HB

392

THE
FOLLOWING
DOCUMENT(S)
ARE
POOR
ORIGINAL
COPIES

Alaska State Legislature

Please enter into the record my testimony to the House Transportation committee name

committee on HB392 – Seatbelts bill/subject, dated 3-23-04.

Everyone is saying, they don't Like The Patriot Act. This bill is just adding to it, and taking our rights away. The police already have enough power, we don't need to increase it.

Most officers have enough to do already, but there are a few who would relish the power stop anyone at anytime.

There are already enough Reasons to stop cars, without making seatbelts the primary Reason.

Laws like these Lead to other activities like searches, and other Rights violations.

We don't need this.

Signed: _____
Testifier

AUSTIN MAHALKEY – SELF
Representing (Optional)

Box 455 Glennallen AK 99588
Address

907-822-3613
Phone No.

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

DIVISION OF PROGRAM DEVELOPMENT

FRANK H. MURKOWSKI, GOVERNOR

3132 CHANNEL DRIVE
JUNEAU, ALASKA 99801-7898

PHONE: (907) 465-4070
TTY/TDD: (907) 465-3652
FAX: (907) 465-6984

April 19, 2004

Representative Jim Holm
Chairman
Alaska House Transportation Committee
State Capitol – Room 416
Juneau, Alaska 99801

Dear Representative Holm,

It's hard to believe that in just 23 days the legislative session will be over. You'll soon be cleaning out your office and heading home to Fairbanks getting ready for the fall elections.

I am writing to ask you to please allow SB 316 to be heard in House Transportation. This is a very important piece of legislation and it will go a long way in convincing Alaskans that they should buckle up when driving on Alaska's roads. Last year 12 Alaskans died in highway fatalities in the Fairbanks area. Several of these deaths would not have occurred if the person had been belted.

Enclosed is an article from the Anchorage Daily News dated December 30, 2003. It brings into perspective the horror associated with these needless deaths.

This bill will not start a stampede of police officers pulling drivers over for not being belted. It will – thru perception – get 10% more of our citizens to "Click their Seatbelts. Just think, as many as 12 Alaskans will be alive this time next year if SB 316 becomes law.

I'm not asking you to change your vote on this bill when it is heard on the floor. I'm just pleading with you to let the bill out of your committee and allow the full Legislature to vote on SB 316.

Thank you very much.

Sincerely,

Don Smith
Administrator
Alaska Highway Safety Office

Enclosure

ERIC LESSER / Associated Press archive 1996

The Dalai Lama discusses the Buddhist concept of "right livelihood" in his new book, "The Art of Happiness at Work."

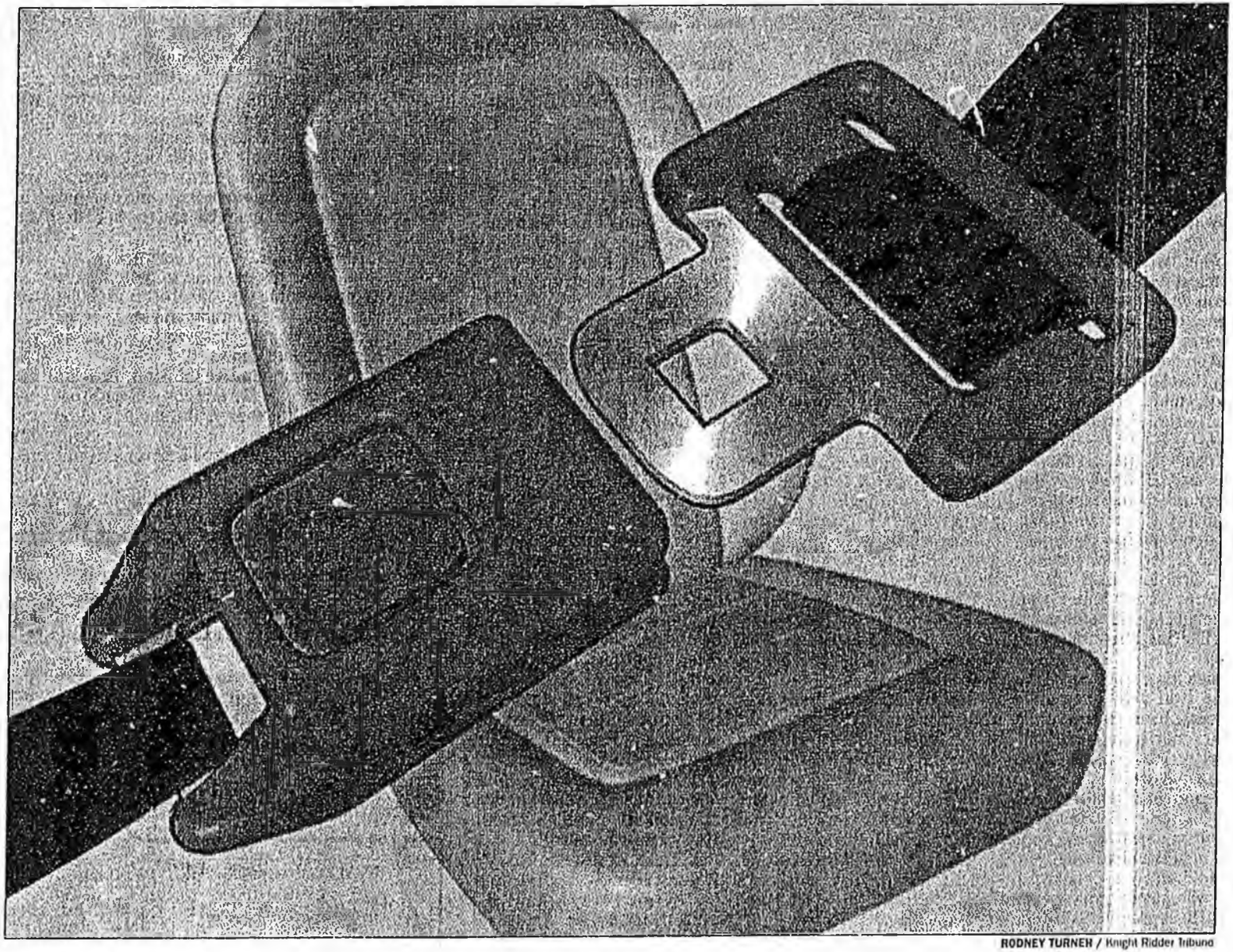
Dalai Lama, Tharp discuss creativity, happiness

■ **CHANGE:** Books can help you start the new year on a different path.

By BOB CONDOR
Chicago Tribune

This year marked Dr. Phil's debut as a diet book author, so it is more than fitting that the Dalai Lama advises us in a new book on being happy at work. As it turns out, the Buddhist spiritual leader offers good ideas about solving the inevitable problems that people encounter on the job.

The Dalai Lama's best advice might be to realize some



RODNEY TURNER / Knight Ridder Tribune

STRAPPED IN

IT was a terrible accident.

Eighteen-year-old Dimond High School senior Nate Kampen was driving uphill on O'Malley Road during a late-afternoon rush hour in September. He was talking to 17-year-old Dimond senior Eva Marie Velarde, who was sitting in the passen-

PRIMARY VS. SECONDARY SEAT BELT LAWS

■ Belts save an estimated 14,000 or more lives eac

Dalai Lama advises us in a new book on being happy at work. As it turns out, the Buddhist spiritual leader offers good ideas about solving the inevitable problems that people encounter on the job.

The Dalai Lama's best advice might be to realize some problems can't be solved — or at least not as quickly as we would prefer. He discusses how we can balance good work and self-care ("no matter how satisfying our work is, it is a mistake to rely on work as our only source of satisfaction"). His take on the Buddhist concept of "right livelihood" is a valuable section for anyone struggling with career direction.

"The Art of Happiness at Work" (Riverhead, $24.95) might be just the New Year's gift for the chronic worker or lost corporate soul in your life. The book is thin (it won't be intimidating) and written in clear, concise fashion with co-author, and physician Dr. Howard C. Cutler, who adds some mainstream ballast.

The book can stand alone for any reader who has yet to pick up one of the Dalai Lama's books, including 1998's "The Art of Happiness."

Creativity is squarely the focus of an inviting new book by choreographer Twyla Tharp. In "The Creative Habit: Learn It and Use It for Life" (Simon & Schuster, $25), the prolific Tharp makes all of the right moves. She provides some 30 exercises for working through, say, writer's block or getting a long-dreamed project actually started. One is called "Build a Bridge to the Next Day" and offers instructions on how to purge a cluttered mind overnight. The exercises help the book live up to the self-help promises of its title.

Yet the strongest part of the book is its examples from Tharp's own life and those of accomplished friends (dancers, painters, actors, moviemakers, children's book authors, chefs, you name it) and noted creators, including

RODNEY TURNER / Knight Ridder Tribune

STRAPPED IN FOR LIFE

VEHICLE OCCUPANTS WHO DON'T WEAR SEAT BELTS ARE SIGNIFICANTLY MORE LIKELY TO DIE IN A ROLLOVER

By GEORGE BRYSON
Anchorage Daily News

It was a terrible accident.

Eighteen-year-old Dimond High School senior Nate Kampen was driving uphill on O'Malley Road during a late-afternoon rush hour in September. He was talking to 17-year-old Dimond senior Eva Marie Velarde, who was sitting in the passenger seat of the Kampen family's late-model Ford Explorer.

In the course of their conversation, Kampen's car veered to the right into a ditch near Elmore Road, swerved back onto the street, turned counterclockwise, flipped twice and came to a stop in the opposite lane.

The vehicle never hit a tree or pole or another car, and it landed upright. But Kampen was thrown out of the window and fatally injured as the car rolled across the street. Responding paramedics pronounced him dead at the scene. He hadn't been wearing a seat belt, Velarde had, police said.

She was emotionally distraught and physically shaken, said Sgt. Nancy Reeder, who investigated the crash for the Anchorage Police Department. But otherwise, Velarde appeared unharmed.

"I poked my head inside that vehicle and looked around, and there was absolutely no reason for that young man to die," Reeder said last week. "The interior of that vehicle

See Page D-5, STRAPPED IN

PRIMARY VS. SECOND SEAT BELT L

- Belts save an estim 14,000 or more liv year, while 7,000 d cause they did not belts.
- Primary belt law: Al police officer to pul motorists and cite for not using a seat
- Secondary belt law allows an officer to a seat-belt citation driver has been pul over for another inf
- 31 states, including Alaska, have only a ondary seat belt law adults.

Source: "Safety Belt Use in 20 Rates in the States and Territor 2003, released by the National Traffic Safety Administration

2002 SAFETY BELT USAGE RATES

States that have primary seat belt safety laws, meaning an officer can stop the car if he spots unfastened passengers, tend to have better compliance than do states that make it a secondary law, meaning an officer can cite the violation only after stopping the car for another reason. The numbers below show the percent of vehicle occupants who use seat belts.

Primary Enforcement Law for Adults[1]		Secondary Enforcement Law for Adults[2]	
Washington	93%	Montana	78%
California	91%	Alaska	66%
Hawaii	90%	Mississippi	62%
Oregon	88%	Massachusetts	51%

1. Top four states for seat belt usage.
2. A sampling of usage rates in states with secondary-enforcement laws.

Source: May 2003 report released by the National Highway Traffic Safety Administration

MARC LESTER / Daily News staf

A 24-year-old Anchorage woman died in October when her fiance lost control of their SU Seward Highway near Dimond Boulevard, causing it to roll toward oncoming traffic. No ca the SUV, but the woman wasn't wearing a seat belt and was partially thrown from the car. fiance was wearing his seat belt and survived.

