

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 4026-01  
Bill No.: HB 1165  
Subject: Children and Minors; Education; Elementary and Secondary; Transportation  
Type: Original  
Date: January 30, 2006

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**FISCAL SUMMARY**

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

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

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 5 pages.

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

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

**FISCAL ANALYSIS**

**ASSUMPTION**

Officials from the **Department of Transportation, Department of Public Safety and Missouri Highway Patrol** assume no fiscal impact to their agency.

Officials from the **Department of Elementary and Secondary Education** assume there is no state cost to the foundation formula associated with proposal. Should the new crimes and amendments to current law result in additional fines or penalties, DESE cannot know how much additional money might be collected by local governments or the DOR to distribute to schools. To the extent fine revenues exceed 2004-2005 collections, any increase in this money distributed to schools increases the deduction in the foundation formula the following year. Therefore, the affected districts will see an equal decrease in the amount of funding received through the formula the following year; unless the affected districts are hold-harmless, in which case the districts will not see a decrease in the amount of funding received through the formula (any increase in fine money distributed to the hold-harmless districts will simply be additional money). An increase in the deduction (all other factors remaining constant) reduces the cost to the state of funding the formula.

**Oversight** assumes this would be accomplished during the normal budgetary process. Therefore, Oversight assumes the initial administrative impact of this proposal is \$0.

<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

Yes. Section 307.181.5 requires car rental companies doing business in Missouri to inform customers of the requirements of section 307.181 and to provide rental of the appropriate child passenger safety restraint systems. This change could affect small businesses in that they must develop a method for informing customers of this law; any such effect would likely be minimal.

DESCRIPTION

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

- (1) Requires children younger 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;

DESCRIPTION (continued)

(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 safety restraint system;

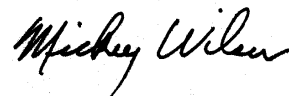
(6) Exempts public carriers for hire or school buses carrying children four years of age and older; and

(7) Requires the Highways and Transportation Commission to develop a public information program to ensure compliance with child passenger restraint laws.

A violation of the child passenger restraint or safety belt provisions 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 the acquisition of a child passenger restraint system or child booster seat which is satisfactory to the court or the 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 Transportation  
Department of Elementary and Secondary Education  
Department of Public Safety



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Director  
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