

SUBJECT: Mandatory seat belt use for children in the back seats of vehicles

COMMITTEE: Transportation — favorable, with amendments

VOTE: 8 ayes — Alexander, Siebert, Y. Davis, Hamric, Hawley, Hill, Noriega, Uher
0 nays
1 absent — Edwards

SENATE VOTE: On final passage, March 24 — voice vote

WITNESSES: For — Gary Floyd, M.D., Cook Children’s Medical Center; Gary Taylor, National Highway Traffic Safety Administration; Janet Donaldson; John Merrifield

Against — None

BACKGROUND: Transportation Code, sec. 545.412(a) requires a child between the ages of two and four to wear a seatbelt in any seat of a passenger car and requires a child under age two to be secured in a child safety seat. Sec. 545.413(b) requires a child between the ages of four and 14 to wear a seat belt while riding in the front seat of a passenger car, including trucks with less than a 1,500-pound carrying capacity if the seat is equipped with a seat belt. An offense under this section is a misdemeanor punishable by a fine of \$25 to \$50.

DIGEST: SB 60, as amended, would amend Transportation Code sec. 545.413 to require a child between the ages of four and 14 to wear a seat belt in any seat of a passenger car if the seat was equipped with a seat belt.

The bill would define “passenger car” to include trucks with a carrying capacity of less than 1,500 pounds and “safety belt” to include a lap belt and any shoulder straps included as original equipment or added to a vehicle.

The bill would take effect September 1, 1999, and would apply to offenses that occurred on or after the effective date of the bill.

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**SUPPORTERS
SAY:**

Mandatory seat-belt use for children in the back seats of vehicles would save lives. Statistics from a 1996 study by the National Highway Traffic Safety Administration show that Texas children aged four to 17 who rode in the back of an enclosed vehicle without seat belts were three times more likely than those wearing seat belts to be killed in a serious accident. Children under 15 are more likely than adults to suffer severe injury if they are unrestrained in the back seats of vehicles. Children are smaller and do not manage their behavior as well as adults, which makes them more susceptible to being injured inside a car during a collision.

The penalty for violating this provision would be no higher than the penalty for adults who do not wear seat belts in the front of a vehicle, and it would not place a serious financial burden on families. Although enforcement might never be perfect, this bill is needed to send a strong message to parents to protect their children riding in the back seats of vehicles.

**OPPONENTS
SAY:**

Seat-belt use in the back seats of vehicles should be mandatory for all persons regardless of age. Many more lives would be saved if the law required all persons to wear seat belts in the back seat, instead of limiting the requirement to children under 15.

NOTES:

The committee amendments would change the definition of vehicles affected by the bill from passenger cars and pickup trucks to passenger cars and light trucks with a carrying capacity of less than 1,500 pounds. The committee also added the definition of a safety belt.