

HB

308

<TARGET><BILL>HB 308</BILL><SUBJECT>HB
308</SUBJECT><COMM>HJUD29</COMM></TARGET>

Alaska Legislature

Representative Charisse Millett

Session:

State Capitol Building
Juneau, AK 99801
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District 25

House Bill 308 Sponsor Statement

Motor vehicle injuries are a leading cause of death and injury among children in the United States. However, many of these deaths are preventable with the correct installation and use of child passenger safety devices, like car seats or booster seats. Car seat use reduces the risk for death to infants by 71%; and to toddlers by 54% in passenger vehicles. Booster seat use reduces the risk for serious injury by 45% for children aged 4–8 years when compared with seat belt use alone. The correct installation of any of these devices can alter their effectiveness dramatically, but many parents or caregivers accidentally misuse child restraints due to their complicated, unwieldy nature.

In Alaska, the Child Passenger Safety Coalition has made the goal of protecting children traveling on the roadways of Alaska their priority. Members include healthcare professionals, firefighters, paramedics, law enforcement officers, injury prevention professionals, health and safety personnel, educators, parents, businesses, foundations, policymakers, and volunteers. Their team of Child Passenger Safety Technicians perform checks and help with the installation of child passenger safety devices for any new or interested parent or caregiver. Technicians are certified after successfully completing a 3 or 4-day program of classroom and hands-on work with child restraints and motor vehicles then demonstrate their skills at a community CPS check-up event. The resulting certification as a Child Passenger Safety Technician is nationally recognized and valid for 2 years.

However, recruitment of new technicians can be difficult due to a lack of liability protection. To remedy this deficit of trained safety experts who provide essential assistance to parents, caregivers, and most importantly children, House Bill 308 limits the civil liability of certified technicians, or those who facilitate their program, in the case that an accident results from an act or omission in the inspection, installation, or adjustment of a child passenger safety device. With the goal of having our state's children safe and secured in their car seats and booster seats, this bill hopes to increase the numbers of those who can effectively install and inspect devices and direct liability to those who actually commit wrongful, criminal acts.

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District 25

House Bill 308 Sectional Analysis Version A

Section 1:

Provides that the following are not civilly liable in the case of an act or omission that occurs in the inspection, installation, or adjustment of a child safety seat or in providing education regarding the installation or adjustment of a child safety seat:

- A certified Child Passenger Safety Technician (CPST)
- A person who arranges or offers the services of a CPST for the community
- A person who owns property where a CPST is operating

A CPST must offer their services for free or for the amount of their actual costs, in good faith, and within the scope of their training. They may also not be sponsored by a child passenger safety device manufacturer or retailer.

Section 2:

Applicability clause.



FAQs: *Why We Must Preserve Alaska's Car Seat Inspection Programs With Immunity Safe Harbor for Certified Technicians*

Thank you for your consideration of legislation, HB 308, which will help maintain the viability of child car seat inspection programs in Alaska. The bill would provide qualified immunity from liability exposure to individuals trained to help caregivers correctly install children's car seats, formally known as **Certified Child Passenger Safety (CPS) Technicians**.

Why are CPS Inspection Programs Important? Car seats, correctly installed and used every time, are proven to save lives. However, the technology of different car seat models and motor vehicles can make installing them a challenge.

Are Car Seat Inspection Services Available in Our State? Yes. There are nearly 200 certified technicians in Alaska who are involved in more than 1,500 car seat inspections annually. Numerous CPS technicians are volunteers, whose CPS certification is not supported by any specific agency or employer.

Do Parents Install Car Seats Incorrectly? Studies have shown that car seats are installed incorrectly at a rate of at least 46% based on a National Highway Traffic Safety Administration (NHTSA) survey involving over 4,000 inspections and interviews. Here in Alaska, statewide data collected since 2008 reveals an 85% car seat misuse rate.

