

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 2638-04  
Bill No.: SB 710  
Subject: Motor Vehicles; Public Safety Department; Children and Minors.  
Type: Original  
Date: January 7, 2004

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**FISCAL SUMMARY**

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

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
<b>Total Estimated Net Effect on <u>All</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.

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

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

### FISCAL ANALYSIS

#### ASSUMPTION

Officials from the **Department of Revenue**, **Department of Public Safety - Missouri Highway Patrol** and the **Office of the State Public Defender** each assume the proposal would not fiscally impact their respective agencies.

Officials from the **Office of the State Courts Administrator (CTS)** state while there may be a number of violations, they would not expect the number to significantly increase the workload of the courts and, after a period of adjustment, would expect substantial compliance to reduce the initial number of violations.

**Oversight** assumes any additional costs to CTS would be minimal and could be absorbed from existing resources

Officials from the **Department of Public Safety - Director's Office** state they would require an unknown amount of General Revenue funds to concur with the proposal. The Division of Highway Safety (which is now under the Department of Transportation) currently is responsible for child restraint programs.

**Oversight** assumes the proposal would be implemented by the Department of Transportation -

ASSUMPTION (continued)

Division of Highway Safety and not the Department of Public Safety.

Officials from the **Office of Prosecution Services** state any costs resulting from this proposal could be absorbed within the current budget constraints.

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.

Officials from the **Department of Transportation (DOT)** state this proposal amends various provisions regarding the use of child restraint systems in motor vehicles. The educational materials with revised law information would have to be redesigned and printed, but DOT assumes they can absorb the resulting cost. Therefore, DOT assumes no fiscal impact from this proposal.

FISCAL IMPACT - State Government

FY 2005  
(6 Mo.)

FY 2006

FY 2007

\$0

\$0

\$0

FISCAL IMPACT - Local Government

FY 2005  
(6 Mo.)

FY 2006

FY 2007

\$0

\$0

\$0

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 requires 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 requires 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, must 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, may 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.

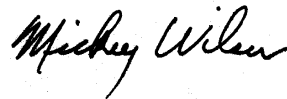
A person found guilty of violating this new law would be assessed a fine of not more than \$25. A person may escape the \$25 penalty by demonstrating that the person obtained a child safety seat prior to or at his or her hearing which is satisfactory to the court or the party responsible for prosecuting the violator's citation. This proposal requires car rental agencies to inform customers of the law and provide for rent appropriate child restraint system. No points will be assessed against a person's driver's license for violating this proposal. If there are more persons than there are seat belts in the car, then the passengers must sit in the area behind the front seat unless the vehicle is designed only for a front-seated area. This exception does not apply to passengers riding with an intermediate licensee. This proposal has an effective date of January 1, 2005.

RAS:LR:OD (12/02)

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

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

Mickey Wilson, CPA  
Director  
January 7, 2004