

SESSION OF 2007

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 211**

As Amended by House Committee on  
Transportation

**Brief\***

SB 211 would amend existing law relating to passenger car safety belts. The bill would:

- Define “passenger car” as a motor vehicle manufactured or assembled after January 1, 1968, or a motor vehicle manufactured or assembled prior to 1968 which was manufactured or assembled with safety belts, with motive power designed for carrying 10 passengers or fewer; including vans;
- Require a person 18 years of age or older, sitting in the front seat of a passenger car, to wear a safety belt at all times when the car is in motion;
- Require occupants of a passenger car manufactured with safety belts in compliance with federal motor vehicle safety standard no. 208, who are 14 to 17 years of age, to wear a safety belt at all times when the vehicle is in motion;
- Provide that from and after July 1, 2007 to December 31, 2007, a law enforcement officer would issue a warning citation to safety belt law violators;
- Fine front seat occupants of a passenger car \$60 for not wearing a safety belt; and

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

- Provide that from and after January 1, 2008, persons 14 to 17 years of age not wearing a safety belt would be fined \$60.

The bill also would create the Traffic Records Enhancement Fund to enhance and upgrade the traffic records systems in the state and create the EMS Revolving Fund to improve and enhance emergency medical services in the state.

The bill also would provide that remittance from fines, penalties, and forfeitures received by the district court be credited as follows:

- 0.12 percent to the Children's Advocacy Center Fund;
- 0.04 percent to the EMS Fund;
- 0.04 percent to the Trauma Fund; and
- 0.04 percent to the Traffic Records Enhancement Fund.

The remainder of remittances would go to the State General Fund.

## **Background**

Conferees who testified in support of the bill included: the Superintendent of the Kansas Highway Patrol; Ashleigh Adkins, a 17-year old student whose younger sister was killed in a car accident; the Director of the Division of Health, Kansas Department of Health and Environment; and a spokesperson for Kansas Action for Children. Written testimony in support of the bill also was submitted by the Kansas Department of Transportation and the American Academy of Pediatrics. Conferees who supported the bill emphasized that many lives could have been saved if motor vehicle occupants in car crashes would have worn a safety belt. No one testified against the bill.

The Senate Committee of the Whole amendments would:

- Increase the fine from \$10 to \$60, plus court costs for failure to wear a seat belt;
- Provide a warning period to drivers before law enforcement issues safety belt citations;
- Establish the Traffic Records Enhancement Fund and the EMS Revolving Fund; and
- Provide for the distribution of fines, forfeitures, and penalties to the Children's Advocacy Fund; the EMS Revolving Fund; the Trauma Fund; the Traffic Records Enhancement Fund; and the remainder of remittances to the State General Fund.

The House Transportation Committee amendment would define "passenger car" and set a flat fine of \$60 (instead of a fine up to \$60 plus court costs) for safety belt violations.

The Kansas Department of Transportation and the Kansas Highway Patrol estimate there would be no fiscal effect on their operations from passage of SB 211. The bill would increase the number of persons who could incur a seat belt violation, thereby increasing the potential for additional revenue from fines. There is, however, no way of estimating how much the fiscal impact might be.