

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 26, 2005

TO: Honorable Tom Craddick, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB183 by Brown, Fred (Relating to the prosecution of offenses involving the use of safety belts and child passenger safety seat systems.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Transportation Code as it relates to the prosecution of offenses involving the use of safety belts and child passenger safety seat systems.

The bill would make it an offense for a person to operate a passenger vehicle and transport a child younger than 5 years old and who is less than 36 inches in height without the child being secured in a child passenger safety seat system according to the manufacturer's instruction. The bill would also make it an offense for a person to transport a child younger than 17 not required to be secured in a child passenger safety seat system under Section 545.412(a), Transportation Code. An offense under Section 545.412, Transportation Code is a moving violation of a traffic law.

The Department of Public Safety (DPS) would also be required to conduct a study regarding legislative options to improve child passenger safety laws. DPS must complete the study and report to the legislature on or before September 1, 2006.

The bill would also amend the Code of Criminal Procedure to change the allowable sentences for defendants charged with the offense of violating child passenger safety seat laws. A judge would be able to require defendants charged with this offense to complete a specialized driver safety course that includes four hours of child passenger safety seat instruction, even if the defendant had taken a driver's safety course within the last twelve months, provided that the previous course did not include the child passenger safety seat training.

DPS reports that although the bill will require some programming changes within their mainframe system, the agency can accomplish this with existing resources and the bill will not have a significant fiscal impact.

The bill would take effect September 1, 2005.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 405 Department of Public Safety, 601 Department of Transportation

LBB Staff: JOB, SR, VDS, SJ