

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3606-01
Bill No.: HB 1202
Subject: Children and Minors; Motor Vehicles; Department of Public Safety; Roads and Highways
Type: Original
Date: February 9, 2004

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
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 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Transportation, Department of Revenue, Department of Public Safety – Missouri Highway Patrol, and the Office of the State Public Defender** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Office of the State Courts Administrator (CTS)** assume the proposed legislation would have no fiscal impact on the courts.

Officials from the **Office of Prosecution Services** assume prosecutors could absorb the costs of the proposed legislation within existing resources.

ASSUMPTION (continued)

Officials from the **Office of Secretary of State (SOS)** assume there would be costs due to additional publishing duties related to the Department of Public Safety'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 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in subsequent fiscal years would depend entirely on the number, length, and frequency of the rules filed, amended, rescinded, or withdrawn.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.

<u>FISCAL IMPACT - State Government</u>	FY 2005 (6 Mo.)	FY 2006	FY 2007
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2005 (6 Mo.)	FY 2006	FY 2007
	<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

The proposed legislation would require children less than four years old, regardless of weight, or children weighing less than 40 pounds, regardless of age, to use an appropriate child passenger restraint system. The proposal would require children four years of age through five years of age or who weigh 40 pounds to 60 pounds to be secured in a child passenger restraint system or a child booster seat. Children six years of age or older, or children who are at least 60 pounds, would be required to use a safety belt, child restraint system or booster seat. Children weighing more than 40 pounds, who would otherwise be required to be secured in a booster seat, could be transported in the back seat while only wearing 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.

Car rental agencies doing business in Missouri would be required to inform customers of the requirements of the bill and to provide an appropriate child passenger safety restraint system.

Public carriers for hire or school buses would be exempt unless the school buses have been equipped with safety belts.

The Department of Public Safety would be required to develop a public information program to ensure compliance with child passenger safety restraint laws.

The proposal would provide that if there are more people in a vehicle than are seat belts, the passengers who are unable to wear seat belts must sit in the rear-seat area of the vehicle unless the vehicle is designed only for a front-seat area.

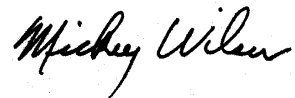
A violation of this child restraint provision would be an infraction and punishable by a fine of not more than \$25 plus court costs with no points assessed against any person. The charges against any person receiving a citation for a child restraint violation would be dismissed or withdrawn if the person 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 prosecutor.

The proposal has an effective date of January 1, 2005.

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

Office of State Courts Administrator
Department of Transportation
Department of Revenue
Department of Public Safety
 – Missouri State Highway Patrol
Office of Prosecution Services
Office of Secretary of State
Office of State Public Defender

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
February 9, 2004