

SESSION OF 2010

SUPPLEMENTAL NOTE ON SENATE BILL NO. 483

As Recommended by Senate Committee on
Transportation

Brief*

SB 483 would require each adult occupant of a passenger car manufactured with safety belts to have a safety belt properly fastened around the occupant's body when the car is in motion. Current law requires those under 18 and adults in the front seat to use safety belts.

The bill also would allow a law enforcement officer to stop a vehicle if any adult occupant is not properly belted, by removing a provision that prohibits such a stop.

The bill would increase the fine for violation by an adult from \$30 to \$60, including court costs.

The bill would become effective upon publication in the *Kansas Register*. From the effective date until before June 30, 2010, the bill would require a law enforcement officer to issue a warning citation for a violation.

Background

Proponents who addressed the Senate Committee on Transportation were the manager of traffic safety at the Kansas Department of Transportation (KDOT); the director of the Division of Health at the Kansas Department of Health and Environment; a representative of the Kansas Highway Patrol; a representative of the Kansas Association of Chiefs of Police, the Kansas Sheriffs Association, and the Kansas Peace

*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>

Officers Association; and a representative of the Kansas State Nurses Association and the Kansas Emergency Nurses Association. Written testimony was submitted by representatives of AAA Kansas, Safe Kids Kansas, the Alliance of Auto Manufacturers, and The State Farm Insurance Companies. Proponents said that this requirement would increase safety belt usage by adults, save 25-30 lives each year, reduce expenditures for medical care, and allow Kansas to receive more than \$11 million in federal transportation funds. There was no testimony opposing the bill.

According to the fiscal note on the bill, the bill's enactment would qualify KDOT to receive \$465,000 of additional federal safety monies annually under the Occupant Protection Incentive Grant Program and an additional federal grant of \$11.2 million. Of the latter grant, KDOT would be required to spend at least \$1 million on behavior safety programs; KDOT testified that the remainder could be spent in ways including highway construction improvements. The fiscal note also states that KDOT's Traffic Records Enhancement Fund receives 2.5 percent of fines collected for traffic infractions and, with the increase in the fine amount and an expected increase in the number of tickets, revenue to that Fund could increase by \$34,500 annually. The Office of Judicial Administration also expected an increase in revenue but cannot provide an estimate, according to the fiscal note.