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### **FEDERAL SAFETY OFFICIAL TESTIFIES IN SUPPORT OF SAFETY BELT**

**LEGISLATION:** The head of the National Highway Traffic Safety Administration (NHTSA) testified at the Missouri State Capitol this week in support of legislation that would strengthen the state's safety belt law. House Bill 1200, sponsored by Rep. Rob Schaaf, R-St. Joseph, was heard Feb. 11 by the House Transportation Committee.

A primary safety belt law in Missouri would save 89 lives and prevent more than 1,000 serious injuries a year, according to Dr. Jeffrey Runge, the administrator of NHTSA, an agency of the U.S. Department of Transportation. Currently, Missouri allows only secondary enforcement of the state's safety belt law, meaning motorists can be ticketed for not wearing their safety belts only if the driver was initially pulled over for another offense.

"Our data clearly show that upgrading Missouri's safety belt law from secondary to primary enforcement is the most effective way for Missouri to reduce traffic deaths, injuries and their costs – more than vehicle improvements; more than road and intersection improvements; more than any other piece of legislation you might consider," Runge told the committee.

According to Runge, about 73 percent of Missourians currently buckle their safety belts. The national average is 79 percent. Statistics show drivers in states with primary seat belt laws buckle up more often. Missouri's neighboring states with primary safety belt laws – Iowa and Illinois – have use rates of 86 and 80 percent respectively.

In 2002, 995 people died while riding in cars and trucks in Missouri. Of these, 707 (71 percent) were not wearing safety belts.

Missouri's rural communities are most at risk, Runge said, with nearly 70 percent of Missouri's traffic deaths occurring in rural areas. The fatality rate per vehicle miles traveled is 2.7 times higher in rural Missouri than in urban communities.

Runge testified that in addition to causing death and serious injury, the lack of a primary safety belt law is costly. Death and injuries resulting from traffic crashes cost the country about \$230 billion each year in medical expenses, lost productivity, property damage and related costs.

Missouri pays more than \$4.7 billion of these costs annually – that's nearly \$850 for every resident of the state. About 75 percent of those costs are paid by citizens who were not involved in the crashes.

A primary safety belt law could actually bring money into Missouri, Runge said. President Bush's highway bill, now pending in Congress, could provide financial incentives of more than \$17 million for Missouri if the General Assembly passes a primary safety belt law or the state reaches 90 percent safety belt use. That rate has never been achieved by any state without a primary safety belt law.

In addition to Runge, more than a dozen people testified in support of the bill including Bret Johnson from the Missouri State Highway Patrol. Prior to the hearing, Johnson had gathered traffic fatality statistics from the previous 10 days. Of the 16 people dying in car crashes in Missouri, 12 were not wearing seat belts, he said, and two of the 16 were pedestrians.

Others testifying in favor of the legislation include:

- Henry Hungerbeeler, director of MoDOT
- Janet Dewey-Keelen, the National Safety Council
- Angela Hirsch, Mothers Against Drunk Driving (MADD)
- Carlos Orta, Ford Motor Company
- Jim Russell, Alliance of Auto Manufacturers
- Richard Brownlee, State Farm Insurance and the Missouri Insurance Coalition
- Ed Wallace, General Motors
- Betsy Morgan, Missouri College of Physicians
- Tom Holloway, Missouri State Medical Association
- Leanna DePue, Missouri Safety Center, Central Missouri State University
- John Davis, LETSAC
- Al Pope, Daimler Chrysler
- Dale Findley, Missouri Safety Council
- Penny Lorenz Benley, Think First Missouri

Written testimony was submitted by Ford Motor Company and the Alliance of Auto Makers.

There was no opposing testimony presented.

No committee action was taken on the bill.

**SENATE COMMITTEE HEARS CHILD SAFETY SEAT BILL:** The Senate Transportation Committee heard testimony Feb. 10 on a bill that would strengthen Missouri's child safety seat laws.

