

ALASKA LEGISLATURE COMMITTEE FILES 2007-2008 STRA 12780

**SENATE BILL NO. 216**

**IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FIFTH LEGISLATURE - SECOND SESSION**

**BY SENATOR ELLIS**

**Introduced: 1/16/08  
Referred: Transportation**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act desi" ating the Alaska Highway and portion of the Richardson Highway as the**  
2 **Purple Heart Trail."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **\* Section 1.** AS 35.40 is amended by adding a new section to read:

5 **Sec. 35.40.210. Purple Heart Trail.** (a) The Alaska Highway from the  
6 Alaska-Canada border to Delta Junction and the Richardson Highway between Delta  
7 Junction and Fairbanks are concurrently designated the Purple Heart Trail.

8 (b) The Department of Transportation and Public Facilities shall erect and  
9 maintain appropriate signs at selected visitor centers and pullouts, at each terminus of  
10 the highways, and at least every 50 miles on the highways described in (a) of this  
11 section designating the highways as the Purple Heart Trail. Each sign must

- 12 (1) be not less than 20 inches high and not less than 30 inches wide;  
13 (2) display a replica of the Purple Heart Medal;  
14 (3) contain the following statement: "Purple Heart Trail."

1  
2  
3  
4

(c) At not less than three visitor centers and pullouts along the Purple Heart Trail, selected by the commissioner of transportation and public facilities, the Department of Transportation and Public Facilities shall provide additional information about the Purple Heart Trail.



**Tok Chamber of Commerce**  
"Main Street Alaska"  
PO Box 389  
Tok, Alaska 99780  
907-883-5775

Fax: 907-883-5774  
<http://www.tokalaska.info.com>

**TO: State of Alaska**  
**Senator Ted Stevens**  
**Senator Johnny Ellis**  
**Representative Don Young**  
**Representative Berta Gardner**

We are proud to offer our strong support for Alaska to be a part of the "Purple Heart Trail". We think its simple visible message is well deserved by those who bravely gave so much of themselves in defending this nation.

This worthy project can be of great benefit to our community and the State of Alaska. We believe that those who see the signs will have a better understanding of the sacrifices made by those who wear the Purple Heart. We believe that the traveling public, whether Alaskans or visitors, will realize that we care about our wounded veterans. We further believe that the signs will bear witness that we in Alaska not only care about our wounded veterans, but we are willing to put forth the effort to visibly display our deepest fondness for their sacrifice.

Many who travel our roads will surely know or be related to a wounded veteran or a veteran who lost their life in defense of our nation. The warm feeling they obtain will certainly be in their minds as they traverse the roads of our great state. By showing them we care we can instill a kind Alaskan memory of their travels, and hopefully we will see them again.

Be it known to all that the community of TOK Alaska will be proud to be part of the Purple Heart Trail. We support it and we encourage all Alaskans to support it as well.

Sincerely yours,

---

**John A. Rusyniak, President**  
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# ALASKA STATE LEGISLATURE

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*While in Session*  
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SENATOR JOHNNY ELLIS

## SPONSOR STATEMENT SB 216

*"An Act designating the Alaska Highway and portion of the Richardson Highway  
as the Purple Heart Trail"*

The Purple Heart medal is a United States military decoration, awarded in the name of the President to those who have been wounded or killed while in service to their country. SB 216 seeks to recognize and honor award recipients by establishing a Purple Heart Trail in Alaska.

The Purple Heart Trail is a national project to designate portions of the interstate highway system as "Purple Heart Trail System", reminding Americans of the sacrifices made by their men and women in uniform. The original Purple Heart Trail was established in the Commonwealth of Virginia at Mt. Vernon and runs the length of the Virginia Highway.

Today, the Purple Heart Trail extends across the nation. Signage drawing attention to the designation is placed at appropriate intervals along the highways to stimulate thought and discussion among adults and children alike in contemplating the history of this nation, and those who have sacrificed for it.

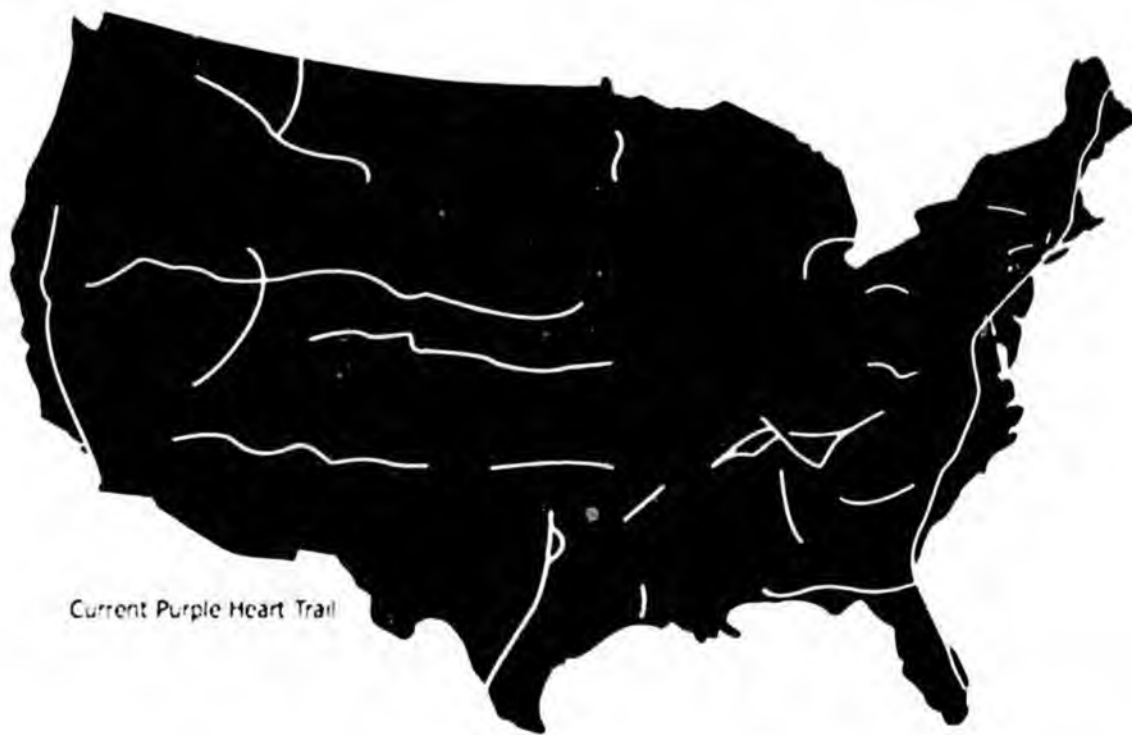
Alaska's participation in this national effort is long overdue. We have a strong military tradition; an estimated 73,000 resident veterans, approximately 25,000 active duty military, and more serving in the National Guard. In recent months, many returning Alaskan soldiers have been honored with the Purple Heart Medal.

The Alaska Highway, completed during World War II by the US Army to serve as a supply route, is an apt choice for the designation as "Purple Heart Trail System". Signs designating the Purple Heart Trail will be seen by both visitors and residents alike and will demonstrate that Alaska recognizes and honors the sacrifices made by our wounded and fallen soldiers.

Please join me in supporting the establishment of a Purple Heart Trail in Alaska.

<http://www.purpleheart.org/purple-heart-trail.html>

**Purple Heart Trail** was initially established in the Commonwealth of Virginia from its start point at Mt. Vernon, VA. Through positive legislative support of the Virginia General Assembly and through the leadership of two of its governors, The Honorable George Allen (now U.S. Senator) and incumbent Governor James Gilmore the trail now extends down Virginia highway 285 (the Mt. Vernon Parkway) to US Route #1, thence to I-95. All of I-95 is designated the Purple Heart Trail from the Potomac River in Alexandria, on the Maryland border, down to the State of North Carolina. It branches off at Fredericksburg on Virginia Highway 3 (the Kings Highway) to Stafford County and thence to the George Washington Birthplace National Monument in Westmoreland County, VA. Another leg goes eastward on I-64 at Richmond, the state capital, to the city of Norfolk. The Virginia Department of Transportation has placed "Purple Heart Trail" signs at all rest stops on I-95 and I-64 and at other special points along the total trail.



Ultimately, the Purple Heart Trail will be extended from Virginia to all other states and major cities of the United States. Historically, the Purple Heart Trail concept was inspired by the George Washington Chapter #1732 of Fredericksburg Spotsylvania, VA, in 1992. In convention of the Order, the delegates voted to approve a resolution establishing a symbolic Purple Heart Trail throughout the 50 states. With the Commonwealth of Virginia being the home of the two distinguished general officers involved in the development of the Purple Heart, Generals Washington and MacArthur, the Department of Virginia members of the Order took the lead to institute The Purple Heart Trail in Virginia, with a memorial marker to be erected and dedicated at Mt. Vernon as the start point of the trail.

In 1996, the General Assembly of the Commonwealth approved the first step in establishing the Purple Heart Trail parallel to I-95 and that portion of Virginia Route 3 from Washington's birthplace in Westmoreland County, VA, to his boyhood home at

<http://www.purpleheart.org/purple-heart-trail.html>

Ferry Farm in Stafford County, VA. In 1998, through subsequently legislative fiat, the trail was extended to Norfolk, VA, ending at the tomb of General Douglas MacArthur on Interstate 64 from Richmond (I-95) to Norfolk and to Mt. Vernon. The purpose of the Purple Heart Trail is to commemorate the patriotic American heritage given to us by George Washington and General MacArthur and for the people of Virginia, and ultimately all the states, to memorialize those service persons who have had the Purple Heart medal bestowed on them or their next of kin for wounds received in combat in defense of our nation.