Are Steps in Place to Ensure that Mistakes Are Avoided? Fortunately, child passenger seat technicians must complete a standardized, multi-day course on how to conduct CPS inspections, which includes the instruction of best practices and ways to ensure quality and uniformity of the process. Further, technicians must be recertified every 24 months through a continuing education process and hands-on skills evaluations. The Child Passenger Safety Technician certification program is administered by Safe Kids Worldwide, under the direction of NHTSA and the National CPS Board.

Are There Many Lawsuits Regarding the Assistance Provided to Install Car Seats? No. Because of the commitment towards excellence, we are aware of only one dispute (outside of Alaska) which was resolved and involved a nominal payment. Since the "Buckle Up" program was started in 1988, there have been more than 1.8 million car seats inspected throughout the nation.

Why Is This Immunity Law Necessary? CPS work is conducted principally by certified CPS volunteers, and the inspections are conducted under the auspices of lead agencies such as medical institutions and governmental entities. Government sovereign immunity laws rarely extend to volunteers.

Why Won't the General Alaska Good Samaritan Law Do the Job? Maybe it would, but the organizations which conduct the programs under their auspices, and the certified CPS volunteers, need a higher degree of certainty to provide for the long term viability of the program. Our state's Good Samaritan law is limited to emergencies. In order to sustain CPS services in Alaska, we urge you to support this immunity statute.

What Will the Bill Provide? It will provide immunity from civil liability in lawsuits arising from car seat inspections. It does not cover gross or willful negligence. It applies to certified CPS volunteers, and not to individuals who charge a fee to conduct CPS inspections. It also applies to the lead agencies which organize CPS appointments and events.

Do Other States Provide Civil Immunity for CPS technicians? Yes, laws in the following states provide a form of immunity for CPS technicians: Georgia, Maryland, North Carolina, Oklahoma, Oregon, Pennsylvania, Virginia, Washington State and Wisconsin.

Contacts:

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Three-year-old Survives Rollover Crash

Four Weeks After CPS Technicians Instructed Mom on Proper Car Seat Installation

Portland, Maine—On the morning of January 15, 2016, a mother and her 3-year-old daughter were traveling on I-295 when another driver shifted into the same lane near Tuckeys Bridge and forced the mother into the guardrail, causing the car to overturn. The child was snugly secured in her car seat in the rear seat behind the mom and sustained slight injuries, while the mother sprained her wrist and received some bruises.

How did this potentially tragic crash become a good news story? Just four weeks earlier, the family attended a Safe Kids Maine car seat inspection stations. The car seat was recalled because of a defect in the buckle, specifically that it would get stuck after food and drinks leaked onto it.

The technician helped to correct the defect on the car seat by attaching the replacement buckle. In January 2016, Safe Kids Maine presented the family with a new car seat.

Immediately following the crash, mother Andrea Goodwin recalled her thoughts when she was sideways in the vehicle following the crash:

“Smelling burnt airbag powder and hearing my daughter’s cries in the background, all I could think was this was the end of our short life together. Then I remembered how just 4 weeks before I had attended a car seat safety check where the wonderful volunteers replaced a recalled buckle on my daughter’s car seat and properly installed her seat from rear facing to forward facing. This no doubt is what saved my daughter’s life and left her with only a few bruises.

“I will forever be grateful for these volunteers who took the time to properly install my daughters car seat, as if it was not for me attending this car seat check a few weeks earlier, my daughter might not have survived. I wish that all parents would take the 20 minutes to stop by one of these car seat checks and ensure their car seats are properly installed.”

For more information contact:

Suzanne Grace, Safe Kids Maine, Coalition Coordinator, sgrace@tallpinesafety.org



The crash scene.



Later, Safe Kids Maine presented Mom and child with a new car seat. From left, aunt Crystal Goodwin, niece Janiah, grandmother Susan Goodwin, and Janiah’s Mom Andrea Goodwin. At right is Suzanne Grace, Safe Kids Maine coordinator.

