

SESSION OF 2007

**SUPPLEMENTAL NOTE ON
SUBSTITUTE FOR HOUSE BILL NO. 2136**

As Recommended by House Committee on
Transportation

Brief*

Sub. for HB 2136 pertains to safety belts in passenger cars. The bill would:

- Amend the definition of a passenger car;
- Require front seat occupants of a passenger car who are 18 years of age and older to wear a safety belt at all times when the car is in motion (violations would constitute a secondary offense);
- Require persons 14 to 17 years of age to wear a safety belt at all times when the passenger car is in motion (violations would constitute a primary offense);
- Provide that a law enforcement officer issue a warning citation from July 1, 2007, to December 31, 2007, to 14 to 17 year olds who are stopped for not wearing a safety belt; and
- Set the fine for violating the safety belt law at \$60 (the fine currently is \$10).

Background

The House Committee on Transportation recommended a substitute bill.

*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>

Conferees who testified in support of the original bill included: the Co-Chair, Driving Force; the Chair of the Advisory Committee on Trauma; the Superintendent of the Kansas Highway Patrol; the Secretary of the Department of Health and Environment; Stephanie Wilson, Meriden, Kansas; and the Chief Administrator, Board of Emergency Medical Services. Conferees who submitted written testimony in support of the bill included representatives of: the Kansas Department of Transportation; the Executive Vice-President of AAA; the Car Seat Program Coordinator; the Sheriff of Sedgwick County; the Special Assistant, Kansas African American Affairs Commission; the President of the N. E. Kansas Regional EMS Council; the Alliance of Automobile Manufacturers; the Kansas Emergency Medical Services Association; the Kansas State Nurses Association; Kansas Action for Children; Kansas State Child Death Review Board; Safe Kids; Kansas Peace Officer's Association; and the National Transportation Safety Board. Conferees who testified against the bill included the spokesperson for ABATE, and Kelly Wendeln, Chanute, Kansas.

The Committee also received testimony from the Office of Judicial Administration. The representative proposed an amendment to make the disposition of the fines paid for seat belt violations consistent with fines paid for other violations of the Kansas statutes.

The original bill would have required all passengers to wear a safety belt. The bill also would have set up a Traffic Records Enhancement Fund to enhance and upgrade the traffic records of the state. In addition, the bill would have created an EMS Revolving Fund to improve and enhance the emergency medical services in the state. The fine for a safety belt violation would have been \$60.

An updated fiscal note was not available when the Committee took action on the substitute bill.