STRAPPED IN: *Safety advocates urge state to make seat belt law tougher*

Continued from D-1

was pristine. There was nothing in it that would have caused him any injury. It was just simply that he wasn't wearing a seat belt."

That was unusual, Carol Kampen said last week after spending a broken-hearted Christmas without her son. Wearing seat belts was something the family emphasized.

"My son might be alive today if he was wearing his seat belt," she said. "He usually always did. ... But teenagers sometimes forget."

If the September tragedy on O'Malley Road underscored how much seat belts can make a difference — saving lives when they're worn, or failing to save lives when they aren't worn — it was hardly the only example this year. In October alone:

• A 43-year-old Nikiski man driving alone on a local road in the early morning hours died when his Ford van drifted into a ditch and rolled. He wasn't wearing a seat belt, and the impact threw him into the back of his van, resulting in fatal head and chest injuries.

• A 21-year-old Sutton woman driving with a 15-year-old passenger died early on a Saturday morning when her car slipped into a ditch off the Jonesville Road and hit several trees. She wasn't wearing a seat belt, and the impact threw her out of the car. Her passenger was wearing a seat belt and suffered only minor injuries.

• A 24-year-old Anchorage woman died shortly before the morning rush hour when her fiance lost control of their SUV on Seward Highway near Dimond Boulevard, crossed the median and rolled toward oncoming traffic. No cars hit the SUV, but the woman wasn't wearing a seat belt and was partially thrown from the car. Her fiance was wearing his seat belt and survived.

> "You get there and the car is a mess ... and you think, man, somebody didn't survive. And then you find that they walked away without a scratch (because they wore a seat belt)."
>
> — police Sgt. Nancy Reeder

A year ago, Alaska scored below the U.S. average in a nationwide seat-belt use comparison by the National Highway Traffic Safety Administration, with only 66 percent of drivers and passengers who were observed during the survey wearing their seat belts, compared to 78 percent in Montana, 88 percent in Oregon and more than 90 percent in California, Hawaii and Washington.

Last summer, seat belt use in Alaska rose significantly — to 79 percent in the latest survey. But safety advocates here say the state could fare even better — saving lives and public expense — if Alaska would simply toughen its seat belt laws.

Nationwide, traffic accidents remain the single greatest cause of death for children and young adults, killing in excess of 40,000 Americans a year.

But among those who annually die in traffic accidents while not wearing seat belts, about half would survive if they had just buckled up, according to research by the NHTSA. When lap and shoulder belt systems are worn, they reduce the risk of fatal injury by 45 percent for front-seat car occupants and by 60 percent for pickup occupants, the NHTSA says.

Reeder, who has been responding to accidents in Anchorage for about 20 years, says she has witnessed plenty of examples of seat belts saving lives.

"You get there and the car is a mess — I mean a complete mess — and you think, man, somebody didn't survive," she says. "And then you find that they walked away without a scratch (because they wore a seat belt). Well, that's a happy story for us."

It's not always that way, she says. Sometimes someone wearing a seat belt doesn't survive an especially violent collision. And sometimes a person not wearing a seat belt does survive.

But don't bet on it, says Reeder, who leads the department's traffic enforcement unit. The odds are strongly against you.

"I hear people all the time saying, 'Well, I don't wear a seat belt because I had a friend who survived because they didn't have their seat belt on — and if they'd had it on, they would have died.'

"Well, you know, that's a one in a million chance *that's* going to happen.

And yes, seat belts occasionally do cause some injury — they sometimes cause chest bruising — but that injury is a whole lot less than wrapping your heart around a steering column."

Seat belt use in the United States last year saved 14,164 lives, according to the NHTSA. All told, seat belts have saved more than 165,000 lives since 1975, when buckling up was still a novelty.

The saving grace of seat belts is most evident in any crash in which a person might be ejected from a vehicle, which usually results in a fatality. People wearing seat belts rarely get ejected from their vehicles, NHTSA studies show, whereas people not wearing seat belts get ejected in 30 percent of all fatal accidents.

Twenty years ago, only 14 percent of Americans used seat belts, the agency says. Today, about 73 percent of Americans do, largely due to the passage of mandatory seat belt laws.

Studies show that the willingness of some drivers and passengers to buckle up depends on whether their state administers "primary" or "secondary" seat belt laws. Primary seat belt laws allow a police officer to pull you over and issue a citation whenever you or any of your passengers is not wearing a seat belt. Secondary laws only allow the officer to issue a seat belt citation when you're guilty of some other infraction.

States with primary seat belt laws — Washington, Oregon, California, Michigan, Texas and a dozen others — on average score 11 percent higher in seat belt use than do states with secondary seat belt laws. Alaska has a secondary seat belt law for adults but a primary seat belt law for any passenger in a vehicle younger than 16.

In 2002, Reeder says, she pulled over the driver of an extended-cab pickup truck with 12 children inside, none of whom was buckled.

"They were all little guys," she sai
"So the driver got a citation for each
dividual child. ... It was unbelievab
And he contested it, and we went
court ... and I won."

Seat belt citations in Alaska vary
jurisdiction. A state citation issued
the troopers ranges from $15 for a
olation of the adult law to $50 and t
points against the driver's record
a violation of the law for juveniles a
children.

Seat belt citations in Anchorage a
more costly, ranging from $60 for
adult to $200 for a child. In the case
the ticket she issued to the pickup dr
er, Reeder says, the total potential fi
was more than $2,400, though part
that amount was ultimately suspende

Advocates say more stringent se
belt laws save lives and a significa
amount of public money that's nec
sary to support emergency servic
and medical care for accident victi
who can't pay their own way.

If Alaska adopted a primary seat b
law for adults and seat belt use grew
11 percent — as it has, on average,
other states that have passed prim
ry seat belt laws — then seven liv
would be saved and 170 nonfatal in
ries would be eliminated each year,
cording to an NHTSA study that was
quested by the Alaska State Troopers

In addition, a primary seat belt l
in Alaska would save an estimat
$18.3 million a year in costs to taxp
ers, businesses and consumers,
NHTSA said.

■ Daily News reporters Peter Porco and Tatabolin
Brant contributed to this story.

BOOKS: *On* Gum disease linked to heart ...

2003 HIGHWAY FATALITIES

TOTAL 94

27	Anchorage Area
21	Mat/Su Area
19	Kenai Peninsula
12	Fairbanks Area
2	Denali Area
5	Southeastern
8	All Other Areas

Alaska Highway Safety Office

Alaska Nurses Association

t/ 907-274-0827
f/ 907-272-0292

2207 East Tudor Rd, Suite 34
Anchorage, AK 99507-1069
www.aknurse.org
aknurse@aknurse.org

March 22, 2004

Honorable Jim Holm
Chair, House Transportation Committee
Alaska State Legislature
State Capitol (MS 3100)
Juneau, AK 99801-1182

RE: HB 392, Seatbelt Violation as a Primary Offense

Dear Representative Holm;

The Alaska Nurses Association supports the passage of House Bill 392, which allows seatbelt violations by adults to be treated as a primary offense.

This bill will allow direct enforcement of the seatbelt law, which encourages more adults to use seatbelts. Seatbelt use and enforcement is a health and safety issue for the registered nurses in the state because the statistics indicate higher survival rates and lower injury rates for those wearing seatbelts.

Thank you for your attention to this matter. Please let us know if we can supply any additional information.

Sincerely,

Camille Soleil

Camille Soleil, JD
Executive Director

Cc: Representative Cheryll Boren Heinze, Sponsor
House Transportation Committee Members

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: HB392-DOT-CO-3-26-04
() Publish Date:

Revision Date/Time (Note if correction):
Dept. Affected: DOT&PF
Title: Motor vehicle safety belt violations
RDU: Administration & Support
Component: Commissioner's Office
Sponsor: Heinze
Requester: House Transportation
Component No.: 530

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ( )						

FUND SOURCE (Thousands of Dollars)						
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

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

The President's Highway Bill, SAFETEA -- now pending before Congress -- would entitle the State to an incentive grant of more than $3.9 million, if it upgrades its belt law to primary enforcement or reaches 90% belt use. To date, no State has come close to 90% without a primary law.

Prepared by: Nona Wilson
Phone 465-6973
Division: Legislative Liaison
Date/Time 3/26/04 11:19 AM
Approved by: John MacKinnon
Date 3/26/2004
Agency: Deputy Commissioner

(Revised 12/2003 OMB)

State of Alaska
Department of Public Safety
Seat Belt Violations
Jan 1, 2003 - Dec 31, 2003

Seat Belt Citations		
Agency	F02 - Improper or No Child Restraint	F04 - Improper or No Safety Belt
Alaska State Troopers	84	917
Anchorage Airport Police	5	2
Anchorage Police Department	172	1019
Craig Police Department	1	0
Delta Junction Police Department	0	1
Fairbanks Airport Police	6	0
Fairbanks Police Department	12	249
Juneau Police Department	5	3
Ketchikan Police Department	15	60
North Pole Police Department	1	20
Palmer Police Department	4	39
Seward Police Department	1	0
Skagway Police Department	0	17
University of Alaska Anchorage	0	1
University of Alaska Fairbanks	5	8
Valdez Police Department	3	1
Wasilla Police Department	8	42
Weigh Stations	0	3
All Agencies Total	322	2382

*Note: Based on Citation data for January 1, 2003 - December 31, 2003 as of 3/19/2004.

According to Lt. Storey there are already at least 185 primary violations in existence.

DO POLICE ACTUALLY NEED ANOTHER "TOOL"?

OVER 185 REASONS TO PULL YOU OVER RIGHT NOW.

DOES FAIRBANKS HAVE A PROBLEM?

AN ASSESSMENT OF SAFETY BELT USE IN ALASKA SUMMER 2003

prepared for

Alaska Highway Safety Office

prepared by

Virgene Hanna

Institute of Social and Economic Research
University of Alaska Anchorage
3211 Providence Drive
Anchorage, AK 99508

Summer 2003

ABSTRACT

In April 2003, the Alaska Highway Safety Office (AHSO) contracted with the University of Alaska's Institute of Social and Economic Research (ISER) to conduct an observational survey of seatbelt use in Alaska. The Alaska Highway Safety Office, along with the National Highway Traffic Safety Administration, wanted to know the degree to which Alaskans comply with seatbelt laws in Alaska. This report details the results of an observational survey of vehicles in Alaska.

During May, June, and July 2003, ISER researchers recorded and analyzed seatbelt use by drivers and front seat passengers in both passenger cars and trucks. We sampled seatbelt use in cities and towns on the road system. The sample area includes 85 percent of the state's population. In the sample area, 80 percent of drivers and 76 percent of outboard passengers were wearing seatbelts. The share of occupants wearing belts was 79 percent. This number reflects a 13 percent increase over what we observed in 2002. We excluded observations from the analysis where the observer was unsure whether the occupant was wearing a seatbelt.

We also compared rates for cars and trucks. Eighty-three percent of car drivers and 71 percent of truck drivers were using seatbelts. Seventy-nine percent of car passengers and 67 percent of truck passengers were belted. The rate for occupants of cars-82 percent-was higher than that for occupants of trucks-70 percent.

