

they are misleading him, that is the purpose of the judicial system and I think it is unrealistic to have a patrolman carry a scale around weighing kids. I think he can just ask a question and if there is a question of fact, that is a question for a jury if necessary or for a judge.

SPEAKER MARVEL: Okay, Senator Wesely, do you wish to speak to the amendment that we have addressed up to now?

SENATOR WESELY: No, I won't, Senator Kremer. Members of the body, I think the discussion about the scale in the hands of the patrolman raises the issue that I want to make on this amendment, lowering the age from 4 and under to 3 and under. I think when you start a new restriction on the public, which this bill would do, you don't start including everybody that you want to at the very first. I think you start a little slower than that, and I think I can understand the point for a very young baby, a 1 or 2 year old to include them, which this amendment would still allow. But when you start getting to be 3 years old, I think you are old enough that maybe the seat belts would be satisfactory. I understand there is medical evidence otherwise, but let's talk about the social impact here. I think that people are not going to be very happy in many cases of being forced to have the child restraints in the first place, and then to just expand the group that would have to have these and to make it a little more marginal group like the 3 year olds, I think this leads to trouble for the bill and the legislation in general. So I guess what I am urging is I think the concept is one of some controversy, but I think if we are going to start it, let's start it with the group that needs it the most and then if we want to expand it later, fine, Senator Marsh can have a bill next year or the following year. But let's start small and see how it works and then we will grow.

SPEAKER MARVEL: Senator Marsh, do you wish to speak to the amendment? Okay.

SENATOR MARSH: Thank you, Mr. Speaker. Senator Wesely brought up an interesting point of those we are including. When we considered the age break at 5 because the 5 year old is now a kindergartener, we modified that for 20 percent because the 5 year old can get in and out of his or her seat belt, and against my better judgment, they say the 4 year old can also make that choice. Let's not put it down to a 3 year old deciding