By marking these trails with appropriate signage, it was conceived that the automobile and the Interstate Highway System represent very tangible symbols of our freedom; the ability to get up and go anywhere anytime. While taken for granted by so many, this and so many other freedoms we enjoy as Americans have been earned through the sacrifice of millions of Americans who have shed their blood and the many who have died in defense of freedom and liberty. The signage was intended as a reminder that freedom is not free and would stimulate thought and discussion among adults and children alike in contemplating the bountiful heritage enjoyed by all Americans as part of their legacy.

Major highways are the ideal setting for this virtual trail, and ultimately, the Military Order of the Purple Heart would like to see the entire Interstate Highway System, conceived by General Dwight D. Eisenhower during his tenure as President of the United States, designated as major portions of the Purple Heart Trail. Instructional kits have been developed and are in the hands of all Department Commanders on how to initiate necessary legislation in their respective states to implement the continued growth of the Purple Heart Trail System.

National Commander Louie Spinelli has accepted expansion of the trail as a major thrust of his leadership during his term of office. We who are on the forefront of this great effort, can take great pride in establishing this system as a most noble and patriotic endeavor of the Military Order of the Purple Heart that will become an indelible part of our continuing service to this great nation. If your state is not yet on board, we encourage all local chapters to take this up within the scope of their Americanism projects. Most legislatures have been found to be most receptive in support of legislative initiatives required to implement the program. The mood of the country is also such that many salons would welcome the opportunity to offer the necessary legislative language to make it happen. God Bless America, our home, sweet home!



## **RESOLUTION 2008-05**

### **A RESOLUTION REQUESTING THE STATE OF ALASKA DESIGNATE THE ALASKA HIGHWAY AS A "PURPLE HEART TRAIL" WITHIN THE ALASKA ROAD SYSTEM**

WHEREAS, it is fitting and proper to never forget those who have given their lives and shed their blood in defense of this great nation; and

WHEREAS, a Purple Heart Trail system has been established throughout the major road system of the lower 48 states; and

WHEREAS, Alaska is geographically located at the far northwest reaches of the United States of America; and

WHEREAS, it is in the interest of Alaska's citizens, Alaska's veterans, and Alaska's tourism industry to be part of the Purple Heart Trail system; and

WHEREAS, Alaska is proud to join this worthy effort in providing America with the ability to establish this Purple Heart Trail all across America; and

WHEREAS, the placement of signs indicating "Purple Heart Trail" will simply indicate a part of a nationally existing system; and

WHEREAS, the establishment of the Purple Heart Trail within Alaska will in no way change the name or numerical designation of any existing road; and

WHEREAS, the Alaska Highway has a well established historical military significance since it was built during the WWII era for military purposes; and

WHEREAS, the Alaska Highway is the best choice to establish and continue the Purple Heart Trail into the confines of the Alaska Road System.

THEREFORE BE IT RESOLVED THAT: The City Council for the City of Delta Junction by this resolution hereby requests the State of Alaska provide for the signage and placement of the Purple Heart Trail signs at approximately 50 mile intervals along the corridor of the Alaska Highway system within Alaska beginning at Beaver Creek and extending on to Delta Junction; and

BE IT FURTHER RESOLVED THAT: In order to inform all travelers, a sign designating the purpose for the Purple Heart Trail also be placed with the Purple Heart Trail signs at strategic locations such as entering or leaving the vicinities of Beaver Creek, Northway, Tok, Dot Lake, and Delta Junction; that explains the reason for the Purple Heart Trail; and

BE IT FURTHER RESOLVED THAT: The designated note of purpose signs read as follows:

*IN HONOR OF THOSE BRAVE PATRIOTS  
WHO SHED THEIR BLOOD  
WHILE ENGAGED IN THE SELFLESS ACT OF  
DEFENDING OUR NATIONS FREEDOM*

PASSED AND APPROVED by a duly constituted quorum of the Delta Junction City Council this 4th day of December 2007.



CITY OF DELTA JUNCTION

*Mary Leith-Dowling*  
Mary Leith-Dowling, Mayor

ATTEST

*Pat White*

Pat White, City Clerk

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## 20 wounded soldiers receive Purple Heart

Twenty with combat injuries honored for 'warrior spirit'

By GEORGE BRYSON  
gbryson@adn.com

Published: October 17, 2007

Last Modified: October 17, 2007 at 12:55 PM

Twenty Purple Heart medals rested in the serving tray Tuesday while 19 Fort Richardson-based soldiers wounded in Iraq stood at attention as best they could -- some leaning on canes, one missing a leg, a few with injuries to the head.



Click to enlarge

One by one the medals were pinned on their chests by Maj. Gen. Stephen Layfield, the senior Army commander in Alaska, who sternly told about 200 onlookers to "never ever miss the chance to say thank you" to the men -- all of whom are members of the 4th Brigade Combat Team (Airborne), 25th Infantry Division.

The ways they were injured were as varied as their wounds. Some were riding in vehicles that were blasted apart by projectiles. Some were hit by roadside bombs. Some were walking on patrols and shot by

unseen snipers.

But Staff Sgt. Chad LeBlanc, of Anchorage, may have had the most unusual tale to tell. He was stationed at an outpost south of Baghdad and was just preparing to lie down for the night inside his "can" -- a small mobile trailer just large enough for two bunks -- when he heard the sound of mortar fire outside.

Sticking his head out the door, LeBlanc just had time to see a mortar round blast into a



ERIK HILL / Anchorage Daily News

enlarge

Staff Sgt. Chad LeBlanc of Anchorage receives his Purple Heart medal from Maj. Gen. Stephen Layfield, senior Army commander in Alaska, as 19 soldiers assigned to the 4th Brigade Combat Team (Airborne), 25th Infantry Division received their medals Tuesday at Fort Richardson

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neighboring trailer -- one that was usually occupied by his buddy, Sgt. 1st Class Joshua Ferguson, who just then was away on leave in Alaska.

Shrapnel from the blast hit LeBlanc in the stomach and limbs and burnt his face and arms. Before falling into shock, he managed to find help.

"I ran about 25 meters to where the medics were and laid down on the ground and told them what happened," he recalled. "Then they put me on a helicopter, I went to Baghdad -- and that was it."

In an operating room, doctors removed 14 pieces of shrapnel from LeBlanc's arm and a big chunk from his side. The shrapnel that entered his stomach had to be removed through his back -- an operation that has since made the 32-year-old Alaskan less mobile.

He knows it could have been worse. He could have been inside the trailer that took the direct hit -- Ferguson's trailer. As it happened, however, his buddy didn't make it through their deployment unscathed either.

Returning to their unit -- a team within the 425th Brigade Special Troops Battalion that trains Iraqi army forces -- Ferguson was badly wounded about five weeks later when his vehicle was struck by an armor-piercing projectile.

The blast tore up his lower legs and shattered his left knee. Ultimately the leg would have to be amputated. On Tuesday, Ferguson was standing in the ranks with the other Purple Heart recipients, supported by a cane and a prosthetic leg.

"I set a record getting out of Walter Reed (Medical Center) for an amputee," Ferguson said, noting how anxious he was to return to Fort Richardson and his family. Now he's hoping to remain in the military -- he's served 11 years so far -- and in Alaska.

"If I could stay here until I retire in nine years, that would be perfect," he said.

Spc. William Swails, a native of Rockingham, N.C. -- who received his second Purple Heart on Tuesday after suffering shrapnel wounds to his hand and arm -- is hoping to remain on active duty in Alaska too. His wife, Chastity, is currently enrolled in the nursing program at the University of Alaska Anchorage.

Spc. Justin Tauriainen, who grew up in Anchorage -- and returned by motor home to a large throng of friends and family greeting him at the Muldoon overpass last week -- received a Purple Heart as well.

On May 21, his armored engineer vehicle was struck by "multiple IEDS," the improvised explosive devices his unit was charged with removing. Tauriainen, 23, sustained shrapnel wounds to his head, back, hands and legs.

Before pinning the medals on the assembled soldiers -- Sgt. Casey Wright of Tucson, Ariz., was unable to attend the ceremony -- Layfield emphasized their collective bravery.

"We're forever in your debt," he said. "We acknowledge your sacrifice and we acknowledge your warrior spirit and we acknowledge what you did for our country."

Find George Bryson online at [adn.com/contact/gbryson](http://adn.com/contact/gbryson) or call 257-4318.

