



**TESTIMONY BY:**

JADE T. BUTAY  
DIRECTOR

Deputy Directors  
LYNN A.S. ARAKI-REGAN  
DEREK J. CHOW  
ROSS M. HIGASHI  
EDWIN H. SNIFFEN

**STATE OF HAWAII**  
**DEPARTMENT OF TRANSPORTATION**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

February 9, 2021  
2:00 P.M.  
State Capitol, Teleconference

**H.B. 1090**  
**RELATING TO CHILD PASSENGER RESTRAINTS**

House Committee on Judiciary and Hawaiian Affairs

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The Department of Transportation **supports** H.B.1090, which amends requirements for the restraint of child passengers, requires rear facing child safety seats for children less than two years of age, requires the use of child safety seats or booster seats for certain children less than 10 years of age, and raises certain fines for violations.

We support raising of the age for children to remain rear facing, increasing fines, as well as raising the child's age for vehicle operators to ensure that the child is properly restrained in a safety or booster seat.

According to the American Academy of Pediatrics, "infants and toddlers should ride in a rear-facing car safety seat as long as possible, until they reach the highest weight or height allowed by their seat. Most convertible seats have limits that will allow children to ride rear-facing for 2 years or more."

Currently, 11 states have requirements that children under the age of two be rear facing. It is recommended that the State of Hawaii should also adopt these requirements to reduce motor vehicle fatalities and serious injuries.

Thank you for the opportunity to provide testimony.

POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

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RICK BLANGIARDI  
MAYOR

SUSAN BALLARD  
CHIEF

JOHN D. MCCARTHY  
AARON TAKASAKI-YOUNG  
DEPUTY CHIEFS

OUR REFERENCE

CT-LC

February 9, 2021

The Honorable Mark M. Nakashima, Chair  
and Members  
Committee on Judiciary  
and Hawaiian Affairs  
House of Representatives  
Hawaii State Capitol  
415 South Beretania Street, Room 325  
Honolulu, Hawaii 96813

Dear Chair Nakashima and Members:

**SUBJECT: House Bill No. 1090, Relating to Child Passenger Restraints**

I am Calvin Tong, Major of the Traffic Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 1090, Relating to Child Passenger Restraints.

This bill will provide greater protection for our youth. Requiring a booster or child safety seat for children up to the age of ten ensures that they will be protected in the event of a crash.

The HPD strongly urges you to support House Bill No. 1090, Relating to Child Passenger Restraints.

Thank you for the opportunity to testify.

APPROVED:

A handwritten signature in black ink, appearing to read "Susan Ballard", written over a horizontal line.

Susan Ballard  
Chief of Police

Sincerely,

A handwritten signature in black ink, appearing to read "Calvin Tong", written in a cursive style.

Calvin Tong, Major  
Traffic Division



Tuesday, February 9, 2021 at 2:00 PM  
Via Video Conference

**House Committee on Judiciary & Hawaiian Affairs**

To: Representative Mark Nakashima, Chair  
Representative Scot Matayoshi, Vice Chair

From: Lisa Dau  
Coordinator, Safe Kids Hawaii Kapi'olani Medical Center for Women and Children

Re: **Testimony in Support of HB 1090  
Relating to Child Passenger Restraints**

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My name is Lisa Dau, and I am the Coordinator of Safe Kids Hawaii at Kapi'olani Medical Center for Women and Children (Kapi'olani) which is an affiliate of Hawaii Pacific Health. Kapi'olani Medical Center is the state's only maternity, newborn and pediatric specialty hospital. It is also a tertiary care, medical teaching and research facility. Specialty services for patients throughout Hawai'i and the Pacific Region include intensive care for infants and children, 24-hour emergency pediatric care, air transport, maternal-fetal medicine and high-risk perinatal care.

**I write in support of HB 1090** which amends the requirements for child passengers and requires rear facing child safety seats for children less than 2 years of age. The bill also requires the use of child safety seats or booster seats for certain children less than 10 years of age.

