

HB-1690

Submitted on: 2/1/2022 8:23:56 AM

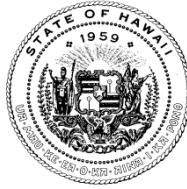
Testimony for JHA on 2/3/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Christy Cowser	Hawaii Dept. Of Transportation	Support	Yes

Comments:

HDOT HWY support staff on HB1690

DAVID Y. IGE
GOVERNOR



TESTIMONY BY:

JADE T. BUTAY
DIRECTOR

Deputy Directors
ROSS M. HIGASHI
EDUARDO P. MANGALLAN
PATRICK H. MCCAIN
EDWIN H. SNIFFEN

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

February 3, 2022
2:00 P.M.
State Capitol, Teleconference

H.B. 1690
RELATING TO CHILD PASSENGER RESTRAINTS

House Committee on Judiciary & Hawaiian Affairs

The Department of Transportation (DOT) **supports the intent of H.B. 1690**, which amends requirements for the restraint of child passengers by requiring rear facing child safety seats for children less than two years of age.

In order to include best practices for booster seat requirements, the DOT suggests amending **section 291-11.5 subsections 3 and 4** to state the following:

(3) If the child is four years of age or older but less than ten years of age, the person operating the motor vehicle shall ensure that the child is properly restrained in a child passenger restraint system or booster seat that meets federal motor vehicle safety standards at the time of its manufacture; except as provided in paragraph (4); and

(4) If the child is four years of age or older but less than ten years of age, the person operating the motor vehicle shall be exempt from properly restraining the child in a child passenger restraint system or booster seat that meets federal motor vehicle safety standards at the time of manufacture if the child is restrained by a seat belt assembly and:

(A) Over four feet and nine inches in height; ~~or~~

~~(B) Over forty pounds and traveling in a motor vehicle equipped only with lap belts, without shoulder straps, in the back seat."~~

Currently, 16 states require child occupants to be seated in rear facing through 2 years of age, and 14 states have optimal booster seat requirements that align with manufacture recommendations for age and height.¹

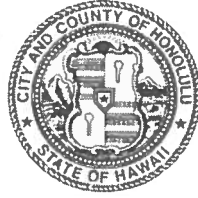
Thank you for the opportunity to provide testimony.

¹ [FINAL-2022-Roadmap-of-State-Highway-Safety-Laws.pdf \(saferoads.org\)](#)

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
TELEPHONE: (808) 529-3111 · INTERNET: www.honoluluupd.org

RICK BLANGIARDI
MAYOR



RADE K. VANIC
INTERIM CHIEF

OUR REFERENCE **BL-BL**

February 3, 2022

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. 1690, Relating to Child Passenger Restraint Systems

I am Brian Lynch, Major of District 7 (East Honolulu) of the Honolulu Police Department (HPD), City and County of Honolulu.

The Honolulu Police Department supports the passage of House Bill No. 1690, Relating to Child Passenger Restraint Systems.

In the United States, motor vehicle injuries are the leading cause of deaths among children. The Centers for Disease Control and Prevention (CDC), in addressing child passenger safety, has conducted research that has demonstrated that the use of age- and size-appropriate child restraints is the best way to save lives and reduce injuries in a crash. Age- and size-appropriate car seats, booster seats, and seat belts can reduce serious and fatal injuries to children by 80 percent.

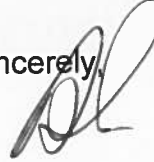
The HPD likewise recognizes the critical importance of age and size appropriateness of child restraints and supports these amendments to Hawaii Revised Statutes Section 291-11.5, which revise these guidelines to provide additional protection to child passengers in motor vehicles. It is believed that these revised guidelines, as well as the elimination of previously recognized exceptions, will ultimately save lives by minimizing the risk of death and serious injuries to child passengers of motor vehicles.

The Honorable Mark M. Nakashima, Chair
and Members
February 3, 2022
Page 2

The HPD supports the passage of House Bill No. 1690, Relating to Child Passenger Restraint Systems.

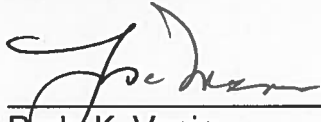
Thank you for the opportunity to testify.