Alaska Dispatch News

Published on *Alaska Dispatch News* (<http://www.adn.com>)

[Home](#) > Car seat credited with saving ejected toddler's life in Anchorage collision

Chris Klint

January 12, 2016

Main Image:

[Car seat credited with saving ejected infant's life in crash](#) [1]

Main Image Credit:

Courtesy Tiffany Rowe

Main Image Caption:

Nineteen-month-old Abigail Rowe is "doing well," according to mother Tiffany Rowe, after a Glenn Highway crash on Monday. Police say Abigail's car seat was ejected in the collision, which also injured three other people.

A 19-month-old girl's family says she is recovering after a Monday crash in which she and her car seat were thrown from a vehicle on the Glenn Highway.

Tiffany Rowe, Abigail Rowe's mother, said she was driving a silver Chevrolet Malibu on the Glenn Highway with her daughter Abigail and her mother, Candy Turner, as passengers when she was struck by a Ford pickup. Police said four people were injured in the collision, which occurred near Northway Mall just east of Airport Heights Drive at about 2:30 p.m. Monday.

"We were hit by the white F-150 who was traveling outbound as we were headed inbound," Rowe wrote Tuesday morning. "Abigail was ejected from the car in her car seat, which was strapped in correctly. Her arm is broken in two places, she has a lot of swelling, bruising and road rash."

The rear half of the Malibu, seen in photos taken at the scene, was destroyed in the collision. Rowe said the seat belt securing Abigail's car seat, an Evenflo Platinum Symphony LX, wasn't able to keep her in the vehicle.

"The car seatbelt was ripped from the car," Rowe wrote.

Abigail's uncle, Levi Simmons, called the crash a teaching moment for the value of properly restraining small children in car seats.

"If it wasn't for her being very properly fastened (with) her seat belt, I wouldn't have my niece anymore," Simmons wrote. "Abby can't even speak full sentences yet and she was an inch from her life. If her car seat wouldn't have been fastened, she would no longer be with us."

Police closed the highway between Airport Heights and Boniface Parkway for about five hours, reopening the road at about 7:30 p.m.

Anchorage police spokesperson Anita Shell said the department's traffic unit was still investigating the collision. No other information on the crash available Tuesday morning.



The Anchorage Fire Department said Tuesday it is offering free car seat inspections to ensure that seats are properly installed. Inspections can be scheduled by calling 907-267-5045.

Source URL: <http://www.adn.com/article/20160112/car-seat-credited-saving-ejected-toddlers-life-anchorage-collision>

Links:

[1] <http://www.adn.com/image/car-seat-credited-saving-ejected-infants-life-crash>



1

Keeping kids safe with car seats

Keeping kids safe with car seats

KARE 11 Staff,
KARE

6:47 p.m. EDT June 25, 2014



(Photo: KARE)

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BALDWIN, Wis. - A Wisconsin mother credits car seat clinic with helping save her daughter's life.

Bethany Olson and her two small children survived an accident in rural Western Wisconsin over the Memorial Day holiday.

A truck hit her car while driving on County road N. They were on their way to the store.

Olson says 15-month old EmmaJean and her 2 year-old son Gunner would not have survived if not for their properly secured child seats. Olson went to a clinic at the Baldwin Area Medical Center just two weeks before the accident happened.

Olson said at a press conference at Regions Hospital Wednesday, "No child should die from their car seat being installed incorrectly, their car seat facing the wrong way, or not being restrained correctly with a harness".

TOP VIDEOS



Clerk pulls baby into arms seconds before mom collapses

01:11

Doctor Michael Partington with Gillete Children's Specialty Healthcare says it's up to parents to do what they can to help protect their children and kids "should be in a car seat carefully thought out, carefully positioned, carefully installed. That's the single best thing we can do for them."

EmmaJean receives physical therapy, occupational therapy and speech therapy for several hours every day.

She is expected to stay in the Pediatric Trauma Center at Regions Hospital for the next two months.