HB 1090 would help keep children safe in motor vehicles from the day they are born until they are old enough to safely use adult seat belts. The major change that H.B. 1090 would introduce is requiring children to be properly restrained in a rear-facing child safety car seat that meets federal motor vehicle safety standards until they are two years old and to increase the age for booster seat use from eight to ten years of age.

**Backed by Pediatricians, Based on Science:**

The importance for parents and the law to adhere to these requirements is backed by science and cannot be understated. The American Academy of Pediatrics (AAP) strongly recommends the use of rear-facing car seats for as long as possible, typically until the age of two. This is what the pediatricians tell us: at this stage of development,

children have a large head in proportion to their bodies, in addition to a neck and skeleton that are still developing. Therefore, they are vulnerable to head and spinal injuries in a motor vehicle crash as their neck and skeleton are not capable of supporting them during a crash.<sup>i</sup> Rear-facing car seats protect the head, neck, and spine of infants by redistributing crash forces over the entire body.<sup>ii</sup>

Furthermore, consistent with AAP research, H.B. 1090 updates important occupant protection requirements for kids as they grow older and taller. Children two years or older, but less than four years of age, should be restrained in a rear-facing or forward-facing child safety seat with an internal harness. Children four years or older, but less than ten years of age are to be restrained in a child safety seat or booster seat. However, children seven to ten years of old who are over four feet and nine inches in height are exempt from the child safety seat or booster seat requirements if they are correctly restrained by a lap and shoulder seat belt assembly.

### **Sixteen Jurisdictions Make the Change; Human Face of Car Seat Safety:**

Since the AAP adopted the new guidelines, 15 states and DC require children younger than two years old to be in a rear-facing child seat, and a number of other states are considering the change.<sup>iii</sup> We hope to increase that number to 17 with the passage of this bill.

### **Safe Kids Worldwide Expertise:**

Safe Kids Worldwide is a grass roots network of more than 400 coalitions across the United States, including Safe Kids Hawaii lead by Kapi'olani Medical Center for Women and Children. Our mission is to prevent unintentional injury among kids 19 and under, which is the number one killer of children. Fatalities from car crashes due to the nonuse or misuse of child safety restraint systems are among these preventable tragedies. Child passenger safety has been central to the expertise of Safe Kids Worldwide since it's founding in 1988. One of our child passenger safety programs is "Safe Kids Buckle Up," which began in 1997 and has since become one of the most successful behavior change campaigns with a public health focus.<sup>iv</sup> Included in this program are car seat checkup events and inspection stations that help parents install and use car seats correctly. We are designated by the National Highway Transportation Safety Administration (NHTSA) to train and certify child passenger safety technicians that will provide parents with the knowledge and assistance to properly use car seats to protect their children. We also advocate for laws and regulations that prevent childhood injuries. Common sense, evidence-based laws, such as car seat and booster seat laws across the country, are crucial. That is why *your* work and leadership is so important.

One child's life lost to a preventable injury is one too many. Together, we need to work to protect all children from preventable injuries, one ride at a time, one appropriate car seat at a time.

Thank you for the opportunity to testify.

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Research provided by Safe Kids Worldwide intern, Joshua Oyos, a student at the New York University, Abu Dhabi campus

<sup>i</sup> American Academy of Pediatrics. *Policy-Statement—Child Passenger Safety*. Available at <https://pediatrics.aappublications.org/content/142/5/e20182460>

<sup>ii</sup> American Academy of Pediatrics. *AAP Updates Recommendation on Car Seats*. Available at <https://www.aap.org/en-us/about-the-aap/aap-press-room/pages/aap-updates-recommendation-on-car-seats.aspx>

<sup>iii</sup> Advocates for Highway and Auto Safety. *17<sup>th</sup> Annual roadman of State Highway Safety Laws*. Available at <https://saferoads.org/wp-content/uploads/2020/01/Advocates-for-Highway-and-Auto-Safety-2020-Roadmap-of-State-Highway-Safety-Laws.pdf>