INTRODUCTION

Background

In June 1984, the Alaska State Legislature passed a law (AS28.05.095) requiring children aged six and under to be restrained while being transported in a vehicle. In addition, children under the age of four years are to be in a restraint that complies with federal safety standards. In February of 1989, the Legislature amended the provision to require the use of safety belts by children under sixteen and by adults. To be eligible for certain federal grants, states must document levels of compliance with seatbelt laws.

In April 2003, the Alaska Highway Safety Office contracted with the University of Alaska's Institute of Social and Economic Research (ISER) to conduct an observational survey of seatbelt use in Alaska. The Alaska Highway Safety Office, along with the National Highway Traffic Safety Administration, wanted to know the degree to which Alaskans comply with seatbelt laws in Alaska. This report details the results of an observational survey of vehicles in Alaska.

DATA COLLECTION

Overview of Survey Design

Our study design complies with criteria published in the *Federal Register* in March 2000, as do all of our previous studies. The sample was drawn from areas that contain 85 percent of the state's population. The survey sample consisted of 450 randomly selected observation periods at controlled intersections on both major and local roads. Trained observers recorded shoulder belt use at intersections selected in a multi-stage probability sample for forty-minute periods between 7:00 a.m. and 8:30 p.m. in May and June of 2003. Reported percents are weighted to properly reflect area-wide totals.

Training

Observers attended a training session and received a training manual designed for this project (Appendix B). Following the classroom training, observers practiced recording restraint use while under direct supervision, after which everyone returned to the classroom and any points of confusion were clarified. Some observers returned to the streets for more supervised practice. Then, observers returned to their home communities and began observing when their computer-generated schedule dictated. Two of the observers had recorded seatbelt use for this project every year since 1992. The field supervisor answered questions during the field phase and was in frequent contact with each observer.

Data Collection

Observers recorded safety restraint use for a forty-minute period at one site and then had thirty minutes to drive to the next site. They recorded their observations on a form that ISER designed and pre-tested (Appendix B). They recorded information on each non-commercial, non-emergency passenger vehicle at controlled intersections other than stoplights. At stoplights observers recorded information on the first through ninth eligible vehicle. Safety restraint use was recorded on each vehicle when there was a designated right-turn-only lane at a stoplight. There was a place on the form to note when the traffic was moving too quickly to record information on each vehicle, and observers recorded the interval that they used. Finally, observers recorded any comments they felt might be helpful when interpreting the data.

DATA ANALYSIS

Weighting

Observations were self-weighting with respect to time of day, day of week, and census tract. Census tracts were selected with probabilities proportional to the population.

To develop estimates we took into account disproportionate sampling by weighting by the inverse of the probability of selection at each sampling stage. Primary Sampling Units (PSUs) were weighted by the ratio of the proportion of the population to the proportion of observation periods within that PSU. Local and major roads were weighted by the inverse of their sampled proportion of intersections divided by their actual proportion of intersections. Because we didn't sample local roads in all census tracts, we also weighted local roads by the inverse of the population in each tract divided by the population of the PSU. We also weighted observations by the inverse of the sampled number of lanes of traffic at the intersection divided by the total lanes of traffic. We adjusted the lane weight for on- and off-ramps in Anchorage.

We weighted and analyzed the data using SPSS version 10.1. SPSS is a program for managing data and performing statistical analyses. It is particularly adept at manipulating data sets with many cases and variables.

Findings

We observed a total of 26,151 vehicle occupants (19,707 drivers and 6,444 outboard passengers). Seventy-two percent of these occupants were riding in cars, 28 percent were in trucks.

In Alaska, 80 percent of drivers and 76 percent of passengers were wearing seatbelts. The share of occupants wearing seatbelts was 79 percent. This is an increase of 13 percent above that observed in 2002. The rate for occupants of cars was higher than that for trucks. Eighty-two percent of car occupants compares with 70 percent of truck occupants.

Table 1 shows the percent of drivers, passengers, and occupants who were wearing seatbelts. Data cover 1997 to 2003.

Table 1: Seatbelt Use in Alaska, 1997-2003

		2003	2002	2001	2000	1999	1998	1997
All Vehicles	Share of Drivers Belted	0.797	0.663	0.634	0.615	0.609	0.613	0.604
	Share of Passengers Belted	0.762	0.643	0.602	0.607	0.599	0.601	0.572
	Share of Occupants Belted	0.789	0.658	0.626	0.613	0.606	0.610	0.596
Cars	Share of Drivers Belted	0.826	0.700	0.675	0.656	0.652	0.653	na
	Share of Passengers Belted	0.790	0.664	0.625	0.646	0.631	0.632	na
	Share of Occupants Belted	0.818	0.691	0.662	0.654	0.646	0.648	na
Trucks	Share of Drivers Belted	0.707	0.556	0.518	0.490	0.478	0.513	na
	Share of Passengers Belted	0.670	0.568	0.528	0.474	0.489	0.509	na
	Share of Occupants Belted	0.699	0.558	0.520	0.487	0.481	0.512	na

According to federal guidelines, the reliability of survey results should be expressed as the ratio between the standard error and the percent of the target population observed to wear seatbelts. This ratio, termed the relative standard error, should be less than or equal to five percent. Using SPSS statistical software, we calculated a standard error of .00258. The relative standard error for the percent of occupants who are belted is .0033.

There were 126 motorcycles in the sample. Sixty-six percent of drivers were wearing helmets. The number of motorcycles is too small to use in more detailed analysis and still be confident in the reliability of the results.

We noted in our survey when children were outboard passengers. Area wide, 75 percent of children were wearing seatbelts. This is an increase of 22 percent over 2002. In Anchorage, 78 percent of children were wearing seatbelts. The number of children in our samples from other areas is too small to use in more detailed analysis. Statewide, we observed 519 children riding as outboard passengers.

It is important to note that survey results reflect restraint use by the driver and outboard passenger in a probability sample of vehicles drawn from the most populated areas of Alaska. Included in this area are the Municipality of Anchorage, the Matanuska-Susitna Borough, the Juneau Borough, the Kenai Peninsula Borough, and the Fairbanks North Star Borough.

Table 2 presents the share of drivers, passengers, and occupants who were wearing seatbelts by region. The table presents data from 1997 through 2003.

It shows that seatbelt use in Alaska has risen by about 19 percent from 1997 to 2003. The biggest annual increase was from 2002 to 2003 when seatbelt use rose by 13 percent. From 2002 to 2003, Fairbanks had the biggest gain, increasing by nearly 15 percent.

We have been conducting the seatbelt survey since 1992 and find the 2002 to 2003 increase remarkable. Clearly something affected usage rates by the time we conducted our observations in the summer of 2003. Until 2003, we observed increases of about one percent per year. We were astounded by the increase from 2002 to 2003 of 13 percent. We used the same methodology in all the years that we have done the survey. We have carefully reviewed our data collection and analysis methods for inadvertent changes or errors that would account for this increase. We did not find any methodological errors or inconsistencies.

Table 2: Seatbelt Use by Region

All Vehicles		*2003*	*2002*	*2001*	*2000*	*1999*	*1998*	*1997*
All Regions	Drivers Belted	0.797	0.663	0.634	0.615	0.609	0.613	0.604
	Passengers Belted	0.762	0.643	0.602	0.607	0.599	0.601	0.572
	Share of Occupants	0.789	0.658	0.626	0.613	0.606	0.610	0.596
Anchorage	Drivers Belted	0.822	0.690	0.657	0.627	0.626	0.634	0.632
	Passengers Belted	0.797	0.669	0.631	0.615	0.617	0.623	0.605
	Share of Occupants	0.817	0.685	0.651	0.624	0.624	0.631	0.625
Fairbanks	Drivers Belted	0.772	0.627	0.601	0.607	0.553	0.582	0.562
	Passengers Belted	0.737	0.594	0.592	0.605	0.559	0.539	0.543
	Share of Occupants	0.764	0.619	0.599	0.607	0.555	0.571	0.557
Juneau	Drivers Belted	0.716	0.633	0.599	0.568	0.577	0.631	0.577
	Passengers Belted	0.689	0.652	0.527	0.557	0.575	0.615	0.551
	Share of Occupants	0.709	0.638	0.581	0.565	0.577	0.628	0.570
Kenai	Drivers Belted	0.697	0.558	0.542	0.532	0.611	0.540	0.562
	Passengers Belted	0.588	0.559	0.509	0.572	0.583	0.566	0.504
	Share of Occupants	0.669	0.558	0.533	0.544	0.603	0.547	0.544
Matsu	Drivers Belted	0.670	0.556	0.555	0.557	0.536	0.561	0.565
	Passengers Relted	0.621	0.524	0.550	0.586	0.504	0.555	0.529
	Share of Occupants	0.658	0.549	0.553	0.565	0.526	0.560	0.555

Table 3 presents the actual count of vehicles in our sample in 2003.

Table 3: Unweighted Number of Vehicles Observed in 2003

	Area Wide	Anchorage	Fairbanks	Juneau	Kenai	Mat-Su
VEHICLES						
Drivers Belted	15,442	8,111	2,846	1,937	1,161	1,387
Passengers Belted	4,825	2,558	896	624	318	429
Occupants Belted	20,267	10,669	3,742	2,561	1,479	1,816
CARS						
Drivers Belted	11,451	6,265	2,000	1,523	738	925
Passengers Belted	3,662	2,032	631	498	205	296
Occupants Belted	15,113	8,297	2,631	2,021	943	1,221
TRUCKS						
Drivers Belted	3,990	1,846	846	413	423	462
Passengers Belted	1,163	526	265	126	113	133
Occupants Belted	5,153	2,372	1,111	539	536	595
Total Cars and Trucks	20,111	9,969	3,900	2,696	1,592	1,954
MOTORCYCLES						
Driver Helmeted	83	40	21	2	6	14
Passenger Helmeted	16	7	6	0	2	1
Total Motorcycles	126	65	30	5	9	17

APPENDIX A

METHODOLOGY

The survey methods were designed to adhere to the *Uniform Criteria for State Observational Surveys of Seat Belt Use* published in the *Federal Register* (March 14, 2000) for safety belt and motorcycle helmet use surveys. In large part, the sample design was based on the approach used in the 1986 study conducted in Washington State by Westat, combined with information from the 1991 Oregon study conducted by Intercept. We also believe the study complies with the 1994 NOPUS report on probability-based observational surveys.

Geographic Area Covered

Since much of the geographic extent of Alaska is off-the-road network and since private passenger vehicle traffic in remote settlements is minimal and expensive to monitor, we used 2000 census figures to identify the smallest land area on the road network that includes 85 percent of the state's population. Census areas (Census geographic units in Alaska are analogous to counties) included in the sample frame are Anchorage, Fairbanks, Southeast Fairbanks, Matanuska-Susitna, Kenai Peninsula, Valdez-Cordova, Haines, Kodiak, Juneau, Ketchikan, Sitka, and portions of the Yukon-Koyukuk Census Area (i.e. the Koyukuk mid-Yukon census sub-area which encompasses the Parks Highway connecting Anchorage and Fairbanks).

We stratified the census areas by urban-rural and by self-representing vs. sample element. Table A.1, below, displays the stratification scheme. Selected Primary Sampling Units (PSUs) appear in italics. PSUs were selected by assigning each census area measures of size in proportion to its 1990 population. A random number was selected that was equal to or less than the total number of measures of size in that census area. Given the high concentration of population in a single PSU within the sample strata, the largest PSUs were much more likely to be selected. Indeed, the largest PSU was selected in every case. Since even the large PSUs include rural areas, however, we do not believe that this results in an inadvertent sample bias.