Regions holds free child and booster seat safety clinics all year long.

You can also check with your local fire departments to see if they will be holding a clinic.

Wisconsin residents can look for clinic information at www.wcrta-wi.org.

Regions injury prevention manager, Shonette Doggett, says the clinic appointments usually take a half hour. The instructors will take the time to inspect each seat and car so it is appropriate for every child.

Doggett said during the press conference, "We want parents to learn how to install that seat correctly, install their child in the seat correctly, and leave safer from the clinic than when they came in."

Doggett also wants parents to know the seat's history. Adding unless you bought it from the store, you'll need to ask the family member or friend you got it from if the seat was ever involved in an accident.

She also says seats do expire and if you buy the seat from a garage sale or borrow it, look for an expiration date.

Family and friends are holding a benefit to help the Olson family pay for EmmaJean's medical bills.

It will be held:

Friday, July 25th, 2014

Elmwood Rod and Gun Club

N6433 State Road 72

Elmwood, Wisconsin

Time: 4pm - 8pm

You can also make donations to:

EmmaJean Olson

First Bank of Baldwin

PO Box 159

Spring Valley, WI 54767

www.gofundme.com/9i2yvk



John Kerry: Islamic State committing genocide
01:15



6 fun facts about St. Patrick's Day
00:41



Garland: Supreme Court nomination 'greatest honor of my life'
01:48



Merrick Garland nomination a strategic move for Obama
01:26

MORE STORIES



Vikings players serving up coffee at Twin Cities Caribou Coffee shops
Oct. 27, 2015, 7:26 a.m.



Minnesota State Colleges and Universities waive application fees this week
Oct. 26, 2015, 7:43 a.m.



Crews put out fire at North Minneapolis duplex
Oct. 26, 2015, 6:22 a.m.

From: [Rep. Charisse Millett](#)
To: [Lindsey Whitt](#)
Subject: FW: House Bill No.308
Date: Thursday, March 03, 2016 1:04:51 PM

Lindsey Whitt
Legislative Staffer
Office of Representative Charisse Millett
Main: 907.269-0222
Direct: 907.465.6588
Lindsey.Whitt@akleg.gov

From: Odemus Willow [mailto:odemus1@hotmail.com]
Sent: Thursday, March 03, 2016 11:18 AM
To: Rep. Charisse Millett <Rep.Charisse.Millett@akleg.gov>
Subject: House Bill No.308

March 2, 2016

Amanda Ferrara
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The Honorable Representative Charisse Millett
House of Representatives
Alaska State Legislature
State Capitol, Mail Stop 3100, Room 204
Juneau, Alaska 99801-1182
Rep.Charisse.Millette@akleg.gov

Dear Representative Millett,

Thank you for your sponsorship of House Bill No. 308, An Act relating to the limitation of liability for the inspection, installation, or adjustment of a child safety seat or in providing education regarding the installation or adjustment of a child safety seat. I am currently certified as a Child Passenger Safety (CPS) Technician in Alaska, and serve as a resource for parents and caregivers in my community.

Statewide data collected annually since 2008 reveals that in Alaska, there is an 85% car seat misuse rate among those seats that are inspected. This means that more than 4 out of 5 car seats are used incorrectly in some way! Although CPS inspection services are available from Ketchikan to Kodiak, Soldotna to Fairbanks, and other locations in between and throughout our vast state, my fellow CPS Technicians and I have more work to do. New parents are born every day, and car seats are confusing! The Alaska Child Passenger Safety Coalition's

website, www.carseatsak.org, serves as a resource for all caregivers. However, hands-on assistance with the correct use and installation of child safety seats is vital. All too often, communities are without certified CPS Technicians due to fear of liability and no agency support of volunteer CPS activities.

