

February 20, 2017

REVISED

The Honorable Richard Proehl, Chairperson  
House Committee on Transportation  
Statehouse, Room 581-W  
Topeka, Kansas 66612

Dear Representative Proehl:

**SUBJECT:** Revised Fiscal Note for HB 2076 by House Committee on Transportation

In accordance with KSA 75-3715a, the following revised fiscal note concerning HB 2076 is respectfully submitted to your committee.

HB 2076 would create the Seat Belt Safety Fund to be administered by the Secretary of Transportation. Expenditures from the fund must be used to promote and provide education regarding occupant protection in motor vehicles among children. Occupant protection education may include, but would not be limited to, programs in schools.

The bill would increase the fine for adults for violations of the seat belt law from \$10 to \$30. On July 1, 2017, \$20 from each fine for a violation of a city ordinance for not wearing a seat belt would be remitted to the Seat Belt Safety Fund. Also, the Seat Belt Safety Fund would receive 2.20 percent of all fines, penalties, and forfeitures. The bill would reduce the amount of fine revenue credited to the Crime Victims Compensation Fund, the Crime Victims Assistance Fund, the Community Alcoholism and Intoxication Programs Fund, the Department of Corrections Alcohol and Intoxication Fund, the EMS Revolving Fund, the Trauma Fund, the Traffic Records Enhancement Fund, and the Criminal Justice Information System Line Fund.

Based on the amounts of fines, penalties and forfeitures collected in FY 2016, it is estimated that the reductions to the distribution percentages in HB 2076 would reduce revenue of \$41,143 to the Crime Victims Compensation Fund; \$8,571 to the Crime Victims Assistance Fund; \$10,286 to the Community Alcoholism and Intoxication Programs Fund; \$29,143 to the Department of Corrections Alcohol and Drug Abuse Treatment Fund; \$8,571 to the EMS Revolving Fund; \$8,571 to the Trauma Fund; \$8,571 to the Traffic Records Enhancement Fund; \$15,429 to the Criminal Justice Information System Line Fund; and \$246,857 to the State General Fund.

However, the reductions would be offset partially or in full from the provision in the bill that increases the fines for seat belt violations by \$20 for each violation. The fiscal note was revised to more accurately describe the fiscal effect. The dollar effect remains unchanged. While fines for municipal violations would be remitted to the Seat Belt Safety Fund, violations occurring outside of those jurisdictions would be added to the total amount of fine revenue that would be distributed according to the percentages in HB 2076. A precise estimate of the number of seat belt violations is not currently available; however, it is estimated that between 18,000 and 20,000 seat belt violations would need to occur in order to offset the losses from the reductions to the distribution percentages. According to Kansas Highway Patrol (KHP) annual reports, there were 23,275 seat belt violations in calendar year 2012, 23,247 violations in calendar year 2013, 21,353 violations in calendar year 2014, and 14,989 in calendar year 2015. These figures are for KHP citations and do not include violations issued by county sheriff offices. Agencies that would be affected by HB 2076 include the Office of the Attorney General, the Department for Aging and Disability Services, the Department of Corrections, the Emergency Medical Services Board, the Department of Health and Environment, the Department of Transportation, and the Kansas Bureau of Investigation.

KDOT estimates that the Seat Belt Safety Fund would receive receipts of \$383,058 in FY 2018 and approximately \$400,000 in FY 2019. The reduction to the Traffic Records Enhancement Fund would have a negligible fiscal effect on fund revenues. Any fiscal effect associated with HB 2076 is not reflected in *The FY 2018 Governor's Budget Report*.

Sincerely,



Shawn Sullivan,  
Director of the Budget

cc: Ben Cleaves, Transportation  
Willie Prescott, Office of the Attorney General  
Brianna Landon, Corrections  
Chris Tymeson, Wildlife, Parks & Tourism  
Joe House, EMS  
Jackie Aubert, Children & Families  
Shelia Sawyer-Tyler, KBI