TABLE A.1. SAMPLE FRAME

Urban	2000 Population
Self-representing	
Anchorage Borough	260,283
Fairbanks N.S. Borough	82,840
Sample Element	
Juneau Borough	30,711
Ketchikan	14,070
Sitka Borough	8,835
Ex-urban Roaded (all sample elements)	
Kenai Peninsula Borough	49,691
Valdez-Cordova Census Area	10,195
Kodiak Island Borough	13,913
Mat-Su Borough	59,322
Koyukuk mid-Yukon Census sub-area	6,551
Southeast Fairbanks Census Area	6,194
Haines Borough	2,392
Total population in sample frame	544,997
2000 Census statewide population	626,932

The selected PSUs cover the three regions encompassed by the road network. The assigned number of observation periods appears below.

		Number of Observation Periods
Anchorage	(Southcentral)	180
Fairbanks	(Interior)	90
Juneau	(Southeast)	60
Kenai	(Southcentral)	60
Mat-Su	(Southcentral/Interior)	60
Total Observation Periods:		450

Distribution of Sample Observations by PSU

We distributed our sample observation periods proportional to the square root of the population size of the PSUs. This is the approach adopted by Washington State to improve the efficiency of sample estimates assuming that population size is correlated with estimates of average daily miles traveled. Available project resources were sufficient to support 450 forty-minute observation periods and associated travel and field-editing tasks. The distribution of field observation periods by PSU is shown above.

Stratification of Observation Points

We followed the model used in the Washington study and stratified roads into two frames: local roads and major roads. We first categorized roads according to their average daily traffic (ADT) based on numbers published by the Alaska Department of Transportation and Public Facilities (DOT&PF). In Anchorage, major roads were those with an ADT over 20,000. These were roads classified by DOT&PF as major arterials, expressways, and freeways. In Kenai, Matanuska-Susitna, and Juneau, the major roads were those with an ADT over 5,000, while in Fairbanks the ADT was over 7,000. Except for road segments located on military reservations (where seatbelt laws are actively enforced), all remaining roads were classified as local.

We distributed the sample of observation periods at a ratio of 60 percent major roads to 40 percent local roads. According to Rick Lau in the Planning Department of the Highway Data Section at the DOT&PF, they assume that 80 percent of the traffic is on major roads and 20 percent is on local roads. Our understanding from the 1986 Washington study was that there is more variability in seatbelt use on local roads than major roads (Lago, 1986). Thus, they had over-sampled on local roads to improve the efficiency of the sample. Based on the same logic, we oversampled local roads as well.

Local Road Selection

Within each PSU we selected two or three census tracts as a second stage of sample selection for local roads. Tracts were selected with probabilities proportional to 1990 population counts. To make sure that our observations were accurate, we wanted to observe vehicles stopped or traveling slowly at controlled intersections or entering or exiting freeways. Thus, we field-listed each controlled intersection within each selected tract. A controlled intersection was one where there was a light or sign that slowed vehicles traveling in a particular direction. An intersection of two local roads involving a four-way stop sign would produce four controlled intersection listings. Because we did not have traffic counts for these local roads, we selected observation locations for local roads with equal probability.

Major Road Selection

We enumerated all controlled intersections having major roads in each selected PSU. Controlled intersections included on- and off-ramps. We associated Average Daily Traffic (ADT) estimates with each controlled intersection. Major road observation points were selected with probabilities proportional to the associated ADT.

Again, so that we could accurately collect the desired information, we needed locations where vehicles moved slowly. We listed all controlled intersections and on- and off-ramps. We linked each road segment with an ADT estimate and selected segments with a probability proportional to the ADT.

Time of Day

Although there are a high number of summer daylight hours in Alaska, we felt there was a greater risk to observers between 9:00 p.m. and 7:00 a.m. Thus, we limited observations to the period between 7:00 a.m. and 9:00 p.m. These hours were then divided into two shifts: 7:00 a.m. to 2:00 p.m. and 2:00 p.m. to 9:00 p.m. All days of the week were included in the sample. Shifts and days of the week were selected with equal probability.

We wrote a computer program to generate an observation schedule for each observer. For each observation week, the program selected five days without replacement. It then selected a shift for each day. It selected either local or major roads for an observer shift with a .4/.6 probability. If the shift consisted of local roads, the program chose a tract from which seven local road observation points were selected with replacement. There were six scheduled observation periods in a shift. The seventh selected observation point was held in reserve in case construction or other events made it impossible to safely observe traffic at the originally scheduled observation point.

Eligible Vehicles

We observed drivers and front seat outboard passengers in non-commercial, non-emergency passenger motor vehicles. The outboard passenger could have been a child in a child safety system. Additionally, observers recorded motorcycle helmet use by both the driver and the passenger.

Observation Process

The computer program that selected a location also randomly assigned the location to a specific time. The location, including the direction of traffic to be observed, was specified on the Sample Assignment Form (Appendix B). When there was more than one lane of traffic in the specified direction, the observer referred to the instructions on the Lane Selection Chart (Appendix B).

Quality Control

Computer generation of:

- Morning or afternoon shift
- Time period
- Day of week
- Strata (major or local)
- Site
- Alternate site
- Direction of travel, and
- Lane to observe

were to eliminate the possibility of observer bias in any of these steps.

In addition to extensive training and a manual that each observer received, other quality control efforts focused on the accuracy of the observations. Observers were secretly monitored to make sure they were at the correct location, at the correct time, observed traffic moving in the required direction and lane, and for the prescribed amount of time. On occasion we sent two observers to the same site and each recorded observations independently. These observations of the same site were entered into SPSS, checked for consistency and, then, the second set of data was deleted from the file. Finally, the data were entered twice to ensure accuracy.

APPENDIX B

Seatbelt Observation Form
Lane Selection Chart
Sample Assignment Form
Observer Training Manual

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

DIVISION OF PROGRAM DEVELOPMENT

FRANK H. MURKOWSKI, GOVERNOR

3132 CHANNEL DRIVE
JUNEAU, ALASKA 99801-7898

PHONE: (907) 465-4070
TTY/TDD: (907) 465-3652
FAX: (907) 465-6984

March 18, 2004

Representative Jim Holm
Chairman – House Transportation
Alaska State House
Room 416 State Capitol
Juneau, Alaska 99801-1182

Dear Jim,

Attached is a folder with contains copies of newspaper articles related to deaths on Alaska's highways from August last year to the present. Many of these deaths were preventable.

As Administrator of the Alaska Highway Safety Office, I am following with great interest the two bills, (HB 392 & SB 316), which would establish primary enforcement of seat belt use in Alaska. You will be taking a vote in House Transportation on HB 392 next Tuesday.

Last year 95 Alaskans lost their lives in automobile accidents in our state. Of those, 37 were not buckled and many of them could have survived. National statistics show that states with a primary seat belt law have upwards of 90% of the drivers and passengers using their seat belts. Alaska currently has a 78.9% seat belt use rate.

A primary seat belt law will not only save lives and reduce injuries in Alaska, but it will also save Alaska's citizens substantial amounts of money in associated health care costs. Primary safety belt laws also help save the lives of children. Citizens are much more likely to buckle up and place their children in child safety seats when there is the possibility of receiving a citation for not doing so.

Please feel free to contact me if you have any questions of would like some additional information.

Sincerely,

Don Smith
Administrator
Alaska Highway Safety Office

We sure appreciate anything you could do to allow this bill to move out of committee & let everyone in the House vote on it – Thanks –

25A-T34LH-10

Anchorage, AK
Anchorage Daily News
(Cir. M-Th+Sat. 69,711)
(Cir. F. 79,869)
(Cir. S. 85,707)
AUG 12 2003
Allen's P. C. B. Est. 1888

3 bikers die in 2 crashes

■ TALKEETNA: Two motorcyclists were heading to Fairbanks after the weekend music festival.

By PETER PORCO
Anchorage Daily News

Two motorcyclists died over the weekend and one was injured in two crashes, Alaska State Troopers said Monday.

Duane Shelton, 44, of Fairbanks was killed when he and another rider collided with two pickups on the Parks Highway as the riders tried to pass the trucks Sunday afternoon, troopers said.

The second rider, Charlie Potter, 56, of Fairbanks was injured and taken to Providence Alaska Medical Center, troopers said.

Potter was in good condition Monday evening, according to a hospital spokeswoman.

Nicholas Butler, 19, was killed in a solo crash in Talkeetna while riding his dirt bike Sunday evening, troopers said. Butler was from Talkeetna, according to troopers.

None of the riders was wearing a helmet, said troopers spokesman Greg Wilkinson.

Shelton and Potter were riding with a third biker, Raymond Thomas, 52, also of Fairbanks, troopers said.

The three men, members of the Hells Angels, had worked over the weekend at the

See Page B-7, BIKERS

BIKERS: *3 fatalities*

Continued from B-1

Talkeetna Bluegrass and Music Festival and were heading north to Fairbanks on Sunday, said trooper Andrew Adams in Talkeetna.

At about 2 p.m., the three encountered the pickups at Mile 159.6 of the Parks Highway, 50 miles south of Cantwell. The truck drivers were also northbound and about to make left turns into a pullout on the west side of the highway, troopers said.

Both pickups were still moving and their drivers reportedly had signaled when the motorcyclists tried to pass them on the left, troopers said. They did not identify the drivers. Adams, the Talkeetna trooper, said the bikers "had a half- to at least a quarter-mile of straightaway ahead of them" before reaching the spot where the trucks were turning into the pullout.

The bikers tried to stop, Adams said.

"We're not sure" why the bikers made their move to pass, said trooper Jack Covey in Cantwell. "A lot of it is still under investigation."

Both trucks were hit, Covey said, but it was unclear whether Shelton and Potter each hit one truck or both.

Thomas did not collide with any vehicle, Wilkinson said.

No one in the trucks reported injuries, he said.

The collision closed the Parks Highway for nearly three hours, according to troopers.

In the Talkeetna crash, Butler apparently lost control of his 2003 Yamaha off-road motorcycle while riding westbound at Mile 0.7 of Beaver Road, north of the Talkeetna Airport, troopers said.

He was found unconscious with serious head injuries, and his dirt bike was found in the roadside ditch. No witness to the crash has been found, troopers said.

Butler was taken to Willow and from there flown to Providence Alaska Medical Center, where he died at about 2 a.m. Monday, troopers said.

■ Daily News reporter Peter Porco can be reached at pporco@adn.com or 257-4582.

Anchorage, AK
Anchorage Daily
News
(Cir. M-Th+Sat.
69,711)
(Cir. F. 79,869)
(Cir. S. 85,707)

3 die in crash on slickened highway near Turnagain Pass

■ ACCIDENT: Car slams into motor home; two injured.

A-43

By ZAZ HOLLANDER
Anchorage Daily News

A fiery collision Friday evening on the rain-slickened Seward Highway killed three people and injured a woman and her young daughter, Alaska State Troopers said.

Troopers did not immediately release the names of the people who died in the crash, which occurred around 6:30 p.m. near Mile 73, at the base of a long hill north of Turnagain Pass.

As witnesses in other cars watched, a northbound blue Ford Mustang hydroplaned into the southbound slow lane, slamming into a motor home, trooper Katrina Malm said.

Both vehicles immediately burst into flames.

A female bystander pulled 41-year-old Toni Fisher of Sterling and her 6-year-old daughter from the motor home moments before an explosion flipped it onto its roof, troopers said.

"She said that the dash was actually on fire, so they did just narrowly escape," Malm said. Malm did not know the name of the bystander. Three people in the Mustang died.

