



Legislative Council Staff
Nonpartisan Services for Colorado's Legislature

Fiscal Note

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Prime Sponsors:

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Bill Status: Bill Request
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Bill Topic: **CHILD PASSENGER SAFETY AND EDUCATION**

Summary of Fiscal Impact:	<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill creates a grant program within the Department of Transportation and modifies child restraint system laws to increase child passenger safety. The bill increases state expenditures and may increase revenue on an ongoing basis beginning in FY 2024-25.

Appropriation Summary: For FY 2024-25, the bill requires an appropriation of \$500,000 from the Child Passenger Safety Education and Distribution Grant Program Fund to the Department of Transportation.

Fiscal Note Status: The fiscal note reflects the bill draft requested by the Transportation Legislation Review Committee.

Table 1
State Fiscal Impacts Under Bill 4

		Budget Year FY 2024-25	Out Year FY 2025-26
Revenue		-	-
Expenditures	Child Passenger Safety Grant Fund	\$495,124	\$491,804
	Centrally Appropriated	\$4,876	\$8,196
	Total Expenditures	\$500,000	\$500,000
	Total FTE	0.3 FTE	0.5 FTE
Transfers	General Fund	(\$500,000)	(\$500,000)
	Child Passenger Safety Grant Fund	\$500,000	\$500,000
	Net Transfer	\$0	\$0
Other Budget Impacts		-	-

Summary of Legislation

The bill creates the Child Passenger Safety Education and Distribution Grant Program within the Department of Transportation (CDOT) to fund the certification of child passenger safety technicians and programs that educate and increase access to child restraint systems. CDOT must develop and administer the grant program by January 1, 2025, and must report annually on the program to the General Assembly by December 1, 2026. The grant program repeals September 1, 2030.

The bill creates the Child Passenger Safety Education and Distribution Grant Program Fund for the grant program that will consist of any appropriations made by the General Assembly and any gifts, grants, or donations from private or public sources. Subject to annual appropriation, funds may be used to cover the costs of administering the grant program and any remaining funds will be transferred to the General Fund on August 30, 2030.

The bill also makes changes to existing child restraint systems laws, including:

- increasing the age of children who must use a child restraint system from under eight to under nine years of age, and adding a requirement that any child under 57 inches in height must use a child restraint system;
- increasing the age and weight of children who must be restrained in a rear-facing child restraint system from under one year to under two years of age and from under 20 pounds to under 40 pounds;
- increasing the age of children who must be restrained in a rear-facing or forward-facing child restraint system from one year or older to two years or older;
- adding a requirement that children aged four to nine who weigh at least 40 pounds must use a booster seat in a rear seat, if available; and
- adding a requirement that children aged nine to 13 must sit in a rear seat, if available, and use a seat belt.

Assumptions

The bill does not specify funding for the grant program, which is at the discretion of the General Assembly. The fiscal note assumes \$500,000 will be made available annually for grant administration and funding based on similar safety grant programs.

Comparable Crime Analysis

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or creates a new factual basis for an existing crime. The following section outlines crimes that are comparable to the offense in this bill and discusses assumptions on future rates of criminal convictions resulting from the bill.

Prior conviction data and assumptions. This bill creates new class B traffic infractions related to child passenger safety, including failing to use a child restraint system for children under 57 inches in height, failing to use a booster seat for children aged four to nine, and failing to use a seat belt for children aged nine to 13. This bill also expands the requirements for the existing offense of failing to properly use child restraint systems. To form an estimate on the prevalence of these crimes, the fiscal note analyzed the existing offense of violating the proper use of child restraint systems in motor vehicles as a comparable crime. From FY 2020-21 to FY 2022-23, 1,643 have been convicted and sentenced for this existing offense. Of the persons convicted, 785 were male, 851 were female, and 7 did not have a gender identified. Demographically, 1,242 were White, 129 were Black/African American, 171 were Hispanic, 8 were Asian, 42 were American Indian, 35 were classified as "Other," and 16 did not have a race identified.

The fiscal note assumes that any impact on criminal justice-related revenue or expenditures at the state or local levels will be minimal; therefore, these potential impacts are not discussed further in this fiscal note. Visit leg.colorado.gov/fiscalnotes for more information about criminal justice costs in fiscal notes.

State Revenue

The bill may increase state revenue to the Child Passenger Safety Education and Distribution Grant Program Fund from gifts, grants, or donations; however, no sources have been identified at this time. Gifts, grants, and donations are exempt from TABOR revenue limits.

State Transfer

As discussed in the Assumptions section, the bill is assumed to require an annual transfer of \$500,000 from the General Fund to the Child Passenger Safety Education and Distribution Grant Program Fund beginning in FY 2024-25. Any unspent funds will be transferred back to the General Fund on August 30, 2030. The timing and amount of any transfers to the fund will be at the discretion of the General Assembly, which will affect the amount of funding available for grants each year.

State Expenditures

Beginning in FY 2024-25, the bill increases state expenditures in the CDOT by \$500,000 per year, paid from the Child Passenger Safety Education and Distribution Grant Program Fund. Expenditures are shown in Table 2 and described below.

**Table 2
Expenditures Under Bill 4**

	FY 2024-25	FY 2025-26
Department of Transportation		
Personal Services	\$15,194	\$26,046
Operating Expenses	-	\$675
Capital Outlay Costs	\$6,670	-
Child Passenger Safety Education Grant	\$473,261	\$465,083
Centrally Appropriated Costs ¹	\$4,876	\$8,196
Total Cost	\$500,000	\$500,000
Total FTE	0.3 FTE	0.5 FTE

¹ Centrally appropriated costs are not included in the bill's appropriation.

Staff. CDOT requires 0.5 FTE for grant administration activities, including developing program policies, reviewing applications, providing technical assistance, collecting data and reporting. The remaining funds will be available for grants. Staff costs are prorated the first year for a December 1, 2024 start date.

Grant program. Beginning in FY 2024-25, the remainder of the funding will be used by CDOT to provide grant awards to qualifying programs. Grant amounts and recipients will be determined by CDOT, based on the amount of funding available for the program after administrative expenses. Program funding levels are assumptions only; actual funding will be determined by the General Assembly.

Centrally appropriated costs. Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance and supplemental employee retirement payments, are shown in Table 2.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State Appropriations

For FY 2024-25, the bill requires a cash fund appropriation of \$500,000 from the Child Passenger Safety Education and Distribution Grant Program Fund to the Department of Transportation, and 0.5 FTE.

State and Local Government Contacts

Public Safety

Revenue

Transportation