support of the bill.

*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/cgi-bin/fulltext/bills.cgi>

The Senate amendment pertains to the \$50 fine that is waived if a violator provides proof of purchase of an approved child passenger safety restraining system or booster seat.

The Department of Transportation (KDOT) states that SB 411 would result in approximately \$200,000 in additional revenues to the State Highway Fund. These additional funds would be the result of the increases in fines and the child protection enhancements, which would make KDOT eligible for federal Section 405a incentive funds created by the Transportation Equity Act for the 21st Century (TEA-21).