A driver behind the Mustang said it appeared the car was going over the speed limit, Malm said.

Fisher and her daughter suffered facial injuries and were in stable condition Saturday at Alaska Regional Hospital, where they were taken after the accident. Both wore seat belts.

Troopers will not release the names of the victims until the state medical examiner's office confirms their identities Monday, Malm said.

The Seward Highway was closed for more than an hour after the collision.

■ Daily News reporter Zaz Hollander can be reached at zhollander@adn.com.

Fairbanks, AK
Daily News-Miner
(Cir. D. 21,800)
(Cir. S. 25,500)

AUG 2 1 2003

Allen's P. C. B. Est. 1888

Woman dies from injuries after single-vehicle crash

By TOM MORAN
Staff Writer

A Fairbanks woman was killed in a single-vehicle rollover accident on Chena Hot Springs Road Wednesday morning.

According to Alaska State Troopers, 37-year-old Leann Sims was driving a 1999 black Suburban westbound around 21 Mile Chena Hot Springs Road when the vehicle rolled several times for an unknown reason, landing on its driver's side against the trees on the south side of the road.

Troopers were called to the scene at 11:18 a.m. Sims was trapped in the totaled vehicle and troopers and members of the Steese Area Volunteer Fire Department shut down the roadway.

Steese personnel were able to extricate her from the SUV after using air bags to lift it. A spokesman said Sims appeared to be suffering from internal trauma injuries, but he didn't have details.

Troopers called for a 68th Medical Company Air Ambulance helicopter from Fort Wainwright. According to Executive Officer Capt. Spencer Hasch, Sims stopped breathing after being extricated and Steese volunteers were performing cardiopulmonary resuscitation when the helicopter arrived 10 minutes later.

Sims was transferred to the helicopter, which took off at 12:25 p.m.

Two medics and the crew chief continued CPR on the 10-minute flight to Fairbanks Memorial Hospital, before handing Sims over to hospital staff on the helipad.

She was pronounced dead at 1:03 p.m., according to trooper spokesman Greg Wilkinson.

The Steese volunteers opened the road after about 45 minutes. They closed it to accommodate the extrication and helicopter landing, officers said.

The trooper investigating the accident was still on-scene Wednesday afternoon and was unavailable for any more specifics.

Wilkinson said troopers still don't know what caused the crash.

"Investigation has not yet revealed the cause of the rollover," he said. "The road was clear and dry, so (there's) no known cause at this point for her leaving the roadway."

Reporter Tom Moran can be reached at tmoran@newsminer.com or 459-7590.

Anchorage, AK
Anchorage Daily
News
(Cir. M-Th+Sat.
69,711)
(Cir. F. 79,869)
(Cir. S. 85,707)

AUG 2 1 2003

Allen's P. C. B. Est. 1888

FAIRBANKS B A-43

Woman dies in single-vehicle crash after leaving road, rolling car

A 37-year-old Fairbanks woman died Wednesday in a single-vehicle accident on Chena Hot Springs Road, Alaska State Troopers said.

Troopers say Leann Sims was driving west on the road in a 1999 Suburban when she left the road near Mile 21 and rolled her vehicle. Sims, who was alone, was trapped under the Suburban, troopers said.

Troopers were notified of the wreck around 11:15 a.m. and responded to the scene along with Steese emergency officials. Sims was flown via helicopter to Fairbanks Memorial Hospital, where she was pronounced dead just after 1 p.m., troopers said.

The cause of the accident has not been established, troopers said. The investigation is continuing.

— Anchorage Daily News

A-43

Aug 21, 2003

ANCHORAGE

Brian Hillard Bullock, 24

Anchorage resident Brian Hillard Bullock, 24, died Aug. 15, 2003, in a motor vehicle accident at Mile 73 Seward Highway.


Bullock

A visitation and gathering will be from 6 to 9 p.m. today at Evergreen Memorial Chapel, 737 E St. A memorial service will be at 11 a.m. Friday at Change Point, 2511 Sentry Drive. The Rev. Keith Lauwers will officiate. Mr. Bullock will be inurned in the Anchorage Memorial Park Columbarium Wall at 8S 1-1, and a portion of his cremated remains will be scattered by his friends.

Mr. Bullock's father, originally from Juneau, was in the military stationed at Fort Campbell, Ky., when Brian was born Sept. 15, 1978.

He returned to Alaska in 1987 with his family. He lived in Tok from 1987 until moving to Anchorage in 1988. He was a 1997 graduate of Dimond High School.

Mr. Bullock was employed by Fred Meyer, working at the Dimond, Muldoon and Abbott locations.

He enjoyed cars, drag racing, sports, comic books, fishing, movies and music. His friends and family were the most important to him.

His family wrote: "Brian was the best person. He made those around him want to be better people. Brian could always make you laugh. He always let you know how much he cared for and loved you. Brian loved everyone unconditionally without hesitation. Brian was kind, caring and considerate to all. Brian's love was endless; he was always there for anyone who needed to know they were cared for and loved. He is always in our hearts."

Mr. Bullock is survived by his mother and stepfather, Betty Bullock and Richard Romero of Eagle River; father and stepmother, Paul and Sharon Bullock of Eagle River; brother, Sean Bullock of Eagle River; soulmate, Kimberly Ferguson of Anchorage; step-siblings, the Romeros and the Clouds; aunt and uncle, Elrena and Dave Farring; aunt, Betty George; cousins, Lea, Duane, Maria, Alicia, Steven, Earl, Rhonda and Douglas, all of Alaska; and much extended family.

He was preceded in death by his grandparents, Alex and Bessie Pipkin, and Francis and Nellie Bullock; and his uncle, James.

Anchorage, AK
Anchorage Daily
News
(Cir. M-Th+Sat.
69,711)
(Cir. F. 79,869)
(Cir. S. 85,707)

AUG 19 2003

Allen's P. C. B. Est. 1888

ANCHORAGE A-43

Troopers identify three people killed in fiery Seward Highway car crash

Three people who died in a fiery car crash Friday on the Seward Highway have been identified.

Troopers identified the victims as Eduardo Prieto, 25, and Brian Bullock, 24, both of Eagle River, and Quianna Clay, 25, of Anchorage.

Troopers believe Prieto was driving the Ford Mustang north near Mile 63 about 6:30 p.m. in rainy conditions when it hydroplaned and slammed into a southbound motor home. Both vehicles burst into flames.

The two occupants of the motor home — 41-year-oid Toni Fisher of Sterling and her 6-year-old daughter — managed to escape their vehicle just before it exploded. They suffered moderate injuries and were taken to an Anchorage hospital.

Troopers said the state medical examiner determined the three in the Mustang died immediately from the impact of the crash, not from the fire.

Troopers' initial investigation indicates the Mustang was traveling very fast and had just passed a number of vehicles.

— *The Associated Press*

Anchorage, AK
Anchorage Daily
News
(Cir. M-Th+Sat.
69,711)
(Cir. F. 79,869)
(Cir. S. 85,707)

AUG 2 1 2003

Allen's P. C. B. Est. 1888

ANCHORAGE A-43

Eduardo Prieto, 25

Anchorage resident Eduardo Gustavo Prieto, 25, died Aug. 15, 2003, in an automobile accident on the Seward Highway.

A celebration of his life for family and friends will be from 7 to 11 p.m. Friday at the Anchorage Museum of History and Art. Parking will be provided in the museum parking lot.

A full obituary will be published later.

Anchorage, AK
Anchorage Daily News
(Cir. D. 54,710)
(Cir. S. 67,750)

AUG 24 2003

Allen's P.C.B. *Est. 1888*

ANCHORAGE A-43

Eduardo Prieto, 25

Anchorage resident Eduardo G. Prieto, 25, died Aug. 15, 2003, as a result of a vehicle accident at Mile 73 Turnagain Pass on the Seward Highway.

Prieto

A service was Aug. 22 at the Anchorage Museum of History and Art. Additional services will be in North Carolina and Florida. His ashes will be placed at Angelus Memorial Park in Anchorage.

Mr. Prieto was born March 19, 1978, in Miami and had lived in Anchorage since Feb. 1, 1980.

He attended Embry-Riddle University, the University of Nevada in Las Vegas and the University of Alaska Anchorage. He was a graduate assistant instructor in logistics at UAA.

Mr. Prieto was an entrepreneur and owned Nano Logistics. He worked part-time in research and development in logistics at UAA.

Mr. Prieto enjoyed fishing, basketball, billiards, science and technology, Ford SVT Lightning and professional drag car racing.

His family said: "Eduardo absorbed every part of God's universe with love, passion and vision. Eduardo shared his gift of wonder and curiosity with everyone who knew him. He had a drive to revolutionize technology through radio frequency identification (RFID) which will advance the area of research and development of the business industry.

"Eduardo was as magnetic as the Northern Lights. Eduardo will be with us as we gaze upon the stars, moon and Mars."

Mr. Prieto is survived by his mother, Mona Gail Eben of Eagle River; father, Eduardo Prieto Sr. of Miami; sister, Rebecca Margarita Prieto of Eagle River; stepfather, James Stuart Sizemore of South Carolina; paternal grandmother, Margarita Prieto of Miami; paternal stepgrandmother, Ola Sizemore of North Carolina; uncle, L. Raul Prieto, and aunt, Teresita Prieto, both of Miami; cousins, Raulito Prieto, Juan Pablo Prieto, Iliana Prieto Nardo, Frances Prieto Alvarez and Veronica Prieto, all of Miami; uncles, Owen Eben, Philip Eben and Michael Eben, all of Anchorage, and R. Craig Sizemore of North Carolina; aunts, Leona Eben and Charlotte Eben Philimonof, both of Anchorage, Jeanette Eben Wardlow of Seward, Frances Eben Stevenson of Anchorage, Kathy Anderson, Carol Goolsby, Gwen Bensen and Nanette, all of North Carolina; nephew, Eduardo Prieto III of Eagle River; many cousins; best friend, Steve Brown of Anchorage; girlfriend, Supansa of Anchorage; and many close friends.

He was preceded in death by his maternal grandparents, Rebecca and Francis Eben; paternal grandfathers, Raul Lorenzo Prieto; and paternal stepgrandfather, James Moir Sizemore.

Arrangements were by Evergreen Memorial Chapel.

Anchorage, AK
Anchorage Daily News
(Cir. D. 54,710)
(Cir. S. 67,750)

SEWARD HIGHWAY A-43

More troopers patrol area where six were killed in two accidents

Alaska State Troopers have added four patrols to a section of the Seward Highway where six people died in two crashes in a little more than a week.

The section runs from Ingram Creek at Mile 75 to the Summit Lake area at Mile 45.

Beginning Friday, two troopers in marked patrol vehicles and two troopers in unmarked vehicles began working the stretch afternoons and evenings on weekends. They will focus on speed, unsafe driving practices, seat belt use and drunken drivers.

Troopers beefed up patrols after the two fatal accidents, both just north of Turnagain Pass. In the first incident on Aug. 15, three people died in a fiery crash attributed to excessive speed and wet roads. On Wednesday, three more people died in a collision when one vehicle pulled out into oncoming traffic to pass.

— Anchorage Daily News

Anchorage, AK
Anchorage Daily News
(Cir. D. 54,710)
(Cir. S. 67,750)

AUG 3 0 2003

Allen's P.C.B. *Est. 1888*

COOPER LANDING A-H3

Driver's name released in fatal Sterling Highway head-on collision

Alaska State Troopers on Friday released the name of the victim of a fatal head-on collision Thursday on the Sterling Highway at Cooper Landing.