**SB**

**218**

**SENATE COMMITTEE REPORT  
First Committee of Referral**

DATE: 1/16/08

FURTHER: State Affairs

Date of 5-Day Notice: \_\_\_\_\_  
(in accordance with Uniform Rule 23)

DATE TURNED  
IN TO OFFICE: 2/5/2008

Transportation Committee considered SENATE BILL NO. 218

SB 218 CHILD SAFETY SEATS & SEAT BELTS

"An Act relating to use of child safety seats and seat belts."

and recommends:

- be replaced with  SCS or  CS \_\_\_\_\_ ( )
- adopt previous  SCS or  CS \_\_\_\_\_ ( )
- attached amendment(s)
- adopt \_\_\_\_\_ Letter of Intent
- further referral to \_\_\_\_\_ Committee

<b>SENATE BILL:</b>
<input type="checkbox"/> Same Title
<input type="checkbox"/> New Title
<hr/>
<b>HOUSE BILL:</b>
<input type="checkbox"/> Same Title
<input type="checkbox"/> Technical Title Change
<input type="checkbox"/> New Title w/ SCR # _____

**NEW FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#
ADM	1/28	✓			
DOT					

**PREVIOUS FISCAL NOTE(S):**

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	Wilken			✓	
	Kocher	✓			
	Olson			✓	
	Wielechowski	✓			
CHAIR:					



**1) A child under one year, or over one year but under 20 pounds shall be secured in a rear facing child safety seat**

**2) A child one to four years of age who is over 20 pounds shall be properly secured in a child restraint device.**

**3) A child over four years, but under eight years who is less than 57 inches and under 80 pounds shall be secured in a booster seat secured by a belt system.**

**4) A child over four years of age who exceeds the height and weight requirements of 3) shall be secured in a seat belt.**

**5) A child between the ages of eight and sixteen who does not meet the height and weight requirements of 3) shall be secured in a child safety device or a seat belt, whichever is appropriate.**



**AS 28.05.098 - A person may not sell, offer for sale, or install a child safety device that does not meet federal standards**

## Preliminary Data Indicate That Booster Seat Laws Increase Child Safety Seat Use

On June 1, 2006, Wisconsin enacted a child passenger safety law requiring children between 4 and 8 years old or who weigh between 40 and 79 pounds and are no taller than 4 feet 9 inches to be restrained in booster seats. The law does not require the booster seat to be placed in a back seat. During a six-month grace period, police issued written warnings instead of citations for first-time violations. Beginning January 1, 2007, police issued citations for violations.

Prior to June 1, 2006, Wisconsin law required all children under 4 to be in child restraints, and children between 4 and 8 years old to be in child restraints or safety belts. While Wisconsin's child passenger safety (CPS) law is a primary enforcement law, meaning police can write tickets to parents and caregivers of improperly restrained children, Wisconsin's adult seat belt law is a secondary enforcement law. Police can only give an adult seat belt violation if a driver is pulled over for another violation.

The Wisconsin Department of Transportation developed a one-page information sheet and card to provide details of the new law for law enforcement personnel and the public. The Wisconsin Bureau of Transportation Safety also ran an article on the new law in its May newsletter. The American Automobile Association (AAA) of Wisconsin and Safe Kids Worldwide (SKW) held a news conference in Madison on June 1 in conjunction with SKW car seat checks around the State.

In order to examine the effectiveness of this law to increase booster seat use among children of booster seat age, the National Highway Traffic Safety Administration contracted with TransAnalytics, LLC, and its subcontractor, Program Professionals, Inc., to conduct an observational survey of booster seat use in Wisconsin before and after the law changed.

### Method

Booster seat observation sites were located in urban and suburban areas and based on site permission, high numbers of target vehicles entering the site, safety, and location. The most common sites were shopping centers with retail stores that attract the target vehicle group (e.g., Wal-Mart,

Toys“R”Us); elementary schools and child care centers; health care centers; and recreational sites. A convenience sampling approach was used.

To obtain control/comparison data, booster seat observations were also conducted in Michigan, a neighboring State that had no legislative action for enacting a booster seat law. Under Michigan's law, all children under the age of 4 must be in a child restraint system, and children between 4 and 16 must wear a seat belt. All front-seat occupants must wear seat belts. However, in Michigan, both CPS and seat belt laws are primary enforcement laws.

Baseline data was collected in the Milwaukee, Wisconsin, area May 9-11, 2006, and in the Detroit, Michigan, area May 18-24, 2006. Post-intervention data was collected in Wisconsin September 6-23, 2006, and in Michigan September 11 to October 3, 2006.

Data collectors stationed in parking lots and targeted drivers who were (a) parking their cars; and, (b) transporting at least one child passenger appearing to be 4 to 8 years old. Upon receiving the driver's permission to participate in the study, data collectors noted the vehicle type, number of passengers, seating positions, sex, and restraint use.

### Results

Overall, the driver and vehicle characteristics (e.g., percentage of female versus male, race, vehicle types, and number of occupants) were similar in Wisconsin and Michigan during the pre- and post-intervention periods.

Although booster seat use among children 4 to 8 years old increased from 40 to 45.9 percent in Wisconsin and from 38.6 to 40.2 percent in Michigan during this same period, these increases were not statistically significant (see Table 1).

However, during the pre- and post-booster-seat-law period, the overall patterns of restraint use (safety belt, child safety seat [CSS], booster, and unrestrained) for children 4 to 8 changed significantly in Wisconsin ( $p < .02$ ) and in Michigan ( $p < .01$ ). In both States, the number of children in child safety seats and booster seats increased, and the number of children

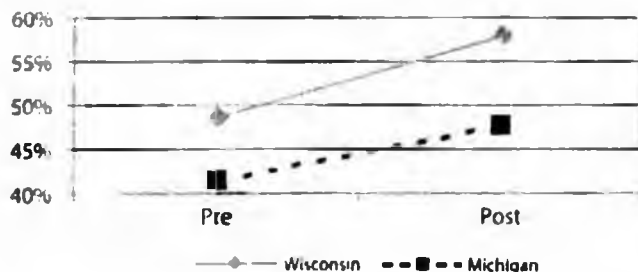
in seat belts decreased. However, in Wisconsin, the number of unrestrained children remained relatively stable, while the number in Michigan increased.

**Table 1. Restraint Use for Booster-Seat-Age Children**

	Wisconsin		Michigan	
	Pre N=407	Post N=355	Pre N=472	Post N=465
Safety Belt	30.7%	20%	45.6%	35.7%
CSS	8.6%	11.8%	3.0%	7.3%
Booster	40.0%	45.9%	38.6%	40.2%
Unrestrained	20.6%	20%	12.9%	16.8%
Total	100.0%	100.0%	100.0%	100.0%

Since there is a large variation in children's sizes between 4 to 8 years old, smaller children would be appropriately restrained in CSSs with internal harnesses while larger children would be appropriately restrained in booster seats. There is also some variation in upper weight limits for forward-facing CSSs with internal harnesses (e.g., from 40 to 80 pounds), so a child 40 pounds or over may still be appropriately restrained in a CSS.

**Figure 1. Children Ages 4 to 8 Appropriately Restrained in Child Passenger Seats or Booster Seats**



A chi-square test was performed to determine if there was a significant difference from the pre- to post-booster-law period in the number of children who were appropriately restrained, without regard to the type of child restraint system. Thus, an appropriately restrained child could be riding in a booster seat or in a CSS. In Wisconsin, significantly more children were appropriately restrained from before to after the law ( $p < .02$ ) while the results for Michigan were not significant. The combination of CSS and booster seat use in Wisconsin

showed an increase of 9.1% (48.6% to 57.7%) and the same combination yielded an increase in Michigan of 5.9% (41.6% to 47.5%, see Figure 1).

There was also a trend for children inappropriately restrained for their age (e.g., in seat belts or completely unrestrained). In Wisconsin, the number of children in seat belts and the number of children who were completely unrestrained decreased 9.1% (51.3% before the law; 42.2% after the law). In Michigan during this same period the number of children in seat belts and the number of children who were unrestrained decreased 6% (58.5% before the law; 52.5% after the law).

For both States, over half of the booster seats were the backless type in the pre- and post-intervention periods. Over one-third of the booster seats were belt-positioning, high-back models in the pre- and post-intervention periods. About 10% were combination seats and only about 2% were shield boosters in each period.

## Conclusions

These findings offer the first indications that Wisconsin's Booster Seat Law had the effect of increasing child restraint system use (CSS or booster seats) for children 4 to 8 years old. However, this study has limitations because it used a convenience sample. While not necessarily representative of the State, the study findings show a significant change in the direction of safer practices from pre- to post- Wisconsin's booster seat law change.

It can be inferred that the booster seat law motivated parents and caregivers to move their children into some type of restraint that was appropriate for the child's age and weight. Since there was no concomitant change in the comparison State from pre- to post-intervention (no child booster seat law was implemented in Michigan), it may be inferred that the increase in appropriately restrained children in Wisconsin was the result of the new law.

## How to Order

The report for **Preliminary Data Indicate That Booster Seat Laws Increase Child Safety Seat Use** prepared by TransAnalytics, LLC, will be available in the next few months by writing to the Office of Behavioral Safety Research, NHTSA, NTI-130, 1200 New Jersey Avenue SE., Washington, DC 20590, fax 202-366-7096, or download from [www.nhtsa.dot.gov](http://www.nhtsa.dot.gov). John Siegler, Ph.D., was the Task Order Manager for this project.



U.S. Department of Transportation  
National Highway Traffic Safety  
Administration

1200 New Jersey Avenue SE., NTI-130  
Washington, DC 20590

*TRAFFIC TECH* is a publication to disseminate information about traffic safety programs, including evaluations, innovative programs, and new publications. Feel free to copy it as you wish. If you would like to receive a copy, contact Patricia Ellison-Potter, Ph.D., Editor, fax 202-366-7096, e-mail: [traffictech@dot.gov](mailto:traffictech@dot.gov)



# Safe Kids

Alaska

January 30, 2008

The Honorable Senator Hollis French and Members of the State of Alaska Legislature  
Transportation Committee

Dear Senator French and Transportation Committee Members,

On behalf of Safe Kids Alaska, I urge you to support Senate Bill 218, the proposed upgrade to Alaska's child passenger safety law. I strongly urge you to approve this legislation in its entirety during the current legislative session.

