

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4376-01
Bill No.: SB 916
Subject: Children and Minors: Motor Vehicles
Type: Original
Date: January 30, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials of the **Department of Transportation** stated this legislation amends various provisions regarding the use of child restraint systems in motor vehicles. The educational materials with revised law information would have to be redesigned and printed, but the cost will be absorbed by MoDOT.

The SAFETEA-LU legislation will make section 2011 incentive grants available to states that are enforcing a law requiring any child riding in a passenger vehicle who is too large to be secured in a child safety seat to be secured in a child restraint that meets the requirements prescribed under section 3 of Anton's Law (49 USC 30127 note; 116 Stat. 2772). These grants may only be used for child safety seat and restraint programs (enforcing the law, training, and public education).

The maximum amount that Missouri could receive is 25 percent of their Section 402 Highway Safety apportionment for the fiscal year 2003 (\$3.4 million X 25% = \$850,000), however, once the grant is split between the eligible states, Missouri's total portion for FY07 and FY08 is estimated to be \$600,000 and the total portion for FY09 is estimated to be \$700,000. The incentive grant proceeds is expected to be used as follows for FY07 and FY08: \$300,000 for the purchase of child safety seats for low-income families and \$300,000 for law enforcement,

ASSUMPTION (continued)

training, and public education. The incentive grant proceeds for FY09 is expected to be used as follows: \$350,000 for the purchase of child safety seats for low-income families and \$350,000 for law enforcement, training, and public education.

In summary, MoDOT assumes the proposal would result in grants to the Highway Safety Fund of \$600,000 in FYs 2007 and 2008 and \$700,000 in FY 2009.

Oversight assumes the receipt of federal incentive grant moneys resulting from this proposal is speculative and therefore, have not included the estimate in the fiscal note.

Officials from the **Office of the Secretary of State (SOS)** assume many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this proposal for Administrative Rules is less than \$1,500. The SOS recognizes this is a small amount and does not expect additional funding would be required to meet these costs. However, SOS also recognizes that many such bills may be passed in a given year and that collectively the costs may be in excess of what the SOS can sustain with their core budget. Any additional required funding would be handled through the budget process.

Officials of the **Department of Elementary and Secondary Education** assume the language contained in the proposed new sections, 307.178 and 307.182, excludes school buses in that specific reference is made in 307.178 that a "passenger car" means every motor vehicle designed for carrying ten persons or less. There is no cost to school districts if the assumption is correct.

DESE also states that if further review determines that this assumption is incorrect and that school buses would be included in this new legislation, then a significant fiscal note will need to be included.

Oversight assumes for the purposes of this fiscal note that buses are excluded from the provision and requirements of this proposal. Therefore, **Oversight** assumes no fiscal impact to school districts.

Officials of the **Office of Prosecution Services** assume the proposal would not have a significant direct fiscal impact on County Prosecutors.

Officials of the **Department of Revenue** assume no fiscal impact.

ASSUMPTION (continued)

Officials of the **Office of State Court Administrator** assume there is no fiscal impact on the Courts.

Officials of the **Department of Public Safety - Director's Office** and the **Highway Patrol** each assume the proposal would not fiscally impact their respective agencies.

In response to a similar proposal from this year (HB 1043), officials from the **Office of the State Public Defender** assumed the proposal would not fiscally impact their agency.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

Small business car rental agencies would be required to provide for rental of appropriate child passenger restraint systems as a result of this proposal.

DESCRIPTION

This proposal modifies the law with respect to the use of child passenger safety restraint systems and booster seats. The proposal requires children of certain ages, weights and heights to be restrained by either a child passenger restraint system, booster seat or safety belt.

AGE/WEIGHT/HEIGHT CLASSIFICATION -

1. LESS THAN 4 YEARS OLD - This act requires children less than four years old, regardless of weight, to use an appropriate child passenger restraint system.

DESCRIPTION (continued)

2. LESS THAN 40 POUNDS - The act requires children weighing less than 40 pounds, regardless of age, to be secured in a child passenger restraint system appropriate for the child.

3. LESS THAN 8 YEARS OLD/80 POUNDS OR UNDER 4'9" - Children (ages 4-7) or children weighing at least 40 pounds but less than 80 pounds, or children less than 4'9" tall must be secured in a child passenger restraint system or booster seat appropriate for that child.

4. GREATER THAN 80 POUNDS OR TALLER THAN 4'9" - Children who are at least 80 pounds or children taller than 4'9" shall be secured by a vehicle safety belt.

A violation of the child passenger restraint provisions is an infraction and the fine is \$25 plus court costs. The fine for violating the safety belt provision of the act is \$10. Charges for violating the child passenger restraint and booster seat provisions shall be dismissed or withdrawn if the driver provides evidence that he or she acquired a child passenger restraint system or booster seat prior to or at his or her hearing. The act requires car rental agencies to inform its customers of the requirements of the act and provide for the rental of an appropriate child passenger restraint system. The act does not apply to public carriers for hire.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Public Safety
Department of Transportation
Office of the State Courts Administrator
Office of the State Public Defender
Office of the Secretary of State
Department of Revenue
Department of Elementary and Secondary Education
Office of Prosecution Services



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