<sup>iv</sup> Safe Kids Worldwide. *Buckle Up*. Available at <https://www.safekids.org/buckle>



LATE

Keiki Injury Prevention Coalition

Date: February 7, 2021

TO: Rep. Mark M. Nakashima, Chair  
Rep. Scot Z. Matayoshi, Vice Chair  
Members of the House Committee on Judiciary and Hawaiian Affairs

FR: Keiki Injury Prevention Coalition

RE: HB 1090 RELATING TO CHILD PASSENGER RESTRAINTS – IN SUPPORT

Amends requirements for child passengers. Requires rear facing child safety seats for children under two years of age. Raises certain fines for violations.

Dear Chair Nakashima, Vice-Chair Matayoshi, and members of the committee,

The Keiki Injury Prevention Coalition strongly supports HB 1090. Injury is one of the leading causes of death and disability in Hawaii for all children, responsible for more deaths of children ages 1-17 than all other causes combined. Automobile safety has been our major focus as traffic related injuries continue to be a leading cause of death for Hawaii's children and youth. We support requiring children to ride rear facing as long as possible and at least until age two years. The American Academy of Pediatrics guideline is that "infants and toddlers should ride in a rear-facing car safety seat as long as possible, until they reach the highest weight or height allowed by their seat. Most convertible seats have limits that will allow children to ride rear facing for 2 years or more." If enacted, Hawaii will join 15 other states and the District of Columbia in adopting this national standard to protect the most vulnerable motor vehicle passengers.

The rear facing position protects the child's brain and spinal cord, which are the body parts most prone to devastating and permanent injuries in the case of trauma. Infants' and small children's heads are larger and heavier in proportion to their bodies. This can cause significant injury to the neck and spine when crash forces are applied to them. Rear facing car seats spread crash forces over the whole area of a child's back, head and neck, protecting the spinal cord from snapping which will lead to death or permanent severe injury.

We also support increasing fines to reflect the significant risk for injury in violating this law and support other changes to the statute to ensure that every child is properly restrained in a child restraint, booster seat, or seat belt as appropriate for their age and height.

KIPCC's mission is to prevent and reduce injuries to children in Hawaii. With the help of our members, community partners and volunteers we have made major strides in improving vehicle occupant protection for children in our state. Safety Seat Inspection Stations and community events statewide offer hands-on education free of charge.

Thank you for the opportunity to provide this testimony.

Karen Tessier

*Karen Tessier*

Child Passenger Safety Program Coordinator

LATE

**HB-1090**

Submitted on: 2/9/2021 8:43:37 AM

Testimony for JHA on 2/9/2021 2:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Dau	Kapiolani Medical Center	Support	No

Comments:

Tuesday, February 9, 2021 at 2:00 PM

Via Video Conference

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1090 would introduce is requiring children to be properly restrained in a rear-facing child safety car seat that meets federal motor vehicle safety standards until they are two years old and to increase the age for booster seat use from eight to ten years of age.

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[i] American Academy of Pediatrics. *Policy-Statement—Child Passenger Safety*. Available at <https://pediatrics.aappublications.org/content/142/5/e20182460>

[ii] American Academy of Pediatrics. *AAP Updates Recommendation on Car Seats*. Available at <https://www.aap.org/en-us/about-the-aap/aap-press-room/pages/aap-updates-recommendation-on-car-seats.aspx>

[iii] Advocates for Highway and Auto Safety. *17th Annual roadman of State Highway Safety Laws*. Available at <https://saferoads.org/wp-content/uploads/2020/01/Advocates-for-Highway-and-Auto-Safety-2020-Roadmap-of-State-Highway-Safety-Laws.pdf>

[iv] Safe Kids Worldwide. *Buckle Up*. Available at <https://www.safekids.org/buckle>