As you may know, motor vehicle crashes remain the leading cause of unintentional injury-related death among children ages 14 and under. Each year, nearly 1,600 child occupants ages 14 and under die in motor vehicle crashes and close to 228,000 are injured as occupants in motor vehicles. Unrestrained children are more likely to be injured, to suffer more severe injuries, and to die in motor vehicle crashes than children who are restrained.

We know that strong occupant protection laws that are consistently enforced are one of the best ways to prevent injuries and save children's lives. Senate Bill 218, if enacted into law, would close a significant gap in Alaska's child occupant protection law by clearly requiring some older children to ride properly restrained in a booster seat or high-weight-harness child restraint, secured by the motor vehicle's safety belt system.

If Safe Kids Alaska can be of any assistance to you regarding Senate Bill 218, please do not hesitate to contact me. Thank you for your leadership on this important safety initiative for Alaska's children!

Sincerely,

*Sara L. Penisten, RN, BSNS, CPSTI*  
Safe Kids Alaska State Coalition Coordinator  
Child Passenger Safety Technician Instructor  
The Children's Hospital at Providence  
Telephone: (907) 261-3194  
Email: [safekidsak@providence.org](mailto:safekidsak@providence.org)

Safe Kids Alaska: Preventing Childhood Injury in The Last Frontier

# Alaska State Legislature



**Senator Hollis French**

## **Sponsor Statement**

### **SB 218 - Child Safety Seats and Seat Belts**

Booster seats save lives. Of the sixty one children under the age of eight injured in auto accidents in recent years, only five were properly restrained in the recommended child safety seat. Nearly two thirds of the sixty one injured were children ages four to eight. At this age, many children are too large for a child's car seat but too small for an adult seat belt. The National Highway Traffic Safety Administration recommends that children under 80 pounds and under 57" use a child safety seat or a belt positioning booster seat.

Current Alaska law requires the use of proper safety devices for children under the age of 16 as approved by the US Department of Transportation. SB 218 puts USDOT National Highway Traffic Safety Administration (NHTSA) recommendations in statute, clarifying for law enforcement officials what devices are required for proper child restraint.

SB 218 states that:

- Children under one year of age or older but under 20 pounds, shall be secured in a rear facing child safety seat.
- Children one to four years old who weigh over 20 pounds shall be secured in a child restraint device or seat.
- Children ages four to eight who are under 57" in height and under 80 pounds shall be secured in a booster seat or a child restraint system.
- Children over 4 who are taller than 57" and weigh over 80 pounds shall be properly secured in a seat belt, just like adults.
- Children over eight but under 16 years of age who are under 57" and 80 pounds shall be restrained by the proper safety device or a seat belt, whichever is appropriate.

All safety devices, boosters and child seats must meet or exceed the standards set out by the United States Department of Transportation.

At this time, thirty nine other states mandate booster seat use. While any restraint is better than no restraint, national studies have shown booster seats are sixty percent safer than seat belts alone.

The cost of booster seats range from approximately \$25 to \$100, depending on the model.

Please join me in promoting passenger safety by supporting this legislation.

**Senator Hollis French**


Capitol Room 417  
465-3892  
465-6595 fax



**MEMORANDUM**

Date: January 25, 2008

To: Senator Albert Kookesh, Chair  
Transportation Committee

From: Senator Hollis French 

RE: Request for Hearing -- SB 218 Child Safety Seats and Seat Belts

---

This is a request that you schedule a hearing on SB 218 "Child Safety Seats and Seat Belts" at the earliest possible date.

I have attached a copy of the bill, and a sponsor statement for your use. I appreciate your consideration.

Attachments

25-LS1273\C  
Luckhaupt  
1/23/08

**CS FOR SENATE BILL NO. 218( )**

**IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FIFTH LEGISLATURE - SECOND SESSION**

**BY**

**Offered:  
Referred:**

**Sponsor(s): SENATOR FRENCH**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to use of child safety seats and seat belts."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 **\* Section 1.** AS 28.05.095(b) is amended to read:

4 (b) Except as provided in (c) of this section, a driver may not transport a child  
5 under the age of 16 in a motor vehicle unless the driver has provided the required  
6 safety device and properly secured each child as described in this subsection. A [IF  
7 THE] child

8 (1) less than one year of age or a child one year of age or older who  
9 weighs less than 20 pounds shall be properly secured in a rear-facing child safety  
10 seat that meets or exceeds [IS LESS THAN FOUR YEARS OF AGE, THE CHILD  
11 SHALL BE PROPERLY SECURED IN A CHILD SAFETY DEVICE MEETING  
12 THE] standards of the United States Department of Transportation and is used in  
13 accordance with the manufacturer's instructions;

14 (2) one or more years of age but less than five years of age who  
15 weighs over 20 pounds shall be properly secured in a child restraint device that

1 meets or exceeds the standards of the United States Department of  
2 Transportation and is used in accordance with the manufacturer's instructions;

3 (3) over four years of age but less than eight years of age who is  
4 less than 57 inches in height and weighs 20 or more pounds but less than 80  
5 pounds shall be properly secured in a booster seat that is secured by a seat belt  
6 system or by another child passenger restraint system that meets or exceeds the  
7 standards of the United States Department of Transportation and is used in  
8 accordance with the manufacturer's instructions;

9 (4) over four years of age who exceeds the height and weight  
10 requirements in (3) of this subsection shall be properly secured in a seat belt;

11 (5) eight years of age [FOR A CHILD SAFETY DEVICE FOR  
12 INFANTS. IF THE CHILD IS FOUR] but not yet 16 years of age who does not  
13 exceed the height and weight requirements in (3) of this subsection [, THE  
14 CHILD] shall be properly secured in a child safety device approved for a child of that  
15 [AGE AND] size by the United States Department of Transportation or in a safety  
16 belt, whichever is appropriate for the particular child.



### Primary and Secondary Laws

■ Primary (AK, AL, CA, CT, DC, DE, GA, HI, IA, IL, IN, KY, LA, MD, MI, MS, NC, NJ, NM, NY, OK, OR, SC, TN, TX, WA)

▨ Secondary (AR, AZ, CO, FL, ID, KS, MA, ME, MN, MO, MT, ND, NE, NV, OH, PA, RI, SD, UT, VA, VT, WI, WV, WY)

□ No adult safety belt law (NH)

★ States Mandating Booster Seat Use

## Report from the Alaska Trauma Registry on Motor Vehicle Injuries to Children

A query of the Alaska Trauma Registry data for the most recent years available, 2001-2005, identifies 61 children, from birth through eight years of age, seriously injured in a motor vehicle crash on the highway. The National Highway Traffic Safety Administration recommends that children be restrained in a child safety seat or belt positioning booster seat up through age eight.

All of these injuries required admission to the hospital, three died, and one two-year-old's injuries resulted in quadriplegia. **Only five of the 61 injured children were recorded to have been restrained properly in the recommended child safety seat at the time of injury** – and none of the four mentioned above was properly restrained. There was one additional injury, not included in the 55, which involved a fetus who was subsequently delivered by C-section.

A further breakdown of age groups and safety equipment use is as follows:

< 1 year:	7 injured	3 restrained in child safety seats; <b>4 unrestrained</b>
1 year old:	4 injured	1 restrained in a child safety seat; <b>1 unrestrained</b> ; 2 unrecorded
2 years old:	5 injured	2 in child safety seat ( <b>1 child seat failed-was ejected</b> ); <b>2 with safety belt/harness; 1 unrestrained</b>
3 years old:	6 injured	<b>1 lap belt only; 5 unrestrained</b>
4-8 years old:	39 injured	<b>15 with safety belt/harness; 9 lap belt only; 11 unrestrained;</b> 4 unrecorded

Total: 61

Clearly the incidence of not using restraints is very high among the injured population in this study. However, also remarkable, is the incidence of improper restraint, especially among children ages 4 through 8. Without belt positioning booster seats, this group is not adequately protected during a motor vehicle crash.

### Source:

Tariq Ali & Martha Moore  
Alaska Trauma Registry, Dept. of Health & Social Services (HSS)  
Section of Injury Prevention & EMS (IPEMS)  
Division of Public Health

# FOR YOUR family

## Belt-positioning Booster Seats: *Easy to Use, Affordable and Safe*

When your child reaches the top weight or height for his child safety seat, his shoulders are above the harness slots or his ears have reached the top of his child safety seat, he needs a booster seat. A booster seat raises your child up so that the vehicle's lap/shoulder belt fits him correctly.

### How do you use a booster seat?

- Read the booster seat and vehicle user manuals.
- Place the booster seat in the back seat in a position with a lap/shoulder belt. Never use a booster seat if there is only a lap belt.
- After your child sits in the booster, pull the lap/shoulder belt across him and buckle the seat belt.
- Check to see if the belt crosses the shoulder between the neck and arm and that the lap belt is low and snug on the hips, just touching the thighs.



### What type of booster is best?

- Use a backless booster seat if the back seat of your car has head rests or a high seat back. Otherwise, choose a high-back booster seat.
- Prices start at \$20 for a backless booster. More expensive seats are not necessarily safer.