Stephen C. Crumley, a 53-year-old Anchorage man, was killed when the 1987 Volvo station wagon he was driving apparently drifted from the northbound lane into oncoming traffic at Mile 50.5 of the highway, troopers said.

Crumley's Volvo smashed into a southbound 24-foot motor home occupied by three people from Ely, Nev., including driver Douglas Robison, 54, they said. None of the Nevadans was hurt, said troopers.

Crumley was alone. Witnesses said it appeared he might have fallen asleep, according to troopers. Alcohol did not appear to be a factor, they said.

The crash occurred on a narrow, straight section of the highway without shoulders or any room for the motor home to maneuver. Both vehicles were totaled, troopers said. It also closed the road in both directions for several hours.

—Anchorage Daily News

Anchorage, AK
Anchorage Daily News
(Cir. D. 54,710)
(Cir. S. 67,750)

SEP 3 - 2003

Allen's P.C.B. *Est. 1888*

ANCHORAGE A-43

Charles Ryan Jr., 48

Charles R. Ryan Jr., 48, of Anchorage died Aug. 30, 2003, of injuries suffered in a motorcycle accident in Anchorage.

Ryan

A service will be at 10 a.m. Friday at B.L. Bush & Sons, Camillus, N.Y. Visitation is from 5 to 8 p.m. Thursday at the funeral home. Burial will be in Kingdom Cemetery. An Anchorage service will be announced later.

Mr. Ryan was born Jan. 18, 1955, in Auburn, N.Y. He graduated from West Genesee High School in 1973 and served in the U.S. Air Force for eight years. His last duty station was Anchorage. Most recently, he was employed by Linvatec as a medical sales representative. He also worked as a private operating room technician for Drs. Lehman and Beal. He was an avid outdoorsman and loved hunting, fishing and snowmobiles. He also had worked in commercial fishing for two years.

He was preceded in death by his brother, Patrick, in 1989 and father, Charles, in 1993.

Mr. Ryan is survived by his son, Nicholaus of Stirling City, Calif.; companion, Joan Reyla, and her sons, John and Scott, all of Anchorage; mother, Patricia Ryan of Memphis, N.Y.; and sisters, Sherry Barnes of Camillus and Tamra Salvagni of Memphis.

Memorial contributions may be made to Life Alaska, (tissue/organ donations), P.O. Box 231809, Anchorage 99523.

Fairbanks, AK
Daily News-Miner
(Cir. D. 21,800)
(Cir. S. 25,500)

SEP - 2 2003

Allen's P.C.B. *Est. 1888*

Anchorage man dies in motorcycle crash A-43

(3) ANCHORAGE—An Anchorage man died after losing control of his motorcycle, Anchorage police said Sunday.

Charles Ryan, 48, was heading north on Minnesota Bypass near 15th Avenue about 11:40 p.m. Saturday when he lost control of his motorcycle and hit a guardrail, police said.

Ryan was thrown off the motorcycle onto the guardrail, then down an embankment. He was wearing a helmet, police said.

Ryan was taken to a local hospital, where he was pronounced dead.

Anchorage, AK
Anchorage Daily News
(Cir. D. 54,710)
(Cir. S. 67,750)
SEP 1 - 2003

Allen's P.C.B. *Est. 1888*

ANCHORAGE A-43

Motorcyclist killed on Minnesota Drive

An Anchorage man was killed Saturday night after he lost control of his motorcycle and crashed into a guardrail on Minnesota Drive.

Charles R. Ryan Jr., 48, was headed north on a 1997 Kawasaki motorcycle, Anchorage police said in a press release. He lost control around 11:40 p.m. as he approached 15th Avenue, police said. Witnesses told police he was driving fast.

Ryan was wearing a helmet. He apparently was thrown off his motorcycle and went over the top of the guardrail and down an embankment. He was pronounced dead at a hospital.

In the press release, police said they didn't have information Sunday about whether alcohol or drugs played a role the death.

—*Anchorage Daily*

Anchorage, AK
Anchorage Daily News
(Cir. D. 54,710)
(Cir. S. 67,750)

SEP - 4 2003

Allen's P.C.B. *Est. 1888*

ANCHORAGE A-4

Stephen Crumley, 53

Anchorage resident Stephen Charles Crumley, 53, died Aug. 28, 2003, in an automobile accident near Cooper Landing.

A private service is planned.

Mr. Crumley was born March 14, 1950, in St. Paul, Minn. He lived in Alaska a total of five years. He had moved back up here a year ago after spending a number of years in Redmond, Wash.

Mr. Crumley received his undergraduate degree in biology from Cornell University and a master's degree in fish pathology from the University of Guelph in Ontario. He then worked for several state and federal projects studying the environmental effects on salmon. Mr. Crumley was an active member of various paddling clubs of the area.

His family wrote: "Steve was a wellspring of information. Whether it was designing a new addition on his sister's home in Maine or planning a fishing trip through the Alaska wilderness, he was always up to the task. When asked recently to plan a repeat trip down Alaska's Kobuk River, he declined, saying there were 81 other rivers he had yet to see. Tragically, those 81 rivers will forever remain unseen by him. During his brief 53 years, Steve touched many people's lives and will be missed by all."

He is survived by his father, Jerome Crumley, brothers, James, Michael and Daniel; sisters, Jeanne Breland, Catherine Reuter and Barbara Simon; sisters-in-law, Maureen and Betsy Crumley; brothers-in-law, Jabe Breland, James Reuter and William Simon; and many nieces and nephews.

Anchorage, AK
Anchorage Daily News
(Cir. D. 54,710)
(Cir. S. 67,750)

SEP 12 2003

Allen's P.C.B. *Est. 1888*

ANCHORAGE A-43

Driver dies in Hillside crash; police say he swerved while arguing

An 18-year-old Anchorage man was killed Thursday evening in a single-vehicle rollover crash on the Hillside, Anchorage police said.

Nate Kampen, a student at Dimond High School, was ejected when he lost control of the late-model Ford Explorer he was driving and it flipped on O'Malley Road near Elmore Road, Sgt. Nancy Reeder said.

Kampen's passenger, a 17-year-old girl who is a Dimond student, "walked away without a scratch," Reeder said.

Kampen was not wearing a seat belt at the time, the sergeant said. The passenger was so distraught that it could not be learned whether she wore a seat belt, Reeder added.

"I'm guessing that from the lack of injuries to her, she was wearing one," Reeder said.

The accident occurred about 5:45 p.m. and was preceded by "some sort of argument" in the car, according to Reeder.

From evidence on the road, it appeared that Kampen, heading east, swerved suddenly.

"There were indications from statements from her that he was angry and he was jerking the steering wheel," Reeder said.

The Explorer apparently traveled into the right-side ditch, then came back quickly to the pavement while rotating counterclockwise, she said. Then it flipped at least twice, landing on its tires in the westbound lane, Reeder added.

"This was a survivable collision," she said. "What is most heartbreaking is that he was on the cusp of his life, and for the lack of a seat belt he has lost that life."

—Anchorage Daily News

Homer , AK
Homer News
(Cir. W. 4,600)

SEP 18 2003

Woman dies of injuries from car crash

(3) A-43

by Michael Armstrong
Staff Writer

An Anchor Point woman died Sept. 15 at Providence Hospital in Anchorage after being injured in a single-vehicle crash the evening of Sept. 10 in Homer. Killed was Paula Press, 47.

According to the Homer Police, Press was driving southbound about 9:55 p.m. on the Sterling Highway in a 1988 Chevrolet S-10 Blazer when she lost control as she rounded the corner near Bluff Road — the same curve where two people were killed in a head-on collision earlier this summer. The Blazer continued south for several hundred feet before hitting a driveway culvert.

Homer Emergency Medical Technicians treated Press at the accident and transported her to South Peninsula Hospital. She was flown by a LifeFlight helicopter to Providence Hospital. No other vehicles were involved and Press was the lone occupant of her vehicle.

Police said no airbags deployed and Press was not wearing a seatbelt. She had a blood-alcohol level of .315, almost four times the legal limit of .08 for driving under the influence. Press' death is the fourth automobile fatality of a lower peninsula resident this summer.

Michael Armstrong can be reached at michaela@homernews.com.

Alan Horning, 13

Wasilla resident Alan Arnold Horning, 13, died Oct. 9, 2003, at Providence Alaska Medical Center in Anchorage of head injuries he from an ATV accident. He was not wearing a helmet.

A funeral will be at 4 p.m. Wednesday at First Presbyterian Church of Wasilla, 1375 E. Bogard Road. The Rev. Rodney Kovtynovich of Schrock Community Church will officiate.

Alan

Alan was born Feb. 1, 1990, in Aberdeen, Wash.

He became a resident of Alaska in May 2002.

He was an eighth-grade student at Palmer Junior Middle School.

Alan was a member of Schrock Community Church.

His family wrote: "Alan loved all animals but could never get enough of any horse. Alan was a free-spirited boy with lots of spunk who lived life to the fullest. He shoveled snow and mowed lawns for many local businesses, and tended to animals or took out trash for neighbors. Alan handed out many hugs and handshakes and touched the hearts of most everyone. This last year of his life in Alaska will truly hold our most favorite memories. Alan was an organ donor. Six of his organs were donated so that life could go on for six other children, including a leukemia patient, a burn victim and several heart patients."

He is survived his parents, Richard Horning of Tacoma, Wash., and Jenni Horning of Wasilla; grandparents, Richard and Vicky Horning Sr. of Tacoma and Arnold and Carol Walker of Hoquiam, Wash.; brothers, Andrew Horning of Wasilla, David Rule of Tacoma; sisters, Amy Titus, Jennifer Horning and Jessica Horning of Tacoma; nieces, Angelina, Alyssa, Jennifer and Devon; and nephew, Dakota, all of Tacoma; four uncles, six aunts and 17 cousins, all of Washington.

Memorial donations may be sent to HC 33, Box 3007-T, Wasilla 99654.

Alan's ashes are going into many lockets for family members to be sprinkled in places he never got to see.

Arrangements are with Valley Funeral Home & Crematory in Wasilla.

Anch Daily News
Oct 14, 2003

OCT 14 2003

Allen's P. C. B. Est. 1888

A43

Delta man killed in rollover Sunday

By TIM MOWRY
Staff Writer

A Delta Junction man was killed early Sunday when he lost control of his pickup truck on a gravel road and the vehicle rolled several times.

David L. Penland, 48, of Delta Junction died after he was ejected from his 1988 Nissan pickup truck on Barley Way, less than a mile from his home.

Speed and alcohol are believed to be factors in the crash, said Alaska State Trooper Nasruk Nay in Delta Junction.

"There's nothing suspicious to show that anybody caused the accident but himself," said Nay.

Penland had lived in Delta Junction for at least 20 years and had worked as a smokejumper and firefighter, said Nay. He had no family in Alaska.

Penland was on his way home at about 2:30 a.m., traveling at a high rate of speed, when he came around a corner and the truck fishtailed to the left, according to Nay's investigation. The rear wheels went off the road and the truck turned sideways. The truck then apparently hit something and went airborne for a distance of 36 feet. The truck rolled several times after that, covering a distance of 72 feet.

"We don't know if he was ejected in midair, when the truck was airborne or while it was rolling," said Nay.

Troopers know the vehicle went airborne because a bush about 4 feet tall remained intact just beyond the point where the truck appears to have hit something, which sent it into the air.