Senate Bill 710, sponsored by Sen. Wayne Goode, D-St. Louis, would require children less than 4 years of age, regardless of weight or children weighing less than 40 pounds, regardless of age, to use a child passenger restraint system when riding in a motor vehicle. It also would require children ages 4 and 5 who weigh 40 to 60 pounds to use a child restraint system or a booster seat. Children age 6 and older or weighing more than 60 pounds could use a safety belt.

Drivers violating the law could avoid paying the \$25 fine if they could demonstrate that they have obtained a child safety seat meeting the requirements of the law prior to the hearing.

Twenty other states have adopted similar child safety seat laws including Nebraska, Illinois and Arkansas.

Testifying in support of the bill were:

- Carla Swine, a nurse from Cardinal Glennon Hospital in St. Louis and representing the Safe Kids Coalition
- Pam Fulk, St. John's Health Center in Springfield
- Bret Johnson, Missouri Highway Patrol
- Mark Woolbright, Professional Firefighters of Eastern Missouri
- Joyce Shaul, MoDOT, Highway Safety
- Richard Brownlee, Missouri State Farm Insurance and Missouri Insurance Coalition
- Dale Findley, Missouri Safety Council

There was no opposing testimony on the bill.

No committee action was taken on the bill.

**RED LIGHT CAMERAS CONSIDERED BY COMMITTEE:** The use of cameras to record vehicles running red traffic lights was the subject of a hearing by the Senate Transportation Committee Feb. 10. Senate Bill 1145, sponsored by Sen. Harry Kennedy, D-St. Louis, would authorize cities and counties with a population greater than 25,000 to adopt ordinances authorizing the use of cameras to catch drivers who run red lights. The proposal would allow cities and counties to enter into an agreement with the MHTC that would allow them to use red light cameras on state highways within their city or county limits.

Under the legislation, the owner of the vehicle recorded by the red light camera is presumed to be the driver running the red light unless the owner can provide evidence that the vehicle was stolen at the time of the violation or that the vehicle had not run the red light.

Testifying in support of the bill were:

- Richard Brownlee, representing Missouri State Farm Insurance and the Missouri Insurance Coalition
- Bill Teeling, an attorney with the St. Louis City Treasurer's office
- Tom Stough, St. Louis Treasurer's office.

Ten other states have adopted red light camera legislation similar to what is being proposed in Missouri.

There was no opposing testimony presented.

The committee took no action on the bill.

Other bills heard Feb. 10 by the Senate Transportation Committee include:

- Senate Bill 899, sponsored by Sen. Wayne Goode, D-St. Louis, would step up Missouri's school bus inspection process by requiring the frames on school buses to be inspected. Bret Johnson from the Missouri Highway Patrol testified in support of the bill.
- Senate Bill 757, Sponsored by Sen. Charles Shields, R-St. Joseph, modifies the definition of a "driveaway operation" to include the transporting of vehicles in transit from one place to another such as when a car rental company needs to transport vehicles from one city to another to meet the needs of its customers. No public testimony was presented.
- Senate Bill 1146, sponsored by Sen. Patrick Dougherty, would regulate the use of traffic signal preemption systems that are used to control traffic signals at intersections. The bill would allow these devices to be used only by emergency vehicle operators during an emergency; authorized bus operators to maintain a longer green light; and authorized operators performing traffic signal maintenance. An unauthorized person using one of these devices would be guilty of a class B misdemeanor. Jill McHugh, general counsel for the Department of Public Safety, testified that the language in the bill is different than that of other bills filed this session because it allows the owners of the traffic signals to determine who can use the pre-emptive devices on their signals.
- Senate Bill 946, sponsored by Sen. Delbert Scott, R- Lowry City, would allow people operating animal-driven vehicles during the night to use lamps or lanterns and reflective safety materials rather than displaying the slow-moving triangle emblem. Marsha Richeson, representing the ACLU, testified in support of the bill.

No committee action was taken on these bills.