### How effective are boosters? Why aren't seat belts good enough?

- Belt-positioning boosters are safest for your school-age child in a crash. Any restraint is better than no restraint, but boosters are 60 percent safer than seat belts alone. In a crash, poor-fitting seat belts can result in serious injury to a child's abdomen, neck and head.
- Seat belts are made to fit adults. Until your child is big enough, he needs a boost.

### What to do if your child says, "But I'm a big kid now!"

- Tell your child that the car will not move until everybody is buckled up correctly.
- Let your child select his booster seat, and teach him how to buckle himself up.
- Show your child that the booster will let him see out the window better and help make the seat belt comfortable.
- Tell your child that boosters are for "big kids." Don't call a booster seat a child's seat.

### When is it safe to move my child from his booster seat to an adult seat belt?

Your child should stay in a booster seat until the adult seat belt fits — usually when he is about 4'9" in height and is 8 to 12 years old. The seat belt fits properly when:

- The shoulder belt lies across the chest, not the neck or face.
- The lap belt is low and snug across the thighs, not across the stomach; and
- The child is tall enough to sit against the vehicle seat back with his legs bent at the knees and feet hanging down.



The information contained in this publication should not be used as a substitute for the medical care and advice of your pediatrician. There may be variations in treatment that your pediatrician may recommend based on individual facts and circumstances.

American Academy  
of Pediatrics



DEDICATED TO THE HEALTH OF ALL CHILDREN™

Partners for  
Child Passenger Safety

State Farm Insurance Companies  
The Children's Hospital of Philadelphia  
Neighbors working together



For more information visit [www.chop.edu/carseat](http://www.chop.edu/carseat)

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## Preliminary Data Indicate That Booster Seat Laws Increase Child Safety Seat Use

On June 1, 2006, Wisconsin enacted a child passenger safety law requiring children between 4 and 8 years old or who weigh between 40 and 79 pounds and are no taller than 4 feet 9 inches to be restrained in booster seats. The law does not require the booster seat to be placed in a back seat. During a six-month grace period, police issued written warnings instead of citations for first-time violations. Beginning January 1, 2007, police issued citations for violations.

Prior to June 1, 2006, Wisconsin law required all children under 4 to be in child restraints, and children between 4 and 8 years old to be in child restraints or safety belts. While Wisconsin's child passenger safety (CPS) law is a primary enforcement law, meaning police can write tickets to parents and caregivers of improperly restrained children, Wisconsin's adult seat belt law is a secondary enforcement law. Police can only give an adult seat belt violation if a driver is pulled over for another violation.

The Wisconsin Department of Transportation developed a one-page information sheet and card to provide details of the new law for law enforcement personnel and the public. The Wisconsin Bureau of Transportation Safety also ran an article on the new law in its May newsletter. The American Automobile Association (AAA) of Wisconsin and Safe Kids Worldwide (SKW) held a news conference in Madison on June 1 in conjunction with SKW car seat checks around the State.

In order to examine the effectiveness of this law to increase booster seat use among children of booster seat age, the National Highway Traffic Safety Administration contracted with TransAnalytics, LLC, and its subcontractor, Program Professionals, Inc., to conduct an observational survey of booster seat use in Wisconsin before and after the law changed.

### Method

Booster seat observation sites were located in urban and suburban areas and based on site permission, high numbers of target vehicles entering the site, safety, and location. The most common sites were shopping centers with retail stores that attract the target vehicle group (e.g., Wal-Mart,

Toys"R"Us); elementary schools and child care centers; health care centers, and recreational sites. A convenience sampling approach was used.

To obtain control/comparison data, booster seat observations were also conducted in Michigan, a neighboring State that had no legislative action for enacting a booster seat law. Under Michigan's law, all children under the age of 4 must be in a child restraint system, and children between 4 and 16 must wear a seat belt. All front-seat occupants must wear seat belts. However, in Michigan, both CPS and seat belt laws are primary enforcement laws.

Baseline data was collected in the Milwaukee, Wisconsin, area May 9-11, 2006, and in the Detroit, Michigan, area May 18-24, 2006. Post-intervention data was collected in Wisconsin September 6-23, 2006, and in Michigan September 11 to October 3, 2006.

Data collectors stationed in parking lots and targeted drivers who were (a) parking their cars; and, (b) transporting at least one child passenger appearing to be 4 to 8 years old. Upon receiving the driver's permission to participate in the study, data collectors noted the vehicle type, number of passengers, seating positions, sex, and restraint use.

### Results

Overall, the driver and vehicle characteristics (e.g., percentage of female versus male, race, vehicle types, and number of occupants) were similar in Wisconsin and Michigan during the pre- and post-intervention periods.

Although booster seat use among children 4 to 8 years old increased from 40 to 45.9 percent in Wisconsin and from 38.6 to 40.2 percent in Michigan during this same period, these increases were not statistically significant (see Table 1).

However, during the pre- and post-booster-seat-law period, the overall patterns of restraint use (safety belt, child safety seat [CSS], booster, and unrestrained) for children 4 to 8 changed significantly in Wisconsin ( $p < .02$ ) and in Michigan ( $p < .01$ ). In both States, the number of children in child safety seats and booster seats increased, and the number of children

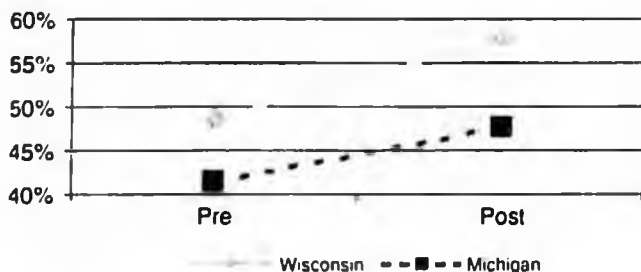
in seat belts decreased. However, in Wisconsin, the number of unrestrained children remained relatively stable, while the number in Michigan increased.

**Table 1. Restraint Use for Booster-Seat-Age Children**

	Wisconsin		Michigan	
	Pre N=407	Post N=355	Pre N=472	Post N=465
Safety Belt	30.7%	21.1%	45.6%	35.7%
CSS	8.6%	11.8%	3.0%	7.3%
Booster	40.0%	45.9%	38.6%	40.2%
Unrestrained	20.6%	21.1%	12.9%	16.8%
<b>Total</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

Since there is a large variation in children's sizes between 4 to 8 years old, smaller children would be appropriately restrained in CSSs with internal harnesses while larger children would be appropriately restrained in booster seats. There is also some variation in upper weight limits for forward-facing CSSs with internal harnesses (e.g., from 40 to 80 pounds), so a child 40 pounds or over may still be appropriately restrained in a CSS.

**Figure 1. Children Ages 4 to 8 Appropriately Restrained in Child Passenger Seats or Booster Seats**



A chi-square test was performed to determine if there was a significant difference from the pre- to post-booster-law period in the number of children who were appropriately restrained, without regard to the type of child restraint system. Thus, an appropriately restrained child could be riding in a booster seat or in a CSS. In Wisconsin, significantly more children were appropriately restrained from before to after the law ( $p < .02$ ) while the results for Michigan were not significant. The combination of CSS and booster seat use in Wisconsin

showed an increase of 9.1% (48.6% to 57.7%) and the same combination yielded an increase in Michigan of 5.9% (41.6% to 47.5%, see Figure 1).

There was also a trend for children inappropriately restrained for their age (e.g., in seat belts or completely unrestrained). In Wisconsin, the number of children in seat belts and the number of children who were completely unrestrained decreased 9.1% (51.3% before the law; 42.2% after the law). In Michigan during this same period the number of children in seat belts and the number of children who were unrestrained decreased 6% (58.5% before the law; 52.5% after the law).

For both States, over half of the booster seats were the backless type in the pre- and post-intervention periods. Over one-third of the booster seats were belt-positioning, high-back models in the pre- and post-intervention periods. About 10% were combination seats and only about 2% were shield boosters in each period.

## Conclusions

These findings offer the first indications that Wisconsin's Booster Seat Law had the effect of increasing child restraint system use (CSS or booster seats) for children 4 to 8 years old. However, this study has limitations because it used a convenience sample. While not necessarily representative of the State, the study findings show a significant change in the direction of safer practices from pre- to post- Wisconsin's booster seat law change.

It can be inferred that the booster seat law motivated parents and caregivers to move their children into some type of restraint that was appropriate for the child's age and weight. Since there was no concomitant change in the comparison State from pre- to post-intervention (no child booster seat law was implemented in Michigan), it may be inferred that the increase in appropriately restrained children in Wisconsin was the result of the new law.

## How to Order

The report for *Preliminary Data Indicate That Booster Seat Laws Increase Child Safety Seat Use* prepared by TransAnalytics, LLC, will be available in the next few months by writing to the Office of Behavioral Safety Research, NHTSA, NTI-130, 1200 New Jersey Avenue SE., Washington, DC 20590, fax 202-366-7096, or download from [www.nhtsa.dot.gov](http://www.nhtsa.dot.gov). John Siegler, Ph.D., was the Task Order Manager for this project.



