

## MINUTES OF THE HOUSE TRANSPORTATION.

The meeting was called to order by Chairperson Gary Hazylett at 1:40 p.m. on March 6, 2001 in Room 519-S of the Capitol.

All members were present except:

Committee staff present:

Bruce Kinzie, Revisor  
Hank Avila, Research  
Ellie Luthye, Committee Secretary

Conferees appearing before the committee:

Representative Cindy Hermes  
Rosalie Thornburgh, Chief of Bureau of Traffic Safety, Kansas Department of Transportation  
Mark Goodloe, Kansas Highway Patrol  
James Keating, Safe Kids Coalition  
Donna O'Malley, Children's Mercy Hospital and Clinics  
Jane Ross, Kansas State Council of Emergency Nurses Association  
Lt. John Eichkorn, Kansas Highway Patrol  
Dr. Erik Mitchell, Shawnee County Coroner

Others attending:

See attached list

**SB 172 - traffic regulation relating to child passenger seat requirements and seat belts**

Chairman Hayzlett opened hearings on **SB 172** and called on Representative Cindy Hermes as the first conferee. She asked the committee to think of their children and grandchildren as they debated this bill and to remember that seat belts can save their lives. She said many people had worked hard for the bill and she asked for the committee to support it.

Rosalie Thornburg, Chief of the Bureau of Traffic Safety, Kansas Department of Transportation, spoke in support of the bill. She said saving lives and preventing serious injury is the purpose for asking for enhanced protection for children. The goal of a strengthened child restraint law is to reduce the number of deaths and disabling injuries resulting from motor vehicle crashes and the objective is increased use of occupant protection. She told the committee statistics prove that buckling up is the single most effective action that can be taken to reduce the risk of death and serious injury and this proposed legislation asks for two things that will assist in doing that: increased protection for children and stiffer fines. (Attachment 1)

Major Mark Goodloe, Kansas Highway Patrol, said according to KDOT's latest study, 81% of children four and under are protected in a child safety seat while traveling on Kansas's roadways, however, when the children outgrow their convertible seats around the age of four years, many parents stop using child safety seats and move kids directly into safety belts. He stated this could seriously harm small children in a crash since safety belts are designed for adults. He concluded **SB 172** makes it illegal for children to outnumber securing locations in a vehicle and increases the fine for violations of the child passenger safety law to \$25 plus court costs. (Attachment 2)

James Keating, Safe Kids Coalition, spoke in support of **SB 172**. He showed a short video showing the correct way of putting children in the proper safety device rather than the use of an adult sized seat belt. He then called on Lt. John Eichkorn, Kansas Highway Patrol, who demonstrated several types of safety seats - infant seat for children under 20 pounds, the convertible seat for children 40 pounds or 4 years of age (and this is where the Kansas law stops), the booster seat for children over 40 pounds but under 80 pounds, or 8 years of age, and over 80 pounds a child can be put in a regular seat belt. Mr. Keating concluded it has been proven that strong child passenger safety laws are effective at increasing restraint use and saving children's lives. Passage of **SB 172** will provide parents in our state with better guidance on how to protect their children and will send a clear message to motorists that the state considers child safety seat, booster seat and seat belt use necessary for the safety of all children. (Attachment 3)

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE, Room 519-S of the Capitol at 1:40 p.m. on March 6, 2001.

Donna O'Malley, Children's Mercy Hospital and Clinics, told the committee that seat belts and car seats save lives and in her years in the emergency room she has worked many trauma activations. She stated anything that can be done to prevent these tragedies from happening is a worthwhile effort. She also presented handouts as part of her testimony offering eight reasons she feels **SB 172** should be passed and also an article written by a group of doctors from the Children's Hospital in Philadelphia regarding statistics on the use of child safety seats. (Attachment 4)

The next proponent to present testimony was Jane Ross, President of the Kansas State Council of Emergency Nurses Association. She said parents are lulled into a false sense of security thinking their children are safe since they are in a seat belt - no matter the size or type. However, practicing emergency room nurses know this is not true and they see devastating spinal cord, neck and abdominal injuries from seat belts that are improperly placed due to the size of the child being restrained. (Attachment 5)

Dr. Erik Mitchell, Shawnee County District Coroner, also spoke in support of **SB 172**. He said as a coroner he sees the results of the accidents when proper seat restraints are not used and it is a tremendous experience that you don't forget easily. It was his opinion that passage of **SB 172** would greatly reduce these tragedies and hopefully make his job less necessary.

Written testimony was presented by Carolyn Ward, Executive Director, State Child Death Review Board, Office of the Attorney General (Attachment 6), Sally Finney, Executive Director, Kansas Public Health Association, Inc. (Attachment 7) and Natalie Haag, Director of Governmental Affairs, Office of the Governor (Attachment 8).

Following discussion and questions from the committee Chairman Hayzlett closed hearings on **SB 172**.

Chairman Hayzlett told the committee the sub-committee report on **HB 2145** would be postponed until the meeting on Wednesday, March 7<sup>th</sup>.

The minutes of the meetings on February 19<sup>th</sup> and 20<sup>th</sup> were presented for corrections or approval. Representative Dillmore made a motion to accept the minutes as presented, seconded by Representative Vickery and the motion carried.

The next meeting of the House Transportation Committee will be held on Wednesday, March 7<sup>th</sup> in Room 519-S.