

SESSION OF 2019

SUPPLEMENTAL NOTE ON SENATE BILL NO. 41

As Recommended by Senate Committee on
Transportation

Brief*

SB 41 would amend the Uniform Act Regulating Traffic to specify violation of law requiring seat belt use by occupants ages 14 and older in passenger cars or motorcycles as a traffic infraction.

Background

The bill was requested by a representative of the Johnson County Sheriff's Office, who provided proponent testimony at the hearing of the Senate Committee on Transportation. According to testimony, because violation of the seat belt requirement for those ages 14 and older (KSA 2018 Supp. 8-2503) is not listed in the uniform fine schedule of KSA 2018 Supp. 8-2118 for traffic infractions, varied legal opinions have been issued as to whether violation is a traffic infraction or a misdemeanor; the bill would clarify the violation is a traffic infraction. No neutral or opponent testimony was provided.

The fines for violation of the seat belt law for those ages 14 and older are specified in KSA 2018 Supp. 8-2504: \$30 and no court costs if age 18 or older and \$60 and no court costs if ages 14 through 17. (If the occupant is younger than age 14, provisions of KSA 2018 Supp. 8-1344 and 8-1345 apply.)

*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>

The Senate Committee recommended the bill be placed on the Consent Calendar.

According to the fiscal note prepared by the Division of the Budget, the Department of Revenue and the Office of Judicial Administration indicate enactment of the bill would have no fiscal effect on state revenues or expenditures.