U.S. Department of Transportation  
National Highway Traffic Safety  
Administration

1200 New Jersey Avenue SE., NTI-130  
Washington, DC 20590

**TRAFFIC TECH** is a publication to disseminate information about traffic safety programs, including evaluations, innovative programs, and new publications. Feel free to copy it as you wish. If you would like to receive a copy, contact Patricia Ellison-Potter, Ph.D., Editor, fax 202-366-7096, e-mail: [traffic.tech@dot.gov](mailto:traffic.tech@dot.gov).

### Children who should use a booster seat

- For maximum protection, keep a child in a forward-facing child safety seat with full harness as long as the child fits in this seat. (See the instructions for your child safety seat for best fit.)
- A child who weighs between about 35 and 80 lbs
- A child who has outgrown a convertible child safety seat
- Usually a child who is about 4 to 8 years old and is at least 35" tall
- A child who cannot sit with his or her back straight against the vehicle seat back cushion or who cannot sit with knees bent over a vehicle's seat edge without slouching

### Reasons to use a booster seat

- Generally, a child who is 4 to 8 years old is not big enough for lap and shoulder belts alone.
- A booster seat fills the gap between a convertible child safety seat and the vehicle lap and shoulder belt.
- The booster seat raises the child so the vehicle lap and shoulder belt fits well: the lap belt rests low across the upper thighs, and the shoulder belt rests snugly on the shoulder across the chest.
- Properly fitting lap and shoulder belts reduce the potential for belt-induced injury which can occur when a lap belt is a child's only restraint.

### Installing a booster seat

- Read the booster seat instructions and your vehicle owner's manual before installing the booster seat.
- If the vehicle has only lap belts in the back seat, you may want to consider having shoulder belts installed by a dealer or repair facility. Most vehicle manufacturers offer retrofit shoulder belt kits for this purpose

### Remember

- All children ages 12 and under should sit properly restrained in the back seat whenever possible. It's safer!
- Never use just a lap belt across a child sitting in a belt-positioning booster.
- Never put the shoulder belt behind a child's arm or back because it eliminates the protection for the upper part of the body and increases the risk of severe injury in a crash.
- Never use pillows, books, or towels to boost a child. They can slide around.
- State child passenger safety laws apply to infant, convertible, and booster child safety seats.



## A Parent's Guide to Booster Seats



U.S. Department of Transportation

DOT HS 808 671  
February 1998

# Different kinds of Booster Seats



High back booster with 5-point harness

- For a child about 35 to 80 lbs
- This booster seat provides head and neck protection in back seats without head restraints. The 5-point harness provides full body protection. The harness can be used until a child reaches 40 lbs. The removable harness converts the booster seat to a belt-positioning booster in which a child uses the vehicle lap and shoulder belts for restraint.



Child seats improve continually. Visit the NHTSA Web site at [www.nhtsa.dot.gov](http://www.nhtsa.dot.gov) or call the DOT Auto Safety Hotline toll free at 1-888-DASH-2-DOT (1-888-327-4236) for the most current information.



Belt-positioning booster

- For a child 40 to 80 lbs
- The child sits in the booster seat and uses the vehicle lap and shoulder belts for restraint. Lap and shoulder belts together offer better protection than lap belts only



Shield booster

- Some of these boosters have removable shields. When the shield is removed, the booster seat becomes a belt-positioning booster using the vehicle lap and shoulder belts for restraint. Never allow a child to sit in the booster seat without the shield while using only the lap belt. (Without shield for a child from 40 to 80 lbs)
- A shield booster seat, with the shield in place, is recommended for use when only a lap belt exists in the back seat. (For a child with maximum weight of 40 lbs)



Buying a booster seat

- All booster seats are required by law to comply with the same standards and guidelines as child safety seats.
- When buying a booster seat make sure that it has a label stating: This child restraint system conforms to all applicable U.S. Federal Motor Vehicle Safety Standards
- Never use a booster seat that has been in a crash. The seat may have defects that are not visible

All children ages 12 and under should sit in the back seat, properly restrained whenever possible. It's safer!



# FISCAL NOTE

**STATE OF ALASKA**  
**2008 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: SB 218  
 () Publish Date: \_\_\_\_\_

Identifier (file name): SB218-DOT-PD-01-28-08 Dept. Affected: DOT&PF  
 Title An Act relating to use of child safety seats and seat belts. RDU Planning  
 Component Program Development  
 Sponsor Senator Hollis French  
 Requester Senate Transportation Component Number 2762

**Expenditures/Revenues** estimated \$194,235 additional federal funding in FFY09

Note. Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual								
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>		<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>		<b>194.2</b>	<b>194.2</b>					
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<b>CHANGE IN REVENUES ( )</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
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**FUND SOURCE**

1002 Federal Receipts		194.2	194.2					
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other Interagency Receipts								
<b>TOTAL</b>	<b>0.0</b>	<b>194.2</b>	<b>194.2</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2008) cost: 0.0

**POSITIONS**

Full-time								
Part-time								
Temporary								

**ANALYSIS:** (Attach a separate page if necessary)

Federal DOT Chief Counsel has confirmed that the passage of SB218 will qualify Alaska for additional federal funds. Alaska would be eligible to receive an estimated \$194,235 in FFY09 and \$194,235 in FFY10. The exact funding amount will be based on the number of states that qualify and apply for funding.

CHILD SAFETY AND BOOSTER SEAT INCENTIVE GRANTS provide funds to States that are enforcing a law requiring any child riding in a passenger vehicle who is too large to be secured in a child safety seat to be secured in a child restraint that meets the requirement prescribed under section 3 of Anton's Law (49 USC 30127 note; 116 Stat.2772), for an appropriate child safety seat or booster seat. States become eligible for these funds when specific weight and height of children are included in statute.

Prepared by: Mary Siroky Legislative Liaison  
 Division: Commissioner's Office  
 Approved by: Nancy Slagle  
Director Division of Administrative Services

Phone 907 465-4772  
 Date/Time 1/28/08 2:00 PM  
 Date 1/28/2008

**FISCAL NOTE**

**STATE OF ALASKA  
2008 LEGISLATIVE SESSION**

**BILL NO. SB 218**

---

**ANALYSIS CONTINUATION**

To qualify for a grant under this program, a State child restraint law must not leave any gaps in coverage for children under 8 years old (e.g., gaps between coverage by a child safety seat and a booster seat.)

Current Alaska law requires the use of proper safety devices for children under the age of 16 as approved by the US Department of Transportation, but does not include which safety device must be used based on a child's age, height and weight.

SB 218 puts USDOT National Highway Traffic Safety Administration (NHTSA) recommendations in statute, clarifying for law enforcement officials what devices are required for proper child restraint.

Up to 50 percent of the grant a State receives in a fiscal year may be used to fund programs for purchasing and distributing child safety seats and restraints to low income families. The remaining amounts shall be used to carry out child safety seat and child restraint programs, including: enforcement of child restraint laws; training of child passenger safety professionals, police officers, fire and emergency medical personnel, educators, and parents concerning all aspects of the use of child safety seats and child restraints; and educating the public concerning the proper use and installation of child safety seats and child restraints.

DOT&PF would receive these federal funds through federal transportation funding via the capital budget.







25-LS1273\C  
Luckhaupt  
1/23/08

**CS FOR SENATE BILL NO. 218( )**  
**IN THE LEGISLATURE OF THE STATE OF ALASKA**  
**TWENTY-FIFTH LEGISLATURE - SECOND SESSION**

**BY**

**Offered:**  
**Referred:**

**Sponsor(s): SENATOR FRENCH**

**A BILL**  
**FOR AN ACT ENTITLED**

1 **"An Act relating to use of child safety seats and seat belts."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 **\* Section 1. AS 28.05.095(b) is amended to read:**

4 (b) Except as provided in (c) of this section, a driver may not transport a child  
5 under the age of 16 in a motor vehicle unless the driver has provided the required  
6 safety device and properly secured each child as described in this subsection. A [IF  
7 THE] child

8 (1) less than one year of age or a child one year of age or older who  
9 weighs less than 20 pounds shall be properly secured in a rear-facing child safety  
10 seat that meets or exceeds [IS LESS THAN FOUR YEARS OF AGE, THE CHILD  
11 SHALL BE PROPERLY SECURED IN A CHILD SAFETY DEVICE MEETING  
12 THE] standards of the United States Department of Transportation and is used in  
13 accordance with the manufacturer's instructions;

14 (2) one or more years of age but less than five years of age who  
15 weighs over 20 pounds shall be properly secured in a child restraint device that

1 meets or exceeds the standards of the United States Department of  
2 Transportation and is used in accordance with the manufacturer's instructions:

3 (3) over four years of age but less than eight years of age who is  
4 less than 57 inches in height and weighs 20 or more pounds but less than 80  
5 pounds shall be properly secured in a booster seat that is secured by a seat belt  
6 system or by another child passenger restraint system that meets or exceeds the  
7 standards of the United States Department of Transportation and is used in  
8 accordance with the manufacturer's instructions:

9 (4) over four years of age who exceeds the height and weight  
10 requirements in (3) of this subsection shall be properly secured in a seat belt:

11 (5) eight years of age [FOR A CHILD SAFETY DEVICE FOR  
12 INFANTS. IF THE CHILD IS FOUR] but not yet 16 years of age who does not  
13 exceed the height and weight requirements in (3) of this subsection [, THE  
14 CHILD] shall be properly secured in a child safety device approved for a child of that  
15 [AGE AND] size by the United States Department of Transportation or in a safety  
16 belt, whichever is appropriate for the particular child.



