

SESSION OF 2002

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2886

As Amended by House Committee on
Transportation

Brief*

HB 2886 pertains to the child passenger safety act. The bill, as amended, would require a driver who transports a child under the age of 16 in a passenger car to provide for the protection of the child by properly using:

- For a child four years of age but under the age of eight years and who weighs less than 80 pounds or is less than 4 feet 9 inches in height, a child passenger safety restraining system (a booster seat) that meets or exceeds the standards and specifications contained in federal motor vehicle safety standard no. 213.
- For a child eight years of age but under the age of 16 years or who weighs more than 80 pounds or is more than 4 feet 9 inches in height, a safety belt which complies with federal motor vehicle safety standard no. 208.

The bill also would:

- Provide that if the number of children exceeds the number of passenger locations available for use and all the locations are in use, then there is no violation of child passenger safety restraining system, booster seat, or safety belt requirements.
- Exempt from the booster seat requirement vehicles which are equipped with only lap belts.

*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>

- Impose a \$60 fine on second and subsequent violations if a driver fails to provide protection to a child by using a child passenger safety restraining system, a booster seat, or a seat belt.
- Waive, on first conviction, \$10 of the fine and court costs if the convicted driver provides proof to the court that the driver has purchased or acquired an approved child passenger safety restraining system.
- Provide that no driver violating the child passenger safety act will be convicted if the driver produces in the office of the arresting officer or in court proof that the transported child was 16 years of age or older at the time the violation was alleged to have occurred.
- Give the public a one-year warning period on booster seat violations.

Background

Conferees who appeared in support of the bill included Jim Keating, Kansas Safe Kids Coalition.; Cherie Sage, AAA; Trista Beadle, Governor's Office; Julie Sargent, Kansas Department of Health and Environment; Rosalie Thornburgh, Kansas Department of Transportation; and Lieutenant John Eickhorn, Kansas Highway Patrol. Carolyn Ward, State Child Death Review Board; Sally Finney, Kansas Public Health Association, Inc.; and Terri Roberts, Kansas State Nurses Association, submitted written testimony in support of the bill.

The House amendments were suggested by Committee members and the Revisor.

An updated fiscal note is pending.