See ROLLOVER, Page B2

ROLLOVER: Fatal

Continued from Page B1

"If he had continued on the road, that bush would have been demolished," said Nay.

Barley Way is a side road of Sawmill Creek Road, about 10 miles south of Delta Junction. Nay described the gravel road as "washboardy" but said that's the normal condition of the road.

"If you're going 60 mph on that road, you're going to bounce a little bit," he said. "He lived on the road so he would have been familiar with it."

Troopers don't know how fast appeared to have played a role in the crash.

"The mechanics of the accident are similar to anybody going too fast around a curve," said Nay. "It could have happened to me if I was in a hurry."

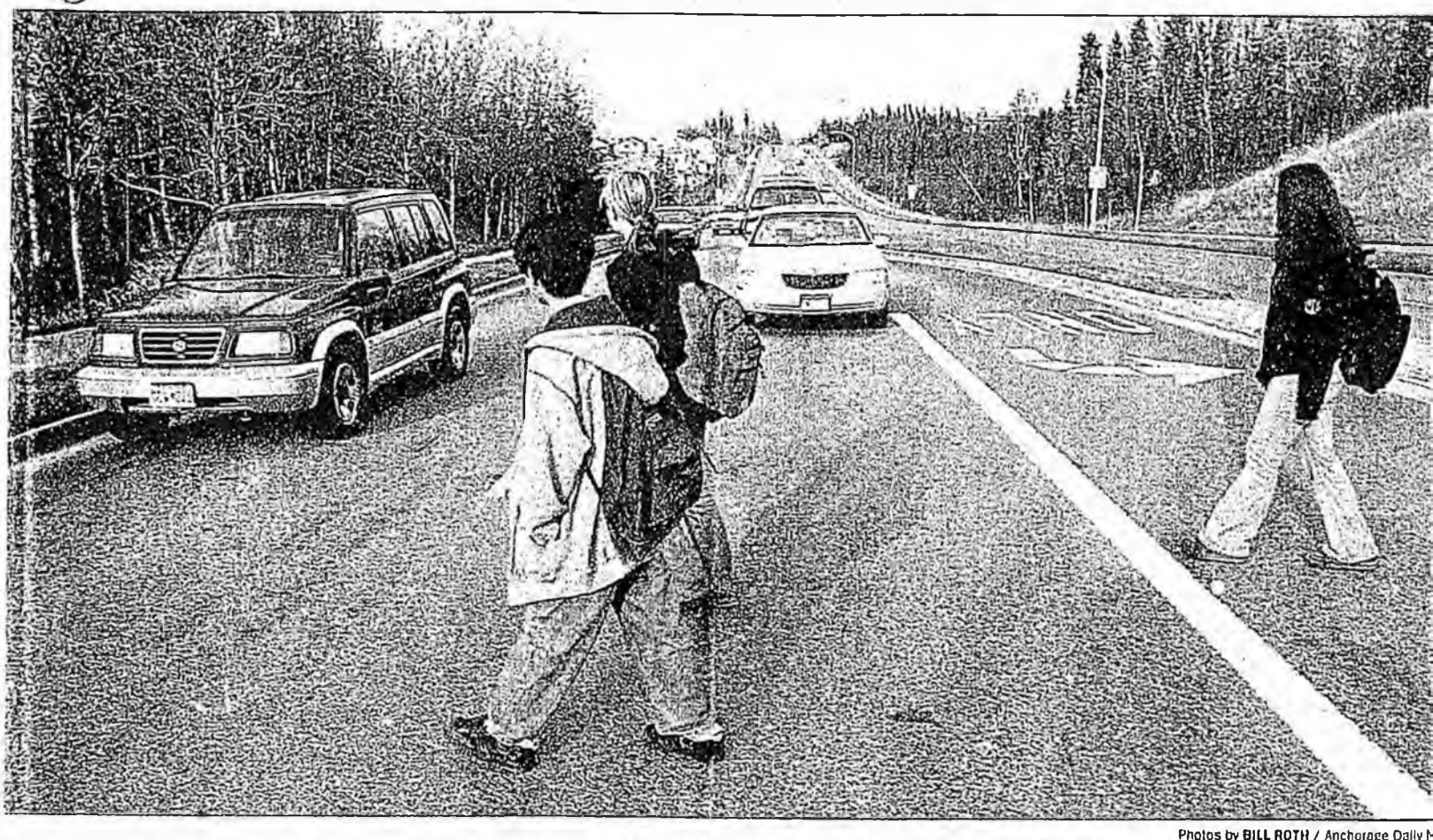
There were some open beer cans around the truck also, Nay said. Blood tests will be conducted to determine if Penland was intoxicated.

It didn't appear Penland was wearing a seat belt, but Nay couldn't say that for sure. All the truck's windows were broken out except the windshield.

Staff writer Tim Mowry can be

Oct 14, 2003

STUDENTS BRAVE LAKE OTIS TRAFFIC



Photos by BILL ROTH / Anchorage Daily N

Hanshew Middle School students who crossed Lake Otis Parkway near the O'Malley Road intersection walk back toward the subdivision across from the scho

District looks for safer crossing

Girl's death, complaints spur new look at old policy

by **TATABOLINE BRANT**
Anchorage Daily News

The death of a 13-year-old student who was hit by a van, and complaints about other kids darting into traffic have city and School District officials trying to find safer ways for students to get to two schools on Lake Otis Parkway.

Traffic has long been a thorny issue for Spring Hill Elementary and Hanshew Middle School, which sit side by side on Lake Otis, a busy arterial road with four lanes of traffic in two directions and a posted speed limit of 45 mph.

Last Monday, Kimberly Osborn tried to cross Lake Ots to get to Hanshew and was hit by a van whose driver didn't see her until it was too late. She died two days later.

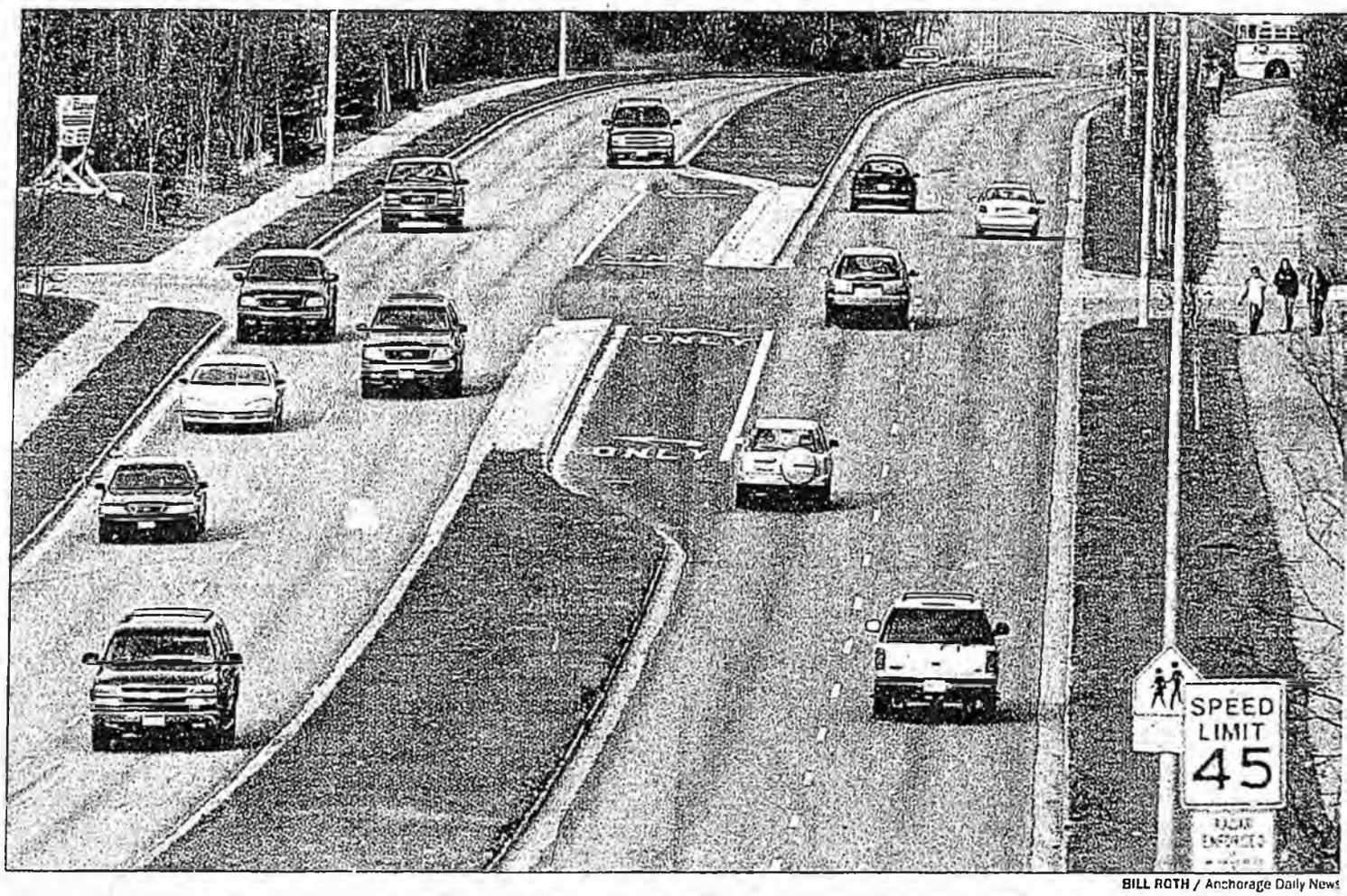
As school officials try to figure out what they can do to prevent a similar accident, some parents are questioning why the officials didn't act sooner.

"The speed limit is way too high," said Baron Davis, whose 6-year-old daughter attends Spring Hill. "Cars go faster than 50 miles per hour down that road. I've caught a school bus going 50 miles per hour."

See Back Page, **SCHOOL**

Baron Davis, whose daughter attends Spring Hill Elementary School, thinks it's a lot to ask of kids to walk out of their way and through a dark tunnel to get to school. He suggests a crosswalk. "I'll paint it myself if they want," he said. Vandals have knocked out lights in the tunnel, and the passage can fill up with water in spring an snow in winter.

Our position has been let's do whatever we



BILL ROTH / Anchorage Daily News

Hanshew Middle School students walk toward the O'Malley Road intersection to avoid crossing near a guard.

SCHOOL: *Tunnel, buses, crosswalk among ideas*

Continued from A-1

The district says it has tried numerous approaches to get kids safely from one side of Lake Otis to the other, including encouraging them to take a pedestrian tunnel and authorizing bus stops for students who live right across the street. The district has been reluctant to put in school crossing signs and crosswalks because officials don't want to encourage students to cross Lake Otis, said Steve Kalmes, the district's director of transportation services.

"It's a very sticky question," Kalmes said. "The problem with school zones is that people in this community don't pay any attention to them. It's criminal the disregard for school zones in this community. ... Our position has been let's do whatever we can to protect the students."

But new housing developments along Lake Otis have led to more kids trying to cross the road, and Superintendent Carol Comeau said Monday that the district may now have to rethink that long-held stance.

"That's the big challenge for us," Comeau said. "We do not want kids to cross Lake Otis. But on the same token, I think we need to recognize that there are two schools across the street from these subdivisions."

The area in front of Hanshew Middle School and Spring Hill Elementary does not look like a school zone. The schools are set back from the road, and there are O'Malley. The tunnel is closer to Abbott, and students in the new subdivisions took to darting across Lake Otis instead of making the longer walk to school via the tunnel.