ALASKA STATE LEGISLATURE  
SENATE BILL NO. 218

HISTORY IN THE SENATE

2008  
1/16

Read first time and referred to:

TRA, STA

\_\_\_\_ RPT CS( ) \_\_\_\_ New Title  
\_\_\_\_ DP \_\_\_\_ DNP \_\_\_\_ NR \_\_\_\_ AM  
\_\_\_\_ FN \_\_\_\_ OFN / Prev: \_\_\_\_ FN \_\_\_\_ OFN  
To: \_\_\_\_\_

\_\_\_\_ RPT CS( ) \_\_\_\_ New Title  
\_\_\_\_ DP \_\_\_\_ DNP \_\_\_\_ NR \_\_\_\_ AM  
\_\_\_\_ FN \_\_\_\_ OFN / Prev: \_\_\_\_ FN \_\_\_\_ OFN  
To: \_\_\_\_\_

\_\_\_\_ RPT CS( ) \_\_\_\_ New Title  
\_\_\_\_ DP \_\_\_\_ DNP \_\_\_\_ NR \_\_\_\_ AM  
\_\_\_\_ FN \_\_\_\_ OFN / Prev: \_\_\_\_ FN \_\_\_\_ OFN  
To: \_\_\_\_\_

Read second time

[ ] CS( ) Adopted [ ] New Title

[ ] Amended \_\_\_\_\_

[ ] \_\_\_\_\_ Advanced / 3rd Rdg. \_\_\_\_\_

Read third time

[ ] Title Amendment

[ ] Return to 2nd & amended \_\_\_\_\_

[ ] Passed Y \_\_\_\_ N \_\_\_\_ E \_\_\_\_ A \_\_\_\_

[ ] EFD same or Y \_\_\_\_ N \_\_\_\_ E \_\_\_\_ A \_\_\_\_

[ ] CBR same or Y \_\_\_\_ N \_\_\_\_ E \_\_\_\_ A \_\_\_\_

[ ] CRT same or Y \_\_\_\_ N \_\_\_\_ E \_\_\_\_ A \_\_\_\_

[ ] \_\_\_\_\_

Reconsideration

Reconsideration not taken up

[ ] Title Amendment

[ ] Return to 2nd & amended \_\_\_\_\_

[ ] Passed/Rec Y \_\_\_\_ N \_\_\_\_ E \_\_\_\_ A \_\_\_\_

[ ] EFD same or Y \_\_\_\_ N \_\_\_\_ E \_\_\_\_ A \_\_\_\_

[ ] CBR same or Y \_\_\_\_ N \_\_\_\_ E \_\_\_\_ A \_\_\_\_

[ ] CRT same or Y \_\_\_\_ N \_\_\_\_ E \_\_\_\_ A \_\_\_\_

[ ] \_\_\_\_\_

Engrossed, signed by the President  
Transmitted to the House

Secretary of the Senate

HISTORY IN THE HOUSE

20

Read first time and referred to:

\_\_\_\_ RPT HCS( ) \_\_\_\_ NT: HCR \_\_\_\_  
\_\_\_\_ DP \_\_\_\_ DNP \_\_\_\_ NR \_\_\_\_ AM  
\_\_\_\_ FN \_\_\_\_ OFN / Prev: \_\_\_\_ FN \_\_\_\_ OFN

\_\_\_\_ RPT HCS( ) \_\_\_\_ NT: HCR \_\_\_\_  
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Read second time

[ ] HCS( ) Adopted [ ] New Title

HCR No. \_\_\_\_\_

[ ] Amended \_\_\_\_\_

[ ] \_\_\_\_\_ Advanced / 3rd Rdg. \_\_\_\_\_

Read third time

[ ] Title Amendment

[ ] Return to 2nd & amended \_\_\_\_\_

[ ] Passed Y \_\_\_\_ N \_\_\_\_ E \_\_\_\_ A \_\_\_\_

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[ ] \_\_\_\_\_

Reconsideration

Reconsideration not taken up

[ ] Title Amendment

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Engrossed, signed by the Speaker  
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Chief Clerk of the House

### SENATE-HOUSE HISTORY (continued)

20

Version Received from the House:

Concur in House Amendment

Y \_\_\_ N \_\_\_ E \_\_\_ A \_\_\_

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CC appointed by Senate \_\_\_\_\_ Chair

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(H) Granted Limited Powers of Free Conference

20

(S) Adopted CC Rpt \_\_\_\_\_

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**Sent to enrolling**

Received from Enrolling \_\_\_\_\_ Manifest Error

**Sent to Governor**

By Governor

Chapter Number \_\_\_\_\_

Filed with Lieutenant Governor \_\_\_\_\_

# Alaska State Legislature



**Senator Hollis French**

## **Sponsor Statement**

### **SB 218 - Child Safety Seats and Seat Belts**

Booster seats save lives. Of the sixty one children under the age of eight injured in auto accidents in recent years, only five were properly restrained in the recommended child safety seat. Nearly two thirds of the sixty one injured were children ages four to eight. At this age, many children are too large for a child's car seat but too small for an adult seat belt. The National Highway Traffic Safety Administration recommends that children under 80 pounds and under 57" use a child safety seat or a belt positioning booster seat.

Current Alaska law requires the use of proper safety devices for children under the age of 16 as approved by the US Department of Transportation. SB 218 puts USDOT National Highway Traffic Safety Administration (NHTSA) recommendations in statute, clarifying for law enforcement officials what devices are required for proper child restraint.

SB 218 states that:

- Children under one year of age or older but under 20 pounds, shall be secured in a rear facing child safety seat.
- Children one to four years old who weigh over 20 pounds shall be secured in a child restraint device or seat.
- Children ages four to eight who are under 57" in height and under 80 pounds shall be secured in a booster seat or a child restraint system.
- Children over 4 who are taller than 57" and weigh over 80 pounds shall be properly secured in a seat belt, just like adults.
- Children over eight but under 16 years of age who are under 57" and 80 pounds shall be restrained by the proper safety device or a seat belt, whichever is appropriate.

All safety devices, boosters and child seats must meet or exceed the standards set out by the United States Department of Transportation.

At this time, thirty nine other states mandate booster seat use. While any restraint is better than no restraint, national studies have shown booster seats are sixty percent safer than seat belts alone.

The cost of booster seats range from approximately \$25 to \$100, depending on the model.

Please join me in promoting passenger safety by supporting this legislation.

# Alaska State Legislature



**Senator Hollis French**

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Please join me in promoting passenger safety by supporting this legislation.

25-LS1273C  
Luckhaupt  
1/23/08

**CS FOR SENATE BILL NO. 218( )**

**IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FIFTH LEGISLATURE - SECOND SESSION**

**BY**

**Offered:  
Referred:**

**Sponsor(s): SENATOR FRENCH**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to use of child safety seats and seat belts."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 **\* Section 1. AS 28.05.095(b) is amended to read:**

4 (b) Except as provided in (c) of this section, a driver may not transport a child  
5 under the age of 16 in a motor vehicle unless the driver has provided the required  
6 safety device and properly secured each child as described in this subsection. A [IF  
7 THE] child

8 (1) less than one year of age or a child one year of age or older who  
9 weighs less than 20 pounds shall be properly secured in a rear-facing child safety  
10 seat that meets or exceeds [IS LESS THAN FOUR YEARS OF AGE, THE CHILD  
11 SHALL BE PROPERLY SECURED IN A CHILD SAFETY DEVICE MEETING  
12 THE] standards of the United States Department of Transportation and is used in  
13 accordance with the manufacturer's instructions;

14 (2) one or more years of age but less than five years of age who  
15 weighs over 20 pounds shall be properly secured in a child restraint device that

1 meets or exceeds the standards of the United States Department of  
2 Transportation and is used in accordance with the manufacturer's instructions:

3 (3) over four years of age but less than eight years of age who is  
4 less than 57 inches in height and weighs 20 or more pounds but less than 80  
5 pounds shall be properly secured in a booster seat that is secured by a seat belt  
6 system or by another child passenger restraint system that meets or exceeds the  
7 standards of the United States Department of Transportation and is used in  
8 accordance with the manufacturer's instructions:

9 (4) over four years of age who exceeds the height and weight  
10 requirements in (3) of this subsection shall be properly secured in a seat belt:

11 (5) eight years of age [FOR A CHILD SAFETY DEVICE FOR  
12 INFANTS. IF THE CHILD IS FOUR] but not yet 16 years of age who does not  
13 exceed the height and weight requirements in (3) of this subsection [, THE  
14 CHILD] shall be properly secured in a child safety device approved for a child of that  
15 [AGE AND] size by the United States Department of Transportation or in a safety  
16 belt, whichever is appropriate for the particular child.

