



Final Fiscal Note

Drafting Number:	LLS 24-0248	Date:	July 1, 2024
Prime Sponsors:	Rep. Froelich; Pugliese Sen. Winter F.; Priola	Bill Status:	Signed into Law
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Bill Topic: **CHILD PASSENGER SAFETY & EDUCATION**

Summary of Fiscal Impact:	<input type="checkbox"/> State Revenue	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> TABOR Refund	<input type="checkbox"/> Statutory Public Entity

The bill modifies child restraint system laws to increase child passenger safety. The bill increases state workload in FY 2024-25 only.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The final fiscal note reflects the enacted bill. The bill was recommended by the Transportation Legislation Review Committee.

Summary of Legislation

The bill makes changes to existing child restraint systems laws, including:

- increasing the age of children who must use a child restraint system from under eight to under nine years of age;
- increasing the age and weight of children who must be restrained in a rear-facing child restraint system from under one year to under two years of age and from under 20 pounds to under 40 pounds;
- increasing the age of children who must be restrained in a rear-facing or forward-facing child restraint system from one year or older to two years or older;
- adding a requirement that children aged four to nine who weigh at least 40 pounds must use a child restraint system or booster seat in a rear seat, if available; and
- increases the age of children who must be restrained in a safety belt or child restraint system from under 16 years of age to under 18 years of age.

The bill requires the Division of Highway Safety in the Department of Transportation (CDOT) to provide information about the updated child restraint system requirements to the public using existing funds.

Comparable Crime Analysis

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or creates a new factual basis for an existing crime. The following section outlines crimes that are comparable to the offense in this bill and discusses assumptions on future rates of criminal convictions resulting from the bill.

Prior conviction data and assumptions. This bill creates new class B traffic infractions related to child passenger safety, including failing to use a child restraint system for children under 57 inches in height, failing to use a booster seat for children aged four to nine, and failing to use a seat belt for children aged nine to 13. This bill also expands the requirements for the existing offense of failing to properly use child restraint systems. To form an estimate on the prevalence of these crimes, the fiscal note analyzed the existing offense of violating the proper use of child restraint systems in motor vehicles as a comparable crime. From FY 2020-21 to FY 2022-23, 1,655 have been convicted and sentenced for this existing offense. Of the persons convicted, 790 were male, 858 were female, and 7 did not have a gender identified. Demographically, 1,250 were White, 132 were Black/African American, 172 were Hispanic, 8 were Asian, 42 were American Indian, 35 were classified as "Other," and 16 did not have a race identified.

The fiscal note assumes that any impact on criminal justice-related revenue or expenditures at the state or local levels will be minimal; therefore, these potential impacts are not discussed further in this fiscal note. Visit leg.colorado.gov/fiscalnotes for more information about criminal justice costs in fiscal notes.

State Expenditures

Workload will increase for CDOT to provide information on updates to the child safety laws to the public. This can be accomplished within existing appropriations.

Effective Date

This bill was signed into law by the Governor and took effect on June 4, 2024.

State and Local Government Contacts

Judicial

Public Safety

Transportation

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit: leg.colorado.gov/fiscalnotes.