

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2040-01
Bill No.: SB 549
Subject: Children and Minors; Liability; Motor Vehicles
Type: Original
Date: March 6, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
General Revenue	(\$3,005,533 to Unknown)	(\$1,551,457 to Unknown)	(\$1,597,774 to Unknown)
Child Occupant Trust Fund *	Unknown	Unknown	Unknown
Total Estimated Net Effect on <u>All</u> State Funds	(\$3,005,533 to Unknown)	(\$1,451,457 to Unknown)	(\$1,597,774 to Unknown)

* Unknown offsetting revenues and expenditures.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 7 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Transportation**, the **Office of State Treasurer**, and **Missouri Highway Patrol** assume no fiscal impact to their organizations.

Officials from the **Department of Revenue** (DOR) assume this legislation is intended to provide definitions for child booster seat and child passenger restraint systems. It clarifies what restraint system applies based on age and weight for children under the age of sixteen. It creates a Child Occupant Trust Fund to be used by the department of public safety for education and car seat loaner programs.

This proposal also requires the DOR to assess 2 points on the driver license of anyone convicted of failing to properly restrain a child. DOR's Driver and Vehicle Services Bureau does not currently maintain statistics on the number of seat belt violations as these are non-point assessable violations. DOR obtained statistics from the Missouri Highway Patrol (MHP) of the number of citations that were written for failure to maintain proper seat belt restraint. In 1998 (latest figures available), MHP issued 83,321 seat belt citations. Of these, 3,458 (4%) were for failing to properly restrain a child. DOR statistics indicate the MHP issues one third of all citations state-wide.

Using these estimates, the Driver and Vehicle Services Bureau assumes the following:

3,458 Total seat belt infractions involving children issued by MHP
x 3.3 State, county and municipalities
11,411 Estimated state-wide seat belt infractions involving children
/ 160 Number of citations coded per hour

71 Hours required for coding seat belt convictions.

11,411 Estimated state-wide seat belt infractions involving children
/ 79 Number of convictions keyed per hour

144 Hours required for keying seat belt convictions

Total overtime hours necessary for coding and keying new seat belt convictions = 215 hours
overtime Clerk Typist II (@ \$1706 per month = \$14.75 per hour) = \$2,642 for FY 2002.

Oversight assumes this cost is minimal and can be absorbed from existing resources.

ASSUMPTION (continued)

Officials from the **Department of Revenue** also assume that fines and judgements under the proposal would be minimal since a driver can have a case dismissed by providing documentation of acquisition of a proper child restraint system.

Officials from the **Department of Public Safety** (DPS) assume the proposal would define child passenger safety requirements and require the Division of Highway Safety (DHS) to conduct an educational program to raise public awareness of the importance of child safety systems, to purchase and distribute child passenger restraint systems and child booster seats for low-income families, and to report annually on the results.

DHS currently has a child safety seat giveaway program for indigent families through the Missouri Highway Patrol. DHS provides educational materials & training workshops on the importance of child restraints and correct installation of seats.

DPS estimates their cost as follows:

In 1999 there were 29,161 births that were paid for by Medicaid. Assuming that these families would qualify as low income, at \$45 per restraint, the initial cost would be around \$1,312,245. This does not even include the children low-income families would be required to secure in booster seats. Booster seats cost \$55 each. Assuming at least as many "low income" children under age 8 required to be in a booster seat, that cost could bring the total for seats closer to \$3m. Each violation would bring in a fine of \$25 to go into the trust fund. However, we have no way to calculate the amount of money the fund would receive each year because we don't know the number of violations currently being written. Because the current violation is an infraction with no points, it is not captured at a state or local level-there is no mechanism to do so. We do know, however, that the fund only brings in \$25 per violation, while a child safety seat costs \$45 and a booster seat costs \$55. The state will continue to have to pick up \$20-\$30 per seat.

ASSUMPTION (continued)

Category	FY 2002	FY 2003	FY 2004
Salaries (1FTE)	(\$27,327)	(\$33,612)	(\$34,452)
Benefits	(\$9,108)	(\$11,203)	(\$11,483)
Equipment	(\$6,105)	0	0
Expense	(\$748)	(\$770)	(\$792)
Child Safety Seats	(\$1,312,245)	(\$656,122)	(\$675,805)
Booster Seats	(\$1,650,000)	(\$849,750)	(\$875,242)
Warehouse rental	(Unknown)	(Unknown)	(Unknown)
Total	(\$3,005,533)	(\$1,551,457)	(\$1,597,774)

Oversight assumes substantial compliance with the new provisions after an initial public awareness of the new requirements is developed, and that the additional revenue from fines and judgements would be minimal. Oversight assumes the required expansion of the public awareness campaign could be accomplished at minimal cost using existing resources. Oversight also assumes there would be additional cost to DPS for shipping and for warehouse salaries, but that these amounts are unknown.

In response to a similar proposal, officials from the **Office of State Courts Administrator** assume substantial compliance after a period of adjustment and would not expect a significant increase in the workload of the courts.

Oversight assumes any additional costs to the courts would be minimal and could be absorbed from existing resources.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
CHILD OCCUPANT TRUST FUND			
<u>Revenues</u> - Court Judgements	Unknown	Unknown	Unknown
<u>Expenditures</u> - DPS			
Public Education Program	(Unknown)	(Unknown)	(Unknown)
Car Seat Loaner Program	(Unknown)	(Unknown)	(Unknown)
ESTIMATED NET EFFECT ON CHILD OCCUPANT TRUST FUND	<u>Unknown</u>	<u>Unknown</u>	<u>Unknown</u>
GENERAL REVENUE FUND			
<u>Cost</u> - DPS			
Personal Service	(\$27,327)	(\$33,612)	(\$34,452)
Fringe Benefits	(\$9,108)	(\$11,203)	(\$11,483)
Equipment	(\$6,105)	\$0	\$0
Expense	(\$748)	(\$770)	(\$792)
Child Safety Seats	(\$1,312,245)	(\$656,122)	(\$675,805)
Booster Seats	(\$1,650,000)	(\$849,750)	(\$875,242)
Warehousing and shipping	(Unknown)	(Unknown)	(Unknown)
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>(\$3,005,533 to Unknown)</u>	<u>(\$1,551,457 to Unknown)</u>	<u>(\$1,597,774 to Unknown)</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal amends various provisions regarding the use of child restraint systems in motor vehicles.

For children less than four years of age regardless of weight or for children weighing less than forty pounds regardless of age, a child passenger restraint system appropriate for that child shall be used. If the child is at least four years of age but less than eight years of age or weighs at least forty pounds but less than eighty pounds, the child shall be properly restrained in a properly secured child booster seat.

Every car rental agency doing business in the state of Missouri shall inform its customers of the requirements of this section and shall provide for rental an appropriate child passenger safety restraint system.

Creates a state fund to be known as the "Child Occupant Trust Fund". All judgments collected pursuant to this section, appropriations of the general assembly, federal grants, private donations and any other moneys designated for the child occupant protection public education program shall be deposited in the fund

The Department of Public Safety shall establish a statewide safety seat loaner program to supply low-income families with child safety seats and to provide education in the use of such seats.

The Department of Public Safety shall conduct an educational campaign using all available methods to raise public awareness of the importance of properly restraining child passengers and the value of seatbelts to adult motorists. The department shall report to the transportation committees of the general assembly on the campaign and results observed on the highways. The first report is due December 1, 2002, and annually thereafter.

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 Revenue
Department of Transportation
Office of State Courts Administrator
Missouri Highway Patrol
Department of Public Safety
State Treasurer's Office



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Director
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