

**2007 Regular Legislative Session**  
**FISCAL ANALYSIS OF PROPOSED LEGISLATION**  
**Prepared by the Oregon Legislative Fiscal Office**

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**MEASURE NUMBER:** HB 2536                      **STATUS:** A Engrossed  
**SUBJECT:** Expands requirement of the use of seatbelts, age requirements for the use of seatbelts and car seats, and where and under what conditions and child can sit in the front seat.  
**GOVERNMENT UNIT AFFECTED:** Oregon Department of Transportation, Oregon Judicial Department  
**PREPARED BY:** Tim Walker  
**REVIEWED BY:** Susan Jordan, Robin LaMonte  
**DATE:** March 30, 2007

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	<u>2007-2009</u>	<u>2009-2011</u>
<b>EXPENDITURES:</b> See Comments		
<b>REVENUES:</b> See Comments		
<b>EFFECTIVE DATE:</b> July 1, 2007		

**GOVERNOR’S BUDGET:** This bill is not anticipated by the Governor’s recommended budget.

**LOCAL GOVERNMENT MANDATE:** This bill does not affect local governments' service levels or shared revenues sufficient to trigger Section 15, Article XI of the Oregon Constitution.

**COMMENTS:** This bill requires children under the age of 13 to sit in the rear seating position if a position is available and is not occupied a vulnerable passenger or a passenger under the age of 13; creates the violation of endangering child safety; requires children under the age of 8 or under a certain height to use a child safety system; removes the ability of a driver to transport more people in a vehicle than the vehicle has safety restraint; and expands the offense of failure to properly use safety restraints.

The fiscal impact of this bill is indeterminate due to the inability to predict the frequency of citations for these types of violations. In general, seatbelt violations create a high volume of cases in circuit courts, and an expansion of the circumstances in which a citation for this type of citation can be written could have a substantial affect on the courts. From January 2004 through September 2006 the circuit courts averaged 14,661 seatbelt violations per year. A Class D violation case on average costs \$30.38 to process, and generates \$44.26 in revenues.

Oregon Department of Transportation (ODOT) anticipates this bill will require some reprogramming of the DMV system to account for the new violation, changes to the Oregon Driver Manual, and the redesign and redistribution of public education, media, and training materials. ODOT estimates these costs at \$88,250. This bill would make state law consistent with United States Department of Transportation “best practices” and would make Oregon eligible for additional child passenger safety funding. These Federal Funds would be used for child restraint enforcement, training and public education.

It is important to note that ODOT analyzes all legislation that passes and develops a work plan to complete all the changes together in order to efficiently complete the necessary work. Therefore, while each bill is analyzed for changes as if it were the only change necessary, actual programming time could be reduced due to efficiencies. The Department will develop a work plan to address all computer changes required to conform driver and motor vehicle systems to enacted legislation. The Department will then appear before the Emergency Board, if necessary, during the interim to request an expenditure limitation increase needed to address the required work.