I urge you and your staff to seek the full support of HB No. 308 from the entire membership of the Legislature during the current session, to enable HB No. 308 to become law. The benefit to rural communities will be greatest. Potential CPS Technicians who have no specific agency sponsorship for CPS roles may be more inclined to be trained and serve as CPS resources for their villages if they are not burdened with unnecessary liability risk. I believe that in supporting this bill you will impact the lives of Alaskan children, both now and for generations to come.

I look forward to my continued work as a Child Passenger Safety Technician. Again, I thank you for your sponsorship of HB No. 308, and for your advocacy on behalf of CPS Technicians statewide.

Sincerely,
Amanda Ferrara

Sent via the Samsung Galaxy S®6 active, an AT&T 4G LTE smartphone

March 2, 2016

Amanda Seethaler
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The Honorable Representative Charisse Millett
House of Representatives
Alaska State Legislature
State Capitol, Mail Stop 3100, Room 204
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Rep.Charisse.Millett@akleg.gov

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Sincerely in safety,

Amanda Seethaler

March 7, 2016

Andrea Konik
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The Honorable Representative Charisse Millett
House of Representatives
Alaska State Legislature
State Capitol, Mail Stop 3100, Room 204
Juneau, Alaska 99801-1182
Rep.Charisse.Millett@akleg.gov

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Sincerely in safety,

Andrea Konik, CPST

March 2, 2016

Beth Schuerman
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House of Representatives
Alaska State Legislature
State Capitol, Mail Stop 3100, Room 204
Juneau, Alaska 99801-1182
Rep.Charisse.Millett@akleg.gov

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Sincerely in safety,

Beth Schuerman

March 2, 2016

Gwendolynne Teutsch
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The Honorable Representative Charisse Millett
House of Representatives
Alaska State Legislature
State Capitol, Mail Stop 3100, Room 204
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Dear Representative Millett,

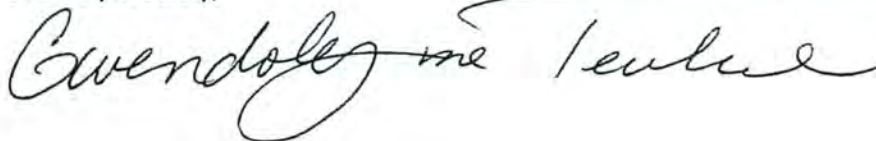
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March 2, 2016

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The Honorable Representative Charisse Millett

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Alaska State Legislature
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Sincerely in safety,

Hilario Alva

March 7, 2016

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The Honorable Representative Charisse Millett
House of Representatives
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Sincerely in safety,


Jane Fellman RN/Coordinator Safe Kids Kenai Peninsula

March 2, 2016

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Alaska State Legislature
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Statewide data collected annually since 2008 reveals that in Alaska, there is an 85% car seat misuse rate among those seats that are inspected. This means that more than 4 out of 5 car seats are used incorrectly in some way! Although CPS inspection services are available from Ketchikan to Kodiak, Soldotna to Fairbanks, and other locations in between and throughout our vast state, my fellow CPS Technicians and I have more work to do. New parents are born every day, and car seats are confusing! The Alaska Child Passenger Safety Coalition's website, www.carseatsak.org, serves as a resource for all caregivers. However, hands-on assistance with the correct use and installation of child safety seats is vital. All too often, communities are without certified CPS Technicians due to fear of liability and no agency support of volunteer CPS activities.

I urge you and your staff to seek the full support of HB No. 308 from the entire membership of the Legislature during the current session, to enable HB No. 308 to become law. The benefit to rural communities will be greatest. Potential CPS Technicians who have no specific agency sponsorship for CPS roles may be more inclined to be trained and serve as CPS resources for their villages if they are not burdened with unnecessary liability risk. I believe that in supporting this bill you will impact the lives of Alaskan children, both now and for generations to come.

I look forward to my continued work as a Child Passenger Safety Technician. Again, I thank you for your sponsorship of HB No. 308, and for your advocacy on behalf of CPS Technicians statewide.

