



# Ohio Legislative Service Commission

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## Fiscal Note & Local Impact Statement

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**Bill:** [S.B. 302 of the 130th G.A.](#)

**Date:** May 20, 2014

**Status:** As Introduced

**Sponsor:** Sen. Schiavoni

**Local Impact Statement Procedure Required:** No

**Contents:** Child seat/seat belt requirements

### State Fiscal Highlights

- No direct fiscal effect on the state.

### Local Fiscal Highlights

- No direct fiscal effect on political subdivisions.

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## Detailed Fiscal Analysis

The bill makes the failure to properly secure a child between the ages of four and 15 in a motor vehicle a primary offense. Under current law, the failure to secure a child under the age of four is a primary offense, but all other violations of the state's child restraint and seat belt laws are secondary offenses. For a secondary offense, a law enforcement officer is not permitted to issue a citation unless the officer cites the operator or passenger for an offense that is not a secondary offense. In calendar year 2012, there were nearly 115,000 violations of the seat belt law and another 6,000 violations of the law requiring proper child restraints. If the number of citations increases, then there could be a resulting gain in revenues for state and local governments. If, however, moving the law from a secondary to a primary offense results in an increase in the voluntary compliance rate, then revenue from such citations may decrease. Any revenue effect of the bill for the state will be to the Trauma and Emergency Medical Services Fund (Fund 83M0) used by the Department of Public Safety, which receives 100% of the revenue from state seat belt violations, or to the Child Highway Safety Fund (Fund 4T40) used by the Department of Health, which receives the revenue from child restraint violations.

The bill also eliminates a provision of law that declares that the failure of an operator of a motor vehicle to properly secure a child in a car seat, booster seat, or with a seat belt is inadmissible as evidence in certain criminal or civil actions. This provision is unlikely to have any fiscal impact on local courts, as it does not create any new court cases. It only permits evidence currently disallowed by the Revised Code.