

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: May 6, 2010
POSITION: Neutral

BILL NUMBER: AB 2667
AUTHOR: J. Hill

BILL SUMMARY: Vehicles: Child Passenger Restraint Systems

This bill requires hospitals, clinics or birthing centers that discharge children less than 6 years of age to provide information where, at no cost, a child restraint system can be inspected and instruction provided on proper installation. This information would only need to be provided one time per child.

FISCAL SUMMARY

There are no significant costs associated with this bill. The California Highway Patrol (CHP) indicates that additional workload associated with more people requesting child passenger restraint system installation inspection and instruction would be absorbable because the CHP already participates in public outreach for this activity and much of the public is already aware of this service. The child passenger restraint system installation and instruction would also apply to fire and police departments that participate in this activity, but the impact is also assumed to be minor and absorbable because these entities currently provide this service.

Under Section 6(b) of Article XIII B of the California Constitution, any costs to a unit of local government which result from legislation defining a new crime or changing an existing definition of a crime are not reimbursable by the state.

There could be minor costs for the hospitals, clinics or birthing centers to modify printed materials, but these would not be reimbursable by the state because the bill applies to both public and private health facilities. In City of Sacramento v. State of California, 50 Cal 3d 51 (1990), on the issue of whether, by extending unemployment insurance coverage from the private sector to the public sector, Chapter 2, Statutes of 1978, constituted a reimbursable state mandate, the State Supreme Court held as follows:

Here, the issue is whether costs unrelated to the provision of public services are nonetheless reimbursable costs of government, because they are imposed on local governments "unique[ly]," and not merely as an incident of compliance with general laws. State and local governments, and non-profit corporations, had previously enjoyed a special exemption from requirements imposed on most other employers in the state and nation. Chapter 2/78 merely eliminated the exemption and made these previously exempted entities subject to the general rule. By doing so, it may have imposed a requirement "new" to local agencies, but that requirement was not "unique".

COMMENTS

Finance is neutral on this bill because there are no significant costs associated with these activities. Current law already requires that hospitals provide and discuss information on current laws regarding child passenger restraint systems when discharging children under 6 years of age. Adding information about where parents can get a child restraint system inspected is a refinement to the existing requirement. This information would need to be provided by these medical facilities one time per child. Additionally, any potential costs incurred as a result of this bill would not be reimbursable by the state.

Analyst/Principal Date Program Budget Manager Date
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Governor's Office: By: Date: Position Approved
Position Disapproved

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AB 2667

Research conducted for the National Highway Traffic Safety Administration indicates that 73 percent of child restraint systems are not installed or used properly. Ensuring that parents know how to properly install child restraint systems could result in fewer injuries to children. In addition to the intrinsic benefit of keeping children safe, this could result in a reduction of state medical costs associated with the treatment of injuries.

In California, child restraint system inspection stations are readily available. The National Highway Traffic Safety Administration has an inspection locator service on its website. No cost inspection stations include local California Highway Patrol area offices, fire and police departments, and private affiliates, such as automobile clubs.

Code/Department Agency or Revenue Type	SO LA CO RV	PROP 98	FC	(Fiscal Impact by Fiscal Year)			Fund Code
				(Dollars in Thousands)			
				2009-2010	2010-2011	2011-2012	
2720/CHP	SO	No		-----	No/Minor Fiscal Impact	-----	0044
8885/Comm St Mndt	LA	No		-----	No/Minor Fiscal Impact	-----	0001
<u>Fund Code</u>	<u>Title</u>						
0001	General Fund						
0044	Motor Vehicle Account, STF						