Sincerely in safety,

Jared Stiglich
Anchorage Fire Department

March 3, 2016

June May, Health Educator
P.O. Box 69
Klawock, AK 99925
junem@searhc.org
907-755-4959

The Honorable Representative Charisse Millett
House of Representatives
Alaska State Legislature
State Capitol, Mail Stop 3100, Room 204
Juneau, Alaska 99801-1182
Rep.Charisse.Millette@akleg.gov

Dear Representative Millett,

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Sincerely in safety,

June L. May, HE

From: [Rep. Charisse Millett](#)
To: [Lindsey Whitt](#)
Subject: FW: H.B. #308
Date: Thursday, March 03, 2016 1:04:41 PM

Lindsey Whitt
Legislative Staffer
Office of Representative Charisse Millett
Main: 907.269-0222
Direct: 907.465.6588
Lindsey.Whitt@akleg.gov

From: landonforth@gmail.com [mailto:landonforth@gmail.com]
Sent: Thursday, March 03, 2016 11:38 AM
To: Rep. Charisse Millett <Rep.Charisse.Millett@akleg.gov>
Subject: Fwd: H.B. #308

Sent from my iPhone

Begin forwarded message:

From: landonforth@gmail.com
Date: March 3, 2016 at 9:25:09 AM AKST
To: Rep.Charisse.Millette@akleg.gov
Subject: H.B. #308

March 2, 2016

Landon Forth
3320 Wells Circle
Anchorage, Alaska 99508
landonforth@gmail.com
907-242-9957

The Honorable Representative Charisse Millett

House of Representatives

Alaska State Legislature

State Capitol, Mail Stop 3100, Room 204

Juneau, Alaska 99801-1182

Rep.Charisse.Millett@akleg.gov

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I look forward to my continued work as a Child Passenger Safety Technician.

Again, I thank you for your sponsorship of HB No. 308, and for your advocacy on behalf of CPS Technicians statewide.

Sincerely in safety,

Landon Forth

Sent from my iPhone

March 3, 2016

Lori Tyler
231 S. Binkley Street
Soldotna, Alaska 99669
ltyler@kpb.us
907-262-4792

The Honorable Representative Charisse Millett
House of Representatives
Alaska State Legislature
State Capitol, Mail Stop 3100, Room 204
Juneau, Alaska 99801-1182
Rep.Charisse.Millette@akleg.gov

Dear Representative Millett,

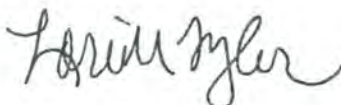
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I look forward to my continued work as a Child Passenger Safety Technician. Again, I thank you for your sponsorship of HB No. 308, and for your advocacy on behalf of CPS Technicians statewide.

Sincerely in safety,



March 3, 2016

Marialourdes Apilado
2203 Stockdale Circle
Anchorage, AK 99515
Apilado_mj@yahoo.com
907-306-6263

The Honorable Representative Charisse Millett
House of Representatives
Alaska State Legislature
State Capitol, Mail Stop 3100, Room 204
Juneau, Alaska 99801-1182
Rep.Charisse.Millette@akleg.gov

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I look forward to my continued work as a Child Passenger Safety Technician. Again, I thank you for your sponsorship of HB No. 308, and for your advocacy on behalf of CPS Technicians statewide.

Sincerely in safety,


Marialourdes Apilado

**Testimony of Anthony Green, Director of Public Policy, Safe Kids Worldwide,
on HB308 Relating to Immunity for Car Seat Technicians
In the Legislature of the State of Alaska
March 28, 2016**

I want to thank Leader Millett for inviting Safe Kids Worldwide to participate in this hearing and, more importantly, to express our appreciation to Leader Millett for her leadership in introducing HB308. I also want to applaud the voice and work of Sara Penisten, our coalition leader in the State of Alaska.

