



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 9

PRINTERS NO. 2179

PRIME SPONSOR: Watson

COST / (SAVINGS)

FUND	FY 2011/12	FY 2012/13
Motor License Fund	\$0	\$0
Child Passenger Restraint Fund	\$5,063	\$10,125
Local Funds	\$0	\$0

SUMMARY: Creates primary enforcement of the seat belt law for drivers and passengers under age 18; limits the number of passengers under age 18 who can ride in a vehicle driven by a junior driver (under age 18); and increases the number of hours of practical driving experience that are required before a minor who holds a learner's permit can apply for a junior driver's license. This legislation would take effect in 60 days.

ANALYSIS: This legislation amends Section 1503 of Title 75 (relating to junior driver's license) to limit to the number of passengers under the age of 18 who can ride in a vehicle driven by a junior driver (under age 18).

For the first six months after issuance of the junior driver's license, a junior driver shall not drive a vehicle with more than one passenger under 18 years of age who is not a member of the driver's immediate family, unless the junior driver is accompanied by a parent or legal guardian. After the expiration of the first six months, a junior driver shall not drive a vehicle with more than three passengers under 18 years of age who are not members of the driver's immediate family, unless the junior driver is accompanied by a parent or legal guardian.

If a junior driver has been involved in a reportable accident for which the junior driver is partially or fully responsible in the opinion of PennDOT, or has been convicted of any violation of Title 75, that driver shall not drive a vehicle with more than one passenger under 18 years of age who is not a member of the driver's immediate family, unless the junior driver is accompanied by a parent or legal guardian. Violation of the passenger restriction provisions is a summary offense, with a fine of \$25. An exception was made for siblings of the junior driver who live in the same dwelling as the junior driver, provided a parent or guardian approves.

This legislation amends Section 1505 (relating to learner's permits) to increase from 50 to 65 the number of hours of practical driving experience that are required before a minor who holds a

learner's permit can apply for a junior driver's license. The bill stipulates that 10 of those hours must be logged after dark, and five must be logged during inclement weather.

The legislation amends Section 4581 of Title 75 (relating to restraint systems) to extend the primary offense enforcement of the seat belt law to apply to any person in the car under the age of 18. This means that the junior driver and all passengers under 18 must wear a properly adjusted and fastened safety seat belt system, or be safely secured in a child passenger restraint system. If they are not, a law enforcement officer may stop the vehicle and cite the driver for this violation alone.

This legislation requires PennDOT to biannually compile a report noting the number of accidents involving junior drivers who were transporting multiple passengers under 18, noting the number of passengers under 18 and whether the drivers and passengers under 18 were wearing seat belts. This report shall be submitted to the Transportation Committees of the House and Senate.

Consequently, the current booster seat law will change, making it a primary offense if children under eight years old are not securely fastened in a booster seat. Currently, it is only a primary offense if children under four years old are not securely fastened in a child passenger restraint system. A seat belt violation remains a secondary offense for drivers 18 and older. Under the legislation, a fine of \$75 is established for a seat belt violation.

FISCAL IMPACT: This legislation would result in the loss of \$10,125 in fine revenue annually to the Child Passenger Restraint Fund. The FY 2011-12 amount is prorated for half of a year. This calculation is based on the average fine revenue received over the past 4 completed fiscal years. This legislation will have no adverse impact on the Motor License Fund. This legislation will have no adverse impact on local funds. The State Police and local police forces currently enforce routine traffic law; therefore the contents of this legislation will not require any additional staffing at either the state or local level.

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: September 28, 2011

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.