**HOUSE COMMITTEE APPROVES HEADLIGHT LEGISLATION:** The House Transportation Committee approved a bill Feb. 11 that would require motorists to use their vehicle's headlights when inclement weather requires the use of windshield wipers or in foggy conditions. House Bill 921 is sponsored by Rep. Gina Walsh, D-St. Louis.

The fine for not using headlights during inclement weather in the bill would be \$10.

The bill now awaits floor debate.

**BILLBOARD-BANNING BILL PASSED OUT OF COMMITTEE:** Legislation that would prevent billboards with sexually-oriented messages from being placed near state highways was passed out of committee Feb. 9 by the Senate Judiciary and Civil and Criminal Jurisprudence Committee.

Senate Bill 870, sponsored by Sen. Matt Bartle, R-Lee's Summit, would prohibit adult cabaret or sexually-oriented billboards from being located within one mile of a state highway. If an adult cabaret or sexually-oriented business is located within one mile of a state highway, the business can display a maximum of two exterior signs displaying only the name, address, phone number and operating hours of the business and a notice that the minors are not allowed on the premises. Those signs would be limited to 40 square feet. Signs existing before the effective date of the legislation would not have to comply with the new law for three years.

**RESOLUTION ADDRESSES TELECOMMUNICATIONS TOWERS:** A House resolution calling for a study of telecommunications towers near airports was filed Feb. 10 by Rep. Jack

Jackson, R-Wildwood. House Concurrent Resolution 22 requests that MoDOT, in consultation with the Public Service Commission, study the problems associated with the construction of telecommunications towers near airports.

Bills that would require a permit for the construction of tall towers near airports have been considered during the previous two legislative sessions. It is part of the MHTC's legislative agenda this year. The permitting process would allow aviation personnel to review the proposed construction of tall structures near airports to ensure they would not pose a significant safety hazard to airplanes departing and arriving at the airport.

**COMMITTEE HEARS STATEWIDE COMMUNICATIONS NETWORK BILL:** The Senate Economic Development, Tourism and Local Government Committee heard testimony on a bill Feb. 11 that would develop a telecommunications network plan for all public governmental bodies in Missouri.

Senate Bill 1082, sponsored by Sen. Doyle Childers, R-Reeds Spring, would create the Division of Network Efficiency within the state Office of Administration to handle all communications policies and funds.

In his testimony, Childers stated that he hopes to create a subcommittee as an option to passing this bill to study the state's entire communication system as it relates to networking. Identifying "one network system" for Missouri could help bring more federal dollars to the state, especially homeland security funds.

Those affected by this proposal are invited to participate in the subcommittee. The committee could include members of the Senate Economic Development, Tourism and Local Government Committee; private industry; and public agencies.

Testifying for the concept of the bill was Gail Wekenborg, Division of Information Services, Office of Administration.

Several people expressed their opposition to the bill because it could increase costs and impact what has already been accomplished so far in integrating a networking system. However, these individuals are interested in being part of the study group. They include:

- Gerry Wethington, chief information officer, Office of Administration
- Bill Mitchell, Missouri Research and Educational Network, Elementary and Secondary Education
- Joe Martin, deputy director, Higher Education.

No meeting dates for the subcommittee were set, however, MoDOT has asked to be included in future meetings.

**COMMITTEE HEARS BURIAL SITE BILL:** The House Tourism and Cultural Affairs Committee heard testimony Feb. 10 on a bill that would place unmarked burial sites under the jurisdiction of a state historic preservation officer. House Bill 1056, sponsored by Rep. Dan Bishop, D-Kansas City, could affect some highway construction projects.

The bill also allows the state historic preservation officer to delay a construction project for an additional 30 days if necessary to remove items from an unmarked burial site. If the historic preservation officer must remove items in order for a construction project to continue, the private or public property owner is financially responsible for the removal of the items.

