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FISCAL IMPACT REPORT

ORIGINAL DATE 01/28/13
 SPONSOR HJC LAST UPDATED 02/26/13 HB 116/HJCS
 SHORT TITLE Car Restraints For All Passengers SB _____
 ANALYST Boerner

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY13	FY14	FY15	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total		\$0.0	\$0.0	\$0.0	Nonrecurring	None

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Public Safety (DPS)
 Department of Health (DOH)
 Taxation and Revenue Department (TRD)
 Department of Transportation (DOT), Traffic Safety Department
 Public Defender Department (PDD)

SUMMARY

Synopsis of Bill

The House Judiciary Committee substitute for House Bill 116 amends Section 66-7-369 NMSA 1978 to require all passengers in a passenger car, van or pickup (except for an authorized emergency vehicle, public transportation or a school bus) to be restrained regardless of the passenger's age or the availability of seating positions equipped with safety belts.

It should be noted this bill leaves intact the medical exception possibility for an individual to have a written statement from a licensed physician that the individual is unable, for medical reasons, to use the appropriate safety belt device.

FISCAL IMPLICATIONS

None noted.

SIGNIFICANT ISSUES

The DOH provided the following background information about a similar bill:

Motor vehicle crashes are the leading cause of death among infants to 44 year olds in the U.S. and New Mexico, and are the third leading cause of injury hospitalizations in New Mexico. More than half of the people killed in car crashes were not restrained at the time of the crash according to the National Highway Traffic Safety Administration (NHTSA). The NHSTA also states that wearing a seat belt is the most effective way to prevent death and serious injury in a crash. Seat belt use reduces the likelihood of serious injury in a crash by approximately 50 percent (NHTSA). Motor vehicle crash death rates have decreased since the 1960s and wearing safety belts is a major factor in the decline.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The DPS notes that not enacting this bill will permit the exemption that allows individuals currently under the age of 18 or older to ride unrestrained in the bed of a pickup truck if all seating positions with safety belts are occupied. This current exemption obviously allows for great bodily harm or death to unrestrained passengers in the event of a motor vehicle collision.

CEB/svb