

Department of Planning and Budget 2006 Fiscal Impact Statement

1. **Bill Number:** HB1453

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. **Patron:** Rust

3. **Committee:** Militia, Police and Public Safety

4. **Title:** Motor vehicle safety belts.

5. **Summary/Purpose:** This bill makes the requirement to wear a safety belt applicable to all motor vehicle occupants and makes failure to wear a motor vehicle safety belt a primary offense. It also exempts certain law-enforcement officers, persons in their custody, drivers of and passengers in taxicabs, and persons traveling in vehicles while engaged in providing emergency medical care or first aid from the requirement to wear safety belts. The bill provides that a law-enforcement officer may not search or inspect a motor vehicle, its contents, or its occupants solely because of a safety belt violation. Finally, it provides for the allocation of any federal funds that might become available as a consequence of passage of the bill.

6. **Fiscal impact estimates are preliminary.**

6b. Revenue Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2005-06	-	-	-
2006-07	\$16.4 Million	-	State Federal Trust Fund (1000)
2007-08	-	-	-

7. **Budget amendment necessary:** No.

8. **Fiscal implications:** The federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) program provides state incentives for the enactment and enforcement of primary safety belt laws. If Virginia passes a primary safety belt law or maintains an 85% safety belt use rate for two consecutive years, Virginia would become eligible to receive approximately \$16.4 million in federal funding.

Federal organizations such as the National Highway Traffic Safety Administration have documented the success of primary safety belt laws in saving lives, reducing injuries, and decreasing medical expenses incurred by states. A one-time federal SAFETEA-LU funding grant of approximately \$16.4 million provides additional incentive.

SAFETEA-LU monies for compliance with safety belt law are a one-time grant. The SAFETEA-LU grant prescribes that at least \$1 million must go toward behavioral safety programs. These behavioral safety programs are typically administered by the Department of

Motor Vehicles (DMV). The remaining \$15.4 million would be distributed by the Secretary of Transportation based on the identified needs of eligible programs or projects within the Virginia Department of Transportation and DMV.

- 9. Specific agency or political subdivisions affected:** Secretary of Transportation, Department of Transportation, Department of Motor Vehicles, Virginia localities, grantees sponsoring safety programs with eligible SAFTEA-LU money.

- 10. Technical amendment necessary:** No.

- 11. Other comments:** Virginia's safety belt use rate has continued to increase in recent years. However, it is still below the 85% required for two consecutive years to qualify for SAFETEA-LU grant monies based on use rate. In 2005 the safety belt use rate was 80.4%, which includes drivers and front seat passengers. The use of safety belt systems (lap belts and shoulder harnesses) in Virginia has increased 8.1% when compared to 72.3% in 2001. While Virginia's use of safety belt systems has increased, our rate is below the national average of 82%. Neighboring states of Maryland and North Carolina have primary safety belt laws in place and have usage rates of 91.1% and 86.7% respectively.

During FY 2005, the number of safety belt convictions under §46.2-1094 was 55,686. It is projected that with a primary safety belt law, Virginia would realize an approximate cost avoidance of \$236 million, save 71 lives, and avoid or minimize 1,075 serious injuries.

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cc: Secretary of Transportation