

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1343-01
Bill No.: HB 418
Subject: Children and Minors; Motor Vehicles; Transportation.
Type: Original
Date: February 28, 2005

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2006	FY 2007	FY 2008
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Health and Senior Services, Department of Elementary and Secondary Education, Office of the State Courts Administrator** and the **Department of Public Safety - Office of the Director** and the **Missouri Highway Patrol** each assume the proposal would not fiscally impact their respective agencies.

In response to a similar proposal from last year (SB 710), officials from the **Office of the State Public Defender** assumed the proposal would not fiscally impact their agency.

Officials from the **Office of Prosecution Services** assume the proposal will not have a significant direct fiscal impact on county prosecutors.

Officials from the **Office of Secretary of State (SOS)** assume there would be costs due to additional publishing duties related to the Department of Transportation's authority to promulgate rules, regulations, and forms. SOS estimates the division could require approximately 8 new pages of regulations in the Code of State Regulations at a cost of \$27.00 per page, and 12 new pages in the Missouri Register at a cost of \$23.00 per page. Costs due to this proposal are estimated to be \$492, however, the actual fiscal impact would be dependent

ASSUMPTION (continued)

upon the actual rule-making authority and may be more or less. Financial impact in subsequent fiscal years would depend entirely on the number, length, and frequency of the rules filed, amended, rescinded, or withdrawn. SOS does not anticipate the need for additional staff as a result of this proposal, however, the enactment of more than one similar proposal may, in the aggregate, necessitate additional staff.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

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

<u>FISCAL IMPACT - State Government</u>	FY 2006 (6 Mo.)	FY 2007	FY 2008
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2006 (6 Mo.)	FY 2007	FY 2008
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

Car rental agencies doing business in Missouri would be required to inform customers of the new requirements set forth in this proposal as well as provide a child passenger safety restraint system(s) for rental.

DESCRIPTION

This proposal changes the laws regarding child passenger restraints and safety belts. The bill:

- (1) Requires children less than four years of age to be secured in a child passenger restraint system;
- (2) Requires children four through five years of age to be secured in a child passenger restraint system or booster seat;
- (3) Requires children at least six years of age to be secured by a vehicle safety belt, child passenger restraint system, or booster seat;
- (4) Allows children weighing more than 40 pounds, who would otherwise be required to be secured in a booster seat, to be transported in the back seat of a vehicle while wearing only 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;
- (5) Requires car rental agencies doing business in Missouri to inform customers of the requirements of the bill and to provide for the rental of an appropriate child passenger restraint system;
- (6) Exempts public carriers for hire or school buses; and
- (7) Requires the Department of Transportation to develop a public information program to ensure compliance with child passenger restraint laws.

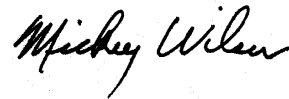
A violation of child passenger restraints and safety belts is an infraction and punishable by a fine of not more than \$25 plus court costs with no points assessed against any person. The charges against any person receiving a citation for a child restraint violation will be dismissed or withdrawn if the person provides prior to or at a hearing evidence of acquisition of a child passenger restraint system or child booster seat which is satisfactory to the court or the prosecutor.

The proposal has an effective date of January 1, 2006.

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 Prosecution Services
Department of Elementary and Secondary Education
Office of the Secretary of State
Department of Health
Office of the State Public Defender



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Director
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