Sincerely,



Brian Lynch, Major
District 7

APPROVED:



 Rade K. Vanic
Interim Chief of Police



Tuesday, February 3, 2022 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, MBA, BSN, RN, CPSTI
Coordinator, Kapi'olani Medical Center for Women and Children

**Re: Testimony in Support with Recommendations of HB 1690
Relating to Child Passenger Restraints**

My name is Lisa Dau, Certified Child Passenger Safety Instructor and the Injury Prevention Coordinator at Kapi'olani Medical Center for Women and Children (Kapi'olani). I also represent Safe Kids Hawai'i. Kapi'olani is an affiliate of Hawai'i Pacific Health, 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.

On behalf of Kapi'olani and Safe Kids Hawai'i, we support the intent and respectfully request these changes to HB 1690. We fully support the portion of the bill that amends the requiring rear-facing child safety seats for children until 2 years of age. We request that the bill include the requirement for restraints raised from eight (8) years of age to ten (10) years of age, and remove the weight (40 pounds) exemption under Section 1, number 4 (B).

HB 1690, with the recommended changes, would help keep children safe in motor vehicles from birth until they are old enough to use adult seat belts. The major change that HB1690 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 increasing the age for booster seat use from eight to ten years of age.

Backed by Pediatricians, Based on Science:

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. 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 cannot support them during a crash.ⁱ Rear-facing car seats protect infants' head, neck, and spine by redistributing crash forces over the entire body.

Furthermore, consistent with AAP research, 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:

Since the AAP adopted the new guidelines, 16 states and DC require children younger than two years old to be in a rear-facing child seat and 14 states have an optimal booster seat law.ⁱⁱ We hope to increase the numbers with the passage of this bill with the recommendations presented in this testimony.

Safe Kids Worldwide Expertise:

Safe Kids Worldwide is a grass roots network of more than 400 coalitions across the United States, including Safe Kids Hawai'i lead by Kapi'olani Medical Center for Women and Children. The 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.

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, and one appropriate car seat at a time.

Thank you for the opportunity to testify.

ⁱ American Academy of Pediatrics. *Policy-Statement—Child Passenger Safety*. Available at <https://publications.aap.org/pediatrics/article/142/5/e20182460/38530/Child-Passenger-Safety>

ⁱⁱ Advocates for Highway and Auto Safety. *19th Annual Roadmap of State Highway Safety Laws*. Available at <https://saferoads.org/wp-content/uploads/2022/01/FINAL-2022-Roadmap-of-State-Highway-Safety-Laws.pdf>



Keiki Injury Prevention Coalition

Date: February 1, 2022

TO: Representative Mark Nakashima, Chair
Representative Scot Matayoshi, Vice Chair
Members of the House Committee on Judiciary and Hawaiian Affairs

FR: Keiki Injury Prevention Coalition (KIPC)

RE: HB 1690 - RELATING TO CHILD PASSENGER RESTRAINT SYSTEMS
Requires motor vehicle operators to ensure that children 2 years of age or younger are properly restrained in rear-facing child passenger restraint systems.

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

The Keiki Injury Prevention Coalition **SUPPORTS THE INTENT OF HB 1690**. However this bill does not go far enough to address other deficiencies in the current child restraint statute. 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 KIPC's major focus as traffic related injuries continue to be a leading cause of death and disability for Hawaii's children and youth.

KIPC'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. Child Car Seat Inspection Stations and community events statewide offer hands-on or virtual education free of charge

We support requiring children to ride rear facing as long as possible and at least until age two years. The American Academy of Pediatrics "recommends that all children ride in a rear-facing car safety seat as long as possible, up to the manufacturer's stated weight and length limits. Currently, no manufacturer allows for any child under 12 months to ride forward-facing, and several require all children under 2 years to ride rear-facing." If enacted, Hawai'i will join 16 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 and leading to death or permanent severe injury.

We are concerned about other outdated and dangerous parts of the child restraint statute that also need updating. These are addressed in SB 152, passed by the Senate Committee on Judiciary January 27, 2022, and HB 1090, passed by the House in 2021, and by the Senate Committee on Transportation in March, 2021. Updates addressed in the preceding bills include raising the age for a child to remain in a booster seat until age 10 (with exceptions for taller children), and removing exemptions for children over 40 pounds or for vehicles without enough restraints for all passengers. There is never an acceptable reason to not restrain a child in a motor vehicle. Everyone should always be properly restrained in a child restraint, booster seat, or seat belt as appropriate for their age, weight, and height.

Thank you for the opportunity to provide this testimony.

Karen Tessier

Karen Tessier, PhD, RN, CPSTI
Child Passenger Safety Program Coordinator