The effort to place children in car seats has been part of the equation which has reduced road fatalities involving kids 19 and under by 55% between 2000 and 2014. "Buckling up" both child restraints and seat belts has saved many lives. When installed and used correctly, child safety seats and safety belts save lives. Child safety seats can reduce fatal injury by up to 71 percent for infants and 54 percent for toddlers (ages 1 to 4). However, a car seat which is installed incorrectly can be useless.

Are car seats installed incorrectly? Yes. The National Highway Traffic Safety Administration conducted a nationwide field study in 2011 based on 4,167 inspections and driver interviews, and found that 46% of car seats were installed or used incorrectly. If a child restraint system is not used correctly, it may be 46 percent less effective in providing protection in the event of a crash. And this is why the work of child passenger safety technicians is so important.

Let me share a brief story about two children in another cold place, Wisconsin. It was June, 2014 when Bethany Olson and her two children survived a severe crash in Baldwin, Wisconsin colliding with a cattle trailer. Two-year-old Gunner was released from the hospital the same day while 14-month-old Emmajean was treated for a traumatic brain injury and has now fully recovered. Two weeks before the crash, their mother attended a car seat check-up event to make sure the seats were placed in the car properly. When the crash occurred, the kids were properly seated and Mrs. Olson credits the correct car seat placement for saving the lives of her kids. I can tell you a similar story about a Maine child in a seat which had been recently checked by a technician who survived a rollover crash with barely a scratch.

This would not be possible but for the work of child seat technicians, a large majority of whom are volunteers. Safe Kids Worldwide is the entity which runs the education program that certifies the technicians to do their work. It is a rigorous course and continuing education is required.

The men and women who conduct this service do so largely as volunteers. Immunity from civil liability should not be granted lightly. We appreciate that Leader Millett has carefully drafted a bill which strikes an appropriate balance. It would be enjoyed by currently certified technicians for no fee for their work and when act in good faith, and provides similar immunity to organizations who set up the event or hold it on their property. The immunity would not apply when a check-up event is held in concert with the for-profit sale of a car seat, nor would it cover gross negligence.

We are aware of no case which has been filed involving a car seat technician in the line of duty, and we hope that this grant of immunity will never be used. However, for this special class of volunteers providing a life-saving purpose, this provision of immunity is appropriate and appreciated. It provides them with a safe harbor to do their important volunteer work. We hope the Legislature will pass HB308.

Anthony Green
Safe Kids Worldwide
Director, Public Policy
agreen@safekids.org | 202.662.0606

March 7, 2016

The Honorable Representative Charisse Millett
House of Representatives
Alaska State Legislature
State Capitol, Mail Stop 3100, Room 204
Juneau, Alaska 99801-1182
Rep.Charisse.Millett@akleg.gov

Dear Representative Millett,

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Statewide data collected annually since 2008 reveals that in Alaska, there is an 85% car seat misuse rate among those seats that are inspected. This means that more than 4 out of 5 car seats are used incorrectly in some way! Although CPS inspection services are available from Ketchikan to Kodiak, Soldotna to Fairbanks, and other locations in between and throughout our vast state, my fellow CPS Technicians and I have more work to do. New parents are born every day, and car seats are confusing! The Alaska Child Passenger Safety Coalition's website, www.carseatsak.org, serves as a resource for all caregivers. However, hands-on assistance with the correct use and installation of child safety seats is vital. All too often, communities are without certified CPS Technicians due to fear of liability and no agency support of volunteer CPS activities.

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I look forward to my continued work as a Child Passenger Safety Technician Instructor. Again, I thank you for your sponsorship of HB No. 308, and for your advocacy on behalf of CPS Technicians statewide.