Testifying in support of the bill were Dr. Tim Baumann, a University of Missouri-St. Louis professor and John Dillingham, chairman of Clay County Millennium Board. Testimony will continue at a committee hearing Feb. 17.

No committee action was taken on the bill.

**SHIPWRECK REMAINS FOCUS OF SENATE BILL:** A bill to protect the remains of shipwrecks in Missouri could create some hurdles for highway and bridge construction. Senate Bill 1070, sponsored by Sen. Harry Kennedy, D-St. Louis, would require a professional maritime archaeologist to apply for a research permit in order to perform any activity involving a survey or research project in an area where shipwreck remains have been located beneath navigable waters in Missouri. The bill was heard Feb. 10 by the Senate Pensions and General Laws Committee.

According to the bill, all historic shipwreck materials that have been abandoned on lands beneath navigable waters belong to the state. The Department of Natural Resources would be responsible for the oversight of those materials and the sites where they are located.

The provisions in the proposal could affect work on bridges located near shipwreck remains. The additional permits and studies required by this bill and the fact that there currently is only one professional maritime archaeologist in Missouri could delay the construction of some bridges. The bill also requires the storage of any shipwreck remains that must be removed.

There was no public testimony on the bill.

The committee took no action on the bill.

**SENATE PASSES HIGHWAY ‘UN-NAMING’ BILL:** The Senate passed a bill Feb. 9 that removes the name George Washington Carver Memorial Highway from a portion of Interstate 44 in Jasper County. That portion was already named the congressman Gene Taylor Highway prior to the creation of the George Washington Carver Memorial Highway.

Senate Bill 770 is sponsored by Rep. Gary Nodler, R-Joplin.

The bill now awaits a hearing in the House.

**HOUSE COMMITTEE HEARS MEMORIAL HIGHWAY, LICENSE PLATE BILLS:** The House Transportation Committee heard testimony Feb. 11 on a number of memorial highway and license plate bills. The bills include:

- House Bill 912, sponsored by Rep. Sam Page, D-Creve Coeur, would designate the George R. “Buzz” Westfall Memorial Highway.

- House Bill 1149, sponsored by Rep. Bob May, R-Rolla, would designate a bridge over a portion of Interstate 44 in Phelps County the Trooper Mike L. Newton Memorial Bridge.
- House Bill 826, sponsored by Rep. Van Kelly, R-Norwood, would designate a portion of Highway A the Laura Ingalls Wilder Memorial Highway.
- House Bill 1167, sponsored by Rep. Van Kelly, R-Norwood, would create a special license plate for members of the Missouri Foxtrotting Horse Breed Association.
- House Bill 1114, sponsored by Rep. Trent Skaggs, D-North Kansas City, would allow survivors of peace officers and firemen killed in the line of duty to receive special license plates.
- House Bill 937, sponsored by Rep. Danielle Moore, R-Fulton, would create a special license plate for members of the Optimist International.
- House Bill 1029, sponsored by Rep. Wayne Henke, D-Troy, would designate a portion of Highway J in Lincoln County as the Veterans Highway.
- House Bill 1108, sponsored by Rep. Larry Crawford, R-Centertown, would create a National Rifle Association special license plate.

### **Federal Update:**

**SENATE APPROVES TEA-21 REAUTHORIZATION BILL**; The U.S. Senate passed its version of the TEA-21 federal transportation reauthorization bill Thursday evening, Feb. 12. The six-year, \$318 billion bill now goes to the House for consideration.

Although President Bush has threatened to veto the bill if it exceeds his funding limit of \$256 billion, the Senate is moving forward with the bill. Congress could override the President's veto with a two-third's majority vote.

The House continues to discuss its version of the reauthorization bill.

The bill will be the focus of much debate in the coming weeks before a final version is passed by Congress.

### **UPCOMING HEARINGS:**

The latest legislative hearing notices can be found at [www.house.mo.gov](http://www.house.mo.gov); go to Hearings and choose either House Hearing Schedule or Senate Hearing Schedule.