

SENATE HIGHWAYS AND TRANSPORTATION COMMITTEE

December 2, 2008

Testimony on House Bill 320

Chairman Buehrer, Members of the Committee,

My name is Jason Pappas and I am a Legislative representative with the Fraternal Order of Police of Ohio representing nearly 26,000 active and retired law enforcement officers across the State. I am also an active police officer with the Columbus Division of Police. I would like to thank all of you for allowing me the privilege of testifying before you today in support of HB 320.

HB 320 would make it mandatory for children between the ages of four and eight or less than 4 feet 9 inches in height to be secured in a booster seat while being transported in a motor vehicle. In addition the bill seeks to raise the age of mandatory seat belt usage to those under the age of 19 from the current age of 15.

Under current law, a child who is less than four years old or who weighs less than 40 pounds, or both, must be secured in a federally approved child restraint system when being transported in a motor vehicle (other than a taxi or public safety vehicle) (R.C. 4511.81(A) and (B)). Current law also provides that when any child who is at least 4 years of age but not older than 15 years of age is being transported in a motor vehicle (other than a taxicab or a public safety vehicle) that is required by the United States Department of Transportation to be equipped with seat belts at the time of manufacture or assembly, the vehicle operator must have the child properly restrained either in accordance with the manufacturer's instructions in a child restraint system (which may be a booster seat) that meets federal motor vehicle safety standards or in an occupant restraining device (seat belt) (R.C. 4511.81(C)).

Violation of this requirement is a minor misdemeanor on a first offense and the offender is subject to a mandatory fine of at least \$25. Subsequent offenses are a fourth degree misdemeanor. Current law also establishes that the failure to use a child restraint system when required may not be used in a related civil or other criminal action. (R.C. 4511.81(G) and (K).)

I have knowledge of and have witnessed too many accidents where a child was injured due to a seat belt that did not fit correctly or where the child was not properly restrained. Children are our responsibility and we must take measures that will assist in their safety when involved in a motor vehicle accident.

Thank you for the opportunity to testify in support of this legislation and I will be happy to answer any questions you may have at this time.