

## MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Les Donovan at 8:30 a.m. on February 5, 2004 in Room 527-S of the Capitol.

All members were present except:

Senator David Adkins- excused  
Senator Mark Gilstrap- excused

Committee staff present:

Hank Avila, Legislative Research Department  
Bruce Kinzie, Revisors of Statutes  
Marian F. Holeman, Committee Secretary

Conferees appearing before the committee:

Ami Hyten, KS. Safe Kids Coalition  
Danielle Roeber, National Highway Safety Board  
Lt. John Eichkorn, KS. Highway Patrol  
Traci Meyer  
Terry Heidner, KDOT Director Planning & Development  
Amanda Wiltz, American Automobile Assn.  
Dr. Dennis Cooley, KS Chapter, Academy of Pediatric Physicians  
Dr. Sarah Johnston, Wichita Board Member Child Death Review Board  
Darlene Whitlock, Emergency Nurses Assn.  
Pamela Kemp, Director Clay Co. EMS & EMS Assn.  
Gary Brunk, Exec. Dir., KS Action for Children  
Paula Marmet, KS Dept. Of Health & Environment

Others attending:

See Attached List.

### **SB 329: Child passenger safety act, age requirements, penalties**

Ami Hyten, Kansas Safe Kids Coalition, testified in support of this bill. She described her nonprofit group and their work in the area of child passenger safety ([Attachment 1](#)). Danielle E. Roeber, National Transportation Safety Board came from Washington, D.C. to speak in support of this bill. She discussed three key issues: (1) need for belt-positioning booster seats for children ages 4 to 8; (2) use of seat belts after outgrowing belt-positioning booster seats, and (3) legislation to increase proper restraint use by children. The Safety Board recommends primary enforcement of seat belt laws and requiring all motor vehicle occupants, no matter their seating position, to use seat belts. Many parents rely on state laws to tell them how to keep their children safe in motor vehicles. This bill would help to close the safety gap in current Kansas law ([Attachment 2](#)).

Lt. John Eichkorn, appeared before the Committee on behalf of Colonel William Seck and the Kansas Highway Patrol to support the bill. He opened with a video demonstrated exactly what they are talking about regarding booster seats. He explained how the current secondary citation statute hinders the ability of law enforcement to encourage widespread use of safety belts. Troopers know how safety belts save lives and minimize injuries and they need legislation to help them ([Attachment 3](#)). Traci Meyer, Emporia, testified how her 4-year old daughter Blair's life was saved when the van in which she was riding was totaled in a rear-end accident. Blair was properly restrained in a booster seat in the back seat of the vehicle ([Attachment 4](#)).

Terry Heidner, Director, Division of Planning and Development, Kansas Department of Transportation provided testimony in support of this bill, because statistics tell us the most effective means to increase child passenger safety is a stronger law ([Attachment 5](#)). Amanda J. Wiltz, American Automobile Association emphasized the organization's support, especially for provision relating to 14-18 year olds ([Attachment 6](#)). Dr. Dennis Cooley, Kansas Chapter, American Academy of Pediatrics (KAAP) presented data on improperly fitting safety devices and resulting recommendations that children less than 57 inches be restrained in booster seats. Current law overrules standard medical advice and **SB 329** would provide a much needed tool to change current behavior, He also stressed need for 14-18 year old

## CONTINUATION SHEET

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provisions ([Attachment 7](#)). Dr. Sarah Johnston, Wichita, Board Member, Child Death Review Board shared some of the tragic evidence from this Board that is very convincing in terms of need for change in current law and will also show how changes outlined in **SB 329** will positively impact the death rate in Kansas ([Attachment 8](#)).

Darlene S. Whitlock, RN, MSN, Board of Directors, Kansas Emergency Nurses Association stressed how strongly her Association supports this bill, especially the section regarding teens. Has personal experience with motor vehicle crashes. The most common group they see from these crashes is 15 - 25 year olds ([Attachment 9](#)). Pamela Kemp, Director Clay County Emergency Medical Services. Ms. Kemp, as representative of the Kansas EMS Association. She also has much personal experience in this area. A frequently asked question is "What does the Kansas child restraint law say I have to do?" Their policy is to ask whether they want what Kansas law is or the safest way to transport their child. The two are not the same. They ask that Kansas law be fixed to keep children safe in our state ([Attachment 10](#)). Gary Brunk, Executive Director, Kansas Action for Children, first addressed the issue of teen deaths in auto crashes and Kansas overall state ranking in child deaths. They support this bill because failure to use proper restraints is the biggest contributor to traffic related fatalities and injuries ([Attachment 11](#)). Paula F. Marmet, Director Office of Health Promotion, Division of Health, Kansas Department of Health & Environment provided information on Kansas traffic related deaths and the importance of expanding legislation to include populations most at risk. She also stated that it is estimated that \$1.00 spent on child safety seats saves \$32.00 ([Attachment 12](#)).

Written testimony in support of **SB 329** was provided by the following: Phyllis Larimore, BSN, CPST Instructor, Children's Mercy Hospitals & Clinics ([Attachment 13](#)). Wanda Stewart, State Chairperson, MADD ([Attachment 14](#)). Tom Whitaker, Executive Director, Kansas Motor Carriers Association ([Attachment 15](#)). Tara Eubanks, Public Affairs Specialist, State Farm Insurance Companies ([Attachment 16](#)). Hearing closed. Final action on this bill will occur at a later date.

Meeting adjourned at 9:30 a.m.

The next meeting is scheduled for February 10, 2004.