Sincerely in safety,

Sara L. Penisten, RN

Sara Penisten, RN, BSNS, CPSTI
Injury Prevention Outreach Coordinator
Safe Kids Alaska State Coalition Coordinator
Providence Alaska Medical Center
3200 Providence Drive
Anchorage, AK 99508
Phone: 907-212-3194
Email: safekidsak@providence.org
Web: www.carseatsak.org



Creating healthier communities, together

March 3, 2016

Terri Nelson
125 Snowman Lane
North Pole, Alaska 99705
tnelson@northpolepolice.org
907-488-6902

The Honorable Representative Charisse Millett
House of Representatives
Alaska State Legislature
State Capitol, Mail Stop 3100, Room 204
Juneau, Alaska 99801-1182
Rep.Charisse.Millette@akleg.gov

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I look forward to my continued work as a Child Passenger Safety Technician. Again, I thank you for your sponsorship of HB No. 308, and for your advocacy on behalf of CPS Technicians statewide.

Sincerely in safety,

Terri Nelson

Fiscal Note

State of Alaska
2016 Legislative Session

| | |
|---------------------|-----------|
| Bill Version: | HB 308 |
| Fiscal Note Number: | 1 |
| (H) Publish Date: | 3/29/2016 |

Identifier: HB308-LAW-CIV-03-25-16
 Title: CHILD SAFETY SEAT INSTALLATION LIABILITY
 Sponsor: MILLETT
 Requester: House Labor & Commerce

Department: Department of Law
 Appropriation: Civil Division
 Allocation: Torts & Workers' Compensation
 OMB Component Number: 2719

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

| | FY2017 Appropriation Requested | Included in Governor's FY2017 Request | Out-Year Cost Estimates | | | | |
|-------------------------------|--------------------------------------|--|-------------------------|------------|------------|------------|------------|
| | | | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 |
| OPERATING EXPENDITURES | FY 2017 | FY 2017 | | | | | |
| Personal Services | | | | | | | |
| Travel | | | | | | | |
| Services | | | | | | | |
| Commodities | | | | | | | |
| Capital Outlay | | | | | | | |
| Grants & Benefits | | | | | | | |
| Miscellaneous | | | | | | | |
| Total Operating | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Fund Source (Operating Only)

| | | | | | | | |
|--------------|------------|------------|------------|------------|------------|------------|------------|
| None | | | | | | | |
| Total | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Positions

| | | | | | | | |
|-----------|--|--|--|--|--|--|--|
| Full-time | | | | | | | |
| Part-time | | | | | | | |
| Temporary | | | | | | | |

| | | | | | | | |
|---------------------------|--|--|--|--|--|--|--|
| Change in Revenues | | | | | | | |
|---------------------------|--|--|--|--|--|--|--|

Estimated SUPPLEMENTAL (FY2016) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2017) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
 If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Initial version, not applicable.

| | | | |
|--------------|-------------------------------------|--------|---------------------|
| Prepared By: | Valerie Rose, Budget Analyst | Phone: | (907)465-3674 |
| Division: | Administrative Services Division | Date: | 03/25/2016 01:49 PM |
| Approved By: | Craig W. Richards, Attorney General | Date: | 03/25/16 |
| Agency: | Department of Law | | |

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2016 LEGISLATIVE SESSION**Analysis**

HB 308 (proposed Alaska Statute 09.65.094) grants immunity from civil liability for persons who participate in the inspection, installation, or adjustment of a child safety seat, or who provide education regarding the installation or adjustment of a child safety seat, as long as certain conditions are met. In order for immunity to attach, the person must either have completed (and maintain) training offered by the National Child Passenger Safety Certification Training program, or must have arranged a non-profit educational program for the public by a certified technician, or must own property where a nonprofit education program or event, run by a certified technician, is taking place. In addition, the services provided must be without a fee, must be conducted in good faith, and must be within the scope of the training for which the technician is certified. The legislation would not apply to for civil actions for damages which involve gross negligence or willful or wanton misconduct, nor does it apply if the inspection, installation, or adjustment of the child safety seat happens in conjunction with the sale of a child safety seat. Finally, the legislation does not apply to manufacturers of child safety seats, nor to their agents or employees.

The Department of Law does not foresee a fiscal impact should this legislation pass.