

HCS SCS SB 710 -- MOTOR VEHICLE SAFETY

SPONSOR: Goode (Dusenberg)

COMMITTEE ACTION: Voted "do pass" by the Committee on Transportation and Motor Vehicles by a vote of 20 to 0.

This substitute makes it a class D felony to install an airbag that does not comply with federal standards or has previously been installed in another motor vehicle without disclosing that fact.

The substitute also requires children less than four years old, regardless of weight, or children weighing less than 40 pounds, regardless of age, to use an appropriate child passenger restraint system. Children four years through five years of age, regardless of weight, must be secured in a child passenger restraint system or an appropriate booster seat. Children at least six years of age must use a safety belt, child restraint system, or booster seat. Children weighing more than 40 pounds, who would otherwise be required to be secured in a booster seat, may be transported in the back seat while only wearing a lap belt if the back seat of the motor vehicle is not equipped with a combination lap and shoulder belt for booster seat installation.

Any person who violates this provision is guilty of an infraction and may be punished by a fine of not more than \$25 and court costs. A person may avoid the fine by demonstrating that they obtained a child safety seat prior to or at their hearing which is satisfactory to the court or the prosecutor. No points will be assessed against a driver's license for violating the child restraint provisions. These provisions will not apply to any public carrier for hire or a school bus unless the school bus has been equipped with safety belts or it is required to be equipped with safety belts pursuant to federal motor vehicle safety standards.

The Department of Public Safety must establish a public information program to inform and ensure compliance. The Department of Revenue must notify licensed motorists by way of public service announcements or other mass communication means of statutory changes before those changes become effective.

The substitute has an effective date of January 1, 2005.

FISCAL NOTE: Estimated Cost on General Revenue Fund of Less than \$100,000 in FY 2005, FY 2006, and FY 2007. No impact on Other State Funds in FY 2005, FY 2006, and FY 2007.

PROPOSERS: Supporters say that the consequences of a child

being unrestrained or being restrained by an adult-sized seat belt is well known. The majority of serious injuries to these children are to the face and head. Children in seat belts are four times more likely to suffer head/brain injuries as compared to those who use child safety seats or boosters. Using a booster seat instead of a seat belt reduces a child's risk of injury by approximately 59%.

Testifying for the bill were Senator Goode; Children' Mercy Hospital and Clinics; St. John's Regional Health Center; Missouri Safety Council; Department of Transportation; State Highway Patrol; Cardinal Glennon Children's Hospital; State Farm Insurance; and Law Enforcement Traffic Safety Advisory Council.

OPPONENTS: There was no opposition voiced to the committee.

Robert Triplett, Legislative Analyst