

Department of Planning and Budget

2002 Fiscal Impact Statement

1. **Bill Number** HB254

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. **Patron** McQuigg

3. **Committee** S Committee on Transportation

4. **Title** Child restraint devices.

5. **Summary/Purpose:**

HB254 increases the civil penalty for a violation of Sec. 46.2-1095, which requires the use of child restraint devices or safety belt systems for children less than 16 years of age. This bill will raise the penalty of subsection A requiring use of child restraint devices for children under age 4, by \$50, from \$50 to \$100. This bill will also raise the penalty of subsection B, requiring use of restraint devices for children 4 through 16, by \$75, from \$25 to \$100 and would attach court costs to subsection B where court costs are currently barred. Revenue generated by the increase in fees will accrue to the Child Restraint Device Special Fund, a fund operated by the Department of Health "to promote, purchase and distribute child restraint devices to applicants who... are unable to acquire one because of financial inability." Additional revenue from court costs will revert to the general fund.

6. **Fiscal Impact Estimates are:** Final

Revenue Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2002-03	\$870,000	0	Child Restraint Dev Fund
2002-03	\$324,000	0	Fund General Fund
2003-04	\$870,000	0	Child Restraint Dev Fund
2003-04	\$324,000	0	Fund General Fund

7. **Budget amendment necessary:** Yes, §3 of Item 1 of the appropriations act (revenue section).

8. **Fiscal implications:** According to the Supreme Court, there are approximately 1200 violations of subsection A annually and 10,800 violations of subsection B annually. Based on this information, the increase in penalties will result in an additional \$870,000 annually to the Child Restraint Development Fund. Currently in 46.2-1095b there is a provision barring the assessment of court costs. This bill would add a provision imposing court costs of \$30 per violation. Court costs will result in an additional \$324,000 to the state general fund.

9. **Specific agency or political subdivisions affected:** District Courts, Department of Health

10. Technicalamendmentnecessary:No

11. Othercomments:None

Date: 01/15/02/TMB

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