SENATE BILL NO. 218

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-FIFTH LEGISLATURE - SECOND SESSION

BY SENATOR FRENCH

Introduced: 1/16/08  
Referred: Transportation, State Affairs

A BILL

FOR AN ACT ENTITLED

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12 THE] standards of the United States Department of Transportation and is used in  
13 accordance with the manufacturer's instructions;

14 (2) one to four years of age who weighs over 20 pounds shall be  
15 properly secured in a child restraint device that meets or exceeds the standards of

1 the United States Department of Transportation and is used in accordance with  
2 the manufacturer's instructions;

3 (3) over four years of age who is less than 57 inches in height and  
4 weighs less than 80 pounds shall be properly secured in a booster seat that is  
5 secured by a seat belt system or by another child passenger restraint system that  
6 meets or exceeds the standards of the United States Department of  
7 Transportation and is used in accordance with the manufacturer's instructions;

8 (4) over four years of age that is not required to be restrained as  
9 provided in (3) of this subsection shall be properly secured in a seat belt [FOR A  
10 CHILD SAFETY DEVICE FOR INFANTS. IF THE CHILD IS FOUR BUT NOT  
11 YET 16 YEARS OF AGE, THE CHILD SHALL BE PROPERLY SECURED IN A  
12 CHILD SAFETY DEVICE APPROVED FOR A CHILD OF THAT AGE AND SIZE  
13 BY THE UNITED STATES DEPARTMENT OF TRANSPORTATION OR IN A  
14 SAFETY BELT, WHICHEVER IS APPROPRIATE FOR THE PARTICULAR  
15 CHILD].

**S B**

**2 2 4**

# FISCAL NOTE

**STATE OF ALASKA**  
**2008 LEGISLATIVE SESSION**

Fiscal Note Number: 1  
 Bill Version: SB 224  
 (S) Publish Date: 1/16/08

Identifier (file name): 0041-OOG-DOE-1-4-08 Dept. Affected: OOG  
 Title A bill providing for the issuance of general obligation bonds RDU Elections  
for paying the cost of state transportation projects Component Elections  
 Sponsor Rules Committee  
 Requester Governor Component Number 21

**Expenditures/Revenues** (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
<b>OPERATING EXPENDITURES</b>								
Personal Services								
Travel								
Contractual	1.5							
Supplies								
Equipment								
Land & Structures								
Grants & Claims								
Miscellaneous								
<b>TOTAL OPERATING</b>	<b>1.5</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>								
-----------------------------	--	--	--	--	--	--	--	--

<b>CHANGE IN REVENUES ( )</b>								
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**FUND SOURCE** (Thousands of Dollars)

	FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
1002 Federal Receipts							
1003 GF Match							
1004 GF	1.5						
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
<b>TOTAL</b>	<b>1.5</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2008) cost: \_\_\_\_\_

**POSITIONS**

	FY 2009	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Full-time							
Part-time							
Temporary							

**ANALYSIS:** (Attach a separate page if necessary)  
 The passage of this bill would require the general obligation bond question to appear on the 2008 general election ballot. The cost of providing information about the bonds in the Official election Pamphlet, as required by AS 15.58 is \$1.5. Should the addition of this question require printing an 8-1/2 by 18 inch ballot, the cost will increase to \$22.0.

Prepared by: Gail Fenumiai, Director  
 Division Division of Elections  
 Approved by: Linda J. Perez, Administrative Director  
Division of Administrative Services

Phone 465-2644  
 Date/Time 1/4/08, 3:07pm  
 Date 1/4/2008

**COMMITTEE COPY**

SARAH PALIN  
GOVERNOR  
GOVERNOR@GOV.STATE.AK.US



Bonds -

P.O. Box 110001  
JUNEAU, ALASKA 99811-0001  
(907) 485-3800  
FAX (907) 485-3838  
WWW.GOV.STATE.AK.US

STATE OF ALASKA  
OFFICE OF THE GOVERNOR  
JUNEAU

January 15, 2008

The Honorable Lyda Green  
President of the Senate  
Alaska State Legislature  
State Capitol, Room 111  
Juneau, AK 99801-1182

Dear President Green:

Under the authority of art. III, sec. 18, of the Alaska Constitution, I am transmitting a bill providing for and relating to the issuance of general obligation bonds for the purpose of paying the cost of state transportation projects.

The state requires a stable transportation construction program. The capital budget addresses many critical transportation needs in Alaska. However, there is much more that needs to be done. Low interest notes provide the opportunity to keep overall spending low, while at the same time utilizing bond receipts to expand and improve our infrastructure. The use of state bond proceeds allows projects to move from design to completion much faster than the lengthy process that federal funding entails.

Safety, congestion, and gas pipeline preparation were the criteria used to identify these priority projects for inclusion in this bond proposal.

Section 1 of the bill adds a new section to the uncodified law of the state authorizing the issuance and sale of state general obligation bonds in the principal amount of not more than \$140 million if ratified by a majority of the qualified voters of the state who vote on the question. The full faith, credit, and resources of the state would be pledged to the payment of the principal of and interest and redemption premium, if any, on the bonds.

Section 2 of the bill adds a new section to the uncodified law of the state establishing the "2008 transportation project fund" if the voters ratify the issuance of the bonds, to which shall be credited the proceeds of the sale of the bonds except for the accrued interest and premiums.

Sections 3 - 5 of the bill add new sections to the uncodified law of the state appropriating from the 2008 transportation project fund the amounts of \$121.1 million

The Honorable Lyda Green  
January 15, 2008  
Page 2

to the Department of Transportation and Public Facilities to be allocated to specified road, highway, and bridge projects throughout Alaska; \$10 million to the Department of Commerce, Community, and Economic Development to be awarded as a grant to the Municipality of Anchorage for expansion of the Port of Anchorage; and \$8.9 million to the Department of Natural Resources to be allocated to the South Denali Access Road Design and Construction project.

Section 6 of the bill adds a new section to the uncodified law of the state appropriating from the general fund to the state bond committee \$700,000 or as much of that amount as is found necessary to carry out the provisions of this bill and to pay expenses incident to the sale and issuance of the bonds.

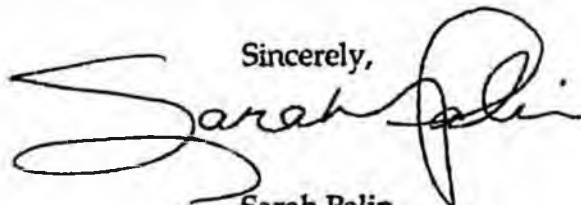
Section 7 of the bill adds a new section to the uncodified law of the state providing that the amount withdrawn from the public facility planning fund (AS 35.10.135) for the purpose of advance planning for the capital improvements financed under this bill shall be reimbursed from the proceeds of the sale of the bonds.

Section 8 of the bill amends the uncodified law of the state to add a new section providing that the unexpended and unobligated balance of the appropriations made in secs. 3 - 5 lapses and is appropriated to the state bond committee to redeem bonds sold under this bill. Further, sec. 8 provides that amounts expended from the general fund to pay the principal, interest, and redemption premium on the bonds shall be reimbursed from this appropriation to the extent that the money is not needed to redeem the bonds.

Section 9 of the bill amends the uncodified law of the state to add a new section directing the submittal to the voters for ratification at the next general election the question of whether the state shall issue its general obligation bonds in the principal amount of not more than \$140 million for the purpose of paying the cost of state transportation projects.

I urge your prompt and favorable action on this measure.

Sincerely,

A handwritten signature in black ink, appearing to read "Sarah Palin". The signature is fluid and cursive, with a large loop at the end.

Sarah Palin  
Governor

Enclosure



**ALASKA STATE LEGISLATURE**  
**SENATE BILL NO. 224**

**HISTORY IN THE SENATE**

2008

1/16

**Read first time and referred to:**

W/GOV Itr + FN  
TRA, FIN

\_\_\_\_\_ RPT CS( ) \_\_\_\_\_ New Title  
 \_\_\_\_\_ DP \_\_\_\_\_ DNP \_\_\_\_\_ NR \_\_\_\_\_ AM  
 \_\_\_\_\_ FN \_\_\_\_\_ OFN / Prev: \_\_\_\_\_ FN \_\_\_\_\_ OFN  
 To: \_\_\_\_\_

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 To: \_\_\_\_\_

**Read second time**

CS( ) Adopted  New Title

Amended \_\_\_\_\_  
 \_\_\_\_\_ Advanced / 3rd Rdg. \_\_\_\_\_

**Read third time**

Title Amendment  
 Return to 2nd & amended \_\_\_\_\_

Passed Y \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ A \_\_\_\_\_  
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 \_\_\_\_\_

**Reconsideration**

Reconsideration not taken up

Title Amendment  
 Return to 2nd & amended \_\_\_\_\_

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Engrossed, signed by the President  
 Transmitted to the House

Secretary of the Senate

**HISTORY IN THE HOUSE**

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**Read second time**

HCS( ) Adopted  New Title  
 HCR No. \_\_\_\_\_

Amended \_\_\_\_\_  
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 \_\_\_\_\_

Engrossed, signed by the Speaker  
 Returned to the Senate

Chief Clerk of the House

SENATE-HOUSE HISTORY (continued)

20

Version Received from the House:

Concur in House Amendment

Y \_\_\_ N \_\_\_ E \_\_\_ A \_\_\_

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Failed concur in House amd., ask House recede

Y \_\_\_ N \_\_\_ E \_\_\_ A \_\_\_

House failed to recede from amendment

Y \_\_\_ N \_\_\_ E \_\_\_ A \_\_\_

CC appointed by Senate \_\_\_\_\_ Chair

CC appointed by House \_\_\_\_\_ Chair

(S) Granted Limited Powers of Free Conference

(H) Granted Limited Powers of Free Conference

20

(S) Adopted CC Rpt \_\_\_\_\_

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Sent to enrolling

Received from Enrolling \_\_\_\_\_ Manifest Error

Sent to Governor

By Governor

Chapter Number \_\_\_\_\_

Filed with Lieutenant Governor