

EXECUTIVE CHAMBERS

HONOLULU

June 22, 2001

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 135

Honorable Members
Twenty-First Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 135, entitled "A Bill for an Act Relating to Child Passenger Safety."

The purpose of House Bill No. 135 is to clarify the child passenger restraint and seat belt laws with respect to children between 4 and 14 years of age. The bill requires that passengers who are 4 to 8 years of age, and under 80 pounds, be placed in a child safety seat or booster seat. Children over 60 pounds are exempt from this requirement if the vehicle is equipped with only lap belts in the rear seat, without shoulder straps. The bill also requires children between the ages of 8 and 14 years of age to use seat belts.

Currently, the law does not specify a weight requirement for children to be placed in child passenger restraint systems. National safety standards recommend booster seats for children ages 4 to 8 years of age and under 80 pounds in weight. Because seat belts are not designed to fit young children, the belts can ride up onto the abdomen, putting children at risk for intestinal, liver, spleen, and spinal cord injury in a crash. Presently, there are several models of approved booster seats available that are designed for children up to 60 pounds and that can be installed using only a lap belt.

While this measure is an acknowledgment that children between the ages of 4 and 8 years old and under 80 pounds should be restrained in a safety seat for assured protection, the practical effect of this bill is to place an additional financial burden on parents. Under this bill, children who are 7 years of

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age and as heavy as 79 pounds must be restrained by a specially designed seat purchased by their parents. Many parents, as well as caretakers of children, will find this to be a hardship, not only because they must purchase the safety seat, but because many parents with children do not own vehicles that will accommodate multiple safety seats and children in the passenger area. Further, this bill may be an unnecessary restraint on many parents to determine the degree of safety that is required for their own child.

For the foregoing reason, I am returning House Bill No. 135 without my approval.

Respectfully,



BENJAMIN J. CAYETANO
Governor of Hawaii