The district received several complaints about this about two years ago, Kalmes said, and after observing the jaywalking, they authorized bus stops for the students.

But the bus rides sometimes last 15 to 20 minutes, said Comeau and K.P. Targe, president of the Hanshew Parent Teacher Student Association. "A lot of the kids don't want to ride the bus," Comeau said.

Parents and drivers have voiced concerns about traffic near the schools for years.

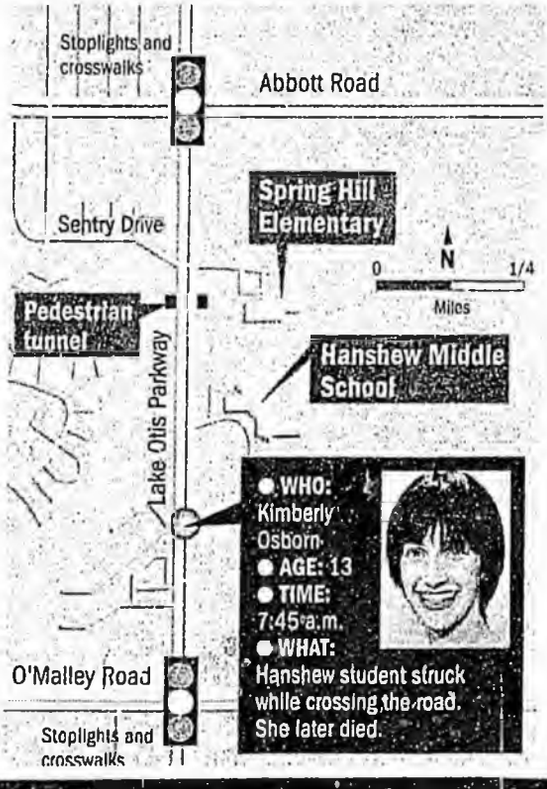
Davis, the father of the 6-year-old Spring Hill student, said he wrote to Anchorage Assembly members about a month before Osborn was killed, suggesting that the speed limit in front of the schools be reduced. He said he got a cool response. They said, "Well, we've got this tunnel," Davis said in a telephone interview Monday.

"It seems like everybody is pointing at the kids," he said. "It's the adults that are creating the environment."

Davis thinks it's a lot to ask of kids to walk out of their way and through a

Deadly school crossing

A fatal accident near Hanshew Middle School has district officials trying to find safer ways to cross Lake Otis Parkway.



BILL ROTH / Anchorage Daily News

Hanshew Middle School students walk toward the O'Malley Road intersection to avoid crossing near a guard.

SCHOOL: *Tunnel, buses, crosswalk among ideas*

Continued from A-1

The district says it has tried numerous approaches to get kids safely from one side of Lake Otis to the other, including encouraging them to take a pedestrian tunnel and authorizing bus stops for students who live right across the street. The district has been reluctant to put in school crossing signs and crosswalks because officials don't want to encourage students to cross Lake Otis, said Steve Kalmes, the district's director of transportation services.

"It's a very sticky question," Kalmes said. "The problem with school zones is that people in this community don't pay any attention to them. It's criminal the disregard for school zones in this community. ... Our position has been let's do whatever we can to protect the students."

But new housing developments along Lake Otis have led to more kids trying to cross the road, and Superintendent Carol Comeau said Monday that the district may now have to rethink that long-held stance.

"That's the big challenge for us," Comeau said. "We do not want kids to cross Lake Otis. But on the same token, I think we need to recognize that there are two schools across the street from these subdivisions."

The area in front of Hanshew Middle School and Spring Hill Elementary does not look like a school zone. The schools are set back from the road, and there are few signs to let drivers know there could be children nearby. The speed limit is 45 mph, and there are no crosswalks to break up the mile-long stretch of Lake Otis between O'Malley and Abbott roads.

According to Kalmes, a pedestrian tunnel was built under Lake Otis in the early 1990s. But from the beginning it was a struggle to get kids to use the tunnel, said Comeau, who used to be principal at Spring Hill.

"It was a constant battle," she said. Vandals often knocked out lights in the tunnel, and the passage would fill up with water in spring and snow in winter, she said.

The effort to get kids to use the tunnel was compounded in recent years when new subdivisions went in on Lake Otis near O'Malley. The tunnel is closer to Abbott, and students in the new subdivisions took to darting across Lake Otis instead of making the longer walk to school via the tunnel.

The district received several complaints about this about two years ago, Kalmes said, and after observing the jaywalking, they authorized bus stops for the students.

But the bus rides sometimes last 15 to 20 minutes, said Comeau and K.P. Targe, president of the Hanshew Parent Teacher Student Association. "A lot of the kids don't want to ride the bus," Comeau said.

Parents and drivers have voiced concerns about traffic near the schools for years.

Davis, the father of the 6-year-old Spring Hill student, said he wrote to Anchorage Assembly members about a month before Osborn was killed, suggesting that the speed limit in front of the schools be reduced. He said he got a cool response. They said, "Well, we've got this tunnel," Davis said in a telephone interview Monday.

"It seems like everybody is pointing at the kids," he said. "It's the adults that are creating the environment."

Davis thinks it's a lot to ask of kids to walk out of their way and through a dark tunnel to get to school. He suggested a crosswalk. "I'll paint it myself if they want," he said.

Statistics on how many accidents have occurred in front of the two schools were not immediately available Monday.

"I've heard there've been some pretty close calls," Comeau said.

Since Osborn's death, the district is rethinking its approach. Comeau said she and other district officials met with police and city traffic engineers Monday to talk about how to get kids safely across Lake Otis.

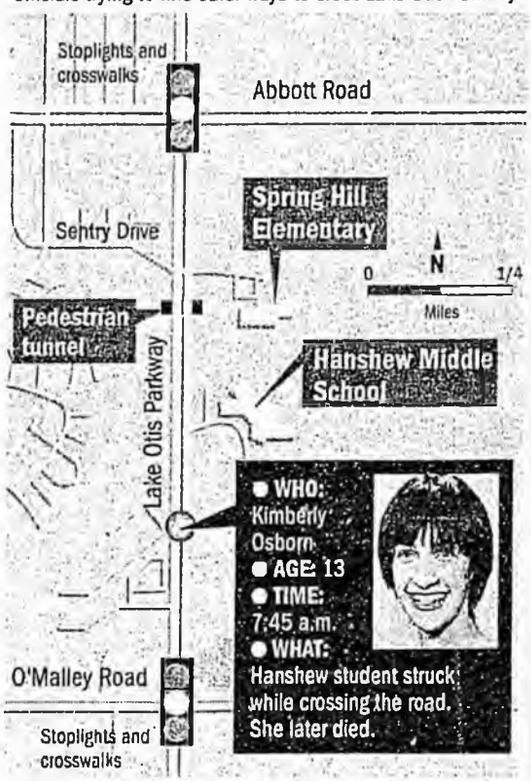
Assemblywoman Janice Shamberg has suggested an on-demand pedestrian stop light and crosswalk, similar to the one on Northern Lights Boulevard near East High. Kids think they're invulnerable, Shamberg said, and if they're running too late for school to take the tunnel or the bus, "the could easily decide to just cross the street."

Comeau said city officials are considering Shamberg's suggestion, and a number of others, including slowing traffic down to 20 to 25 mph with blinking lights when the school day begins and ends. Comeau said she's also looking into installing vandal-proof lights in the tunnel and trying to make bus rides shorter for kids who live nearby, among other things.

"I personally believe we need to slow the traffic down," she said.

Deadly school crossing

A fatal accident near Hanshew Middle School has district officials trying to find safer ways to cross Lake Otis Parkway.



RON ENGSTROM / Anchorage Daily News

Anchorage, AK
Anchorage Daily News

(Cir. D. 54,710)
(Cir. S. 67,750)

OCT 15 2003

Allen's P.C.B. *Est. 1888*

DELTA JUNCTION A-43

Man dies after being ejected from pickup in rollover crash

A Delta Junction man died in a rollover crash over the weekend after he lost control of his pickup, Alaska State Troopers said.

David L. Penland, 48, was speeding on Barley Way in Delta Junction shortly before 3:30 a.m. Sunday when he went off the road, troopers said.

Penland was ejected from the truck when the vehicle swerved back onto the road and began to roll over, troopers said.

— The Associated Press

Anchorage, AK
Anchorage Daily News
(Cir. D. 54,710)
(Cir. S. 67,750)

OCT 18 2003

Allen's P.C.B. *Est. 1888*

FAIRBANKS A-43

Nenana woman, dog struck and killed in Parks Highway hit and run

A Nenana woman and her dog died after being struck in a hit-and-run accident on the Parks Highway, Nenana police said.

Glenda Luke Lurvey, 51, and her cocker spaniel, Baxter, were walking at an intersection of the Parks Highway early Wednesday morning.

Lurvey had Baxter on a leash and was carrying a puppy when she stepped out onto the highway in front of a 1970 Chevrolet Chevelle driven by Danielle Hodges, Police Chief Milt Haken said.

The puppy survived and was found in nearby bushes.

Hodges and a passenger had been drinking that night and were intoxicated at the time of the accident, Haken said.

Another motorist, Loren Braat, ran over Lurvey with his truck, Haken said. Braat reportedly said he couldn't see because of the Chevelle's headlights, but eventually realized Lurvey was in the road and swerved to avoid her.

Hodges and a passenger left the scene and were later found, Haken said. Police are still investigating to determine what charges to file.

— *The Associated Press*

Anchorage, AK
Anchorage Daily News
(Cir. D. 54,710)
(Cir. S. 67,750)

OCT 18 2003

Allen's P.C.B. *Est. 1888*

DELTA JUNCTION

Man dies of injuries sustained last month in single-vehicle accident

A Delta Junction man has died of injuries suffered last month in a single-vehicle accident on the Richardson Highway, Alaska State Troopers said Thursday.

Chad McEwen, 26, died Wednesday at Harborview Medical Center in Seattle, troopers said.

McEwen was speeding south on the highway early on the morning of Sept. 28 when his 1977 Porsche coupe veered off the roadway near Mile 262 and rolled into a ditch, according to troopers.

The car flipped back onto the roadway and rolled over several times before it ended up on in the ditch on the other side of the highway.

McEwen, the only occupant in the car, suffered head injuries, troopers said.

— The Associated Press

Hit and run leaves Nenana woman dead on highway

(3) A-43

By BETH IPSEN
Staff Writer

A woman and her dog were struck and killed when they struck by a vehicle on the Parks Highway early Wednesday morning, Nenana police said Thursday.

Glenda Luke Lurvey, 51, and her cocker spaniel, Baxter, were killed near where 10th Avenue intersects with the Parks Highway as it runs through Nenana, said Nenana Police Chief Milt Haken.

Haken said Lurvey had Baxter on a leash and was carrying another dog, a pug-Pomeranian mix puppy that hasn't been named yet, when she stepped out onto the highway in front of a 1970 Chevrolet Chevelle driven by Danielle Hodges at about 3:45 a.m. The puppy survived the accident and was found in the bushes near the scene.

Hodges' passenger, George Jensen Jr., 21, told Haken that Lurvey walked out in front of the vehicle waving her hands. Jensen and Hodges had been drinking at local bars that night and were intoxicated at the time of the accident, Haken said.

Haken said he's positive the car hit the dog, but it's unclear if the car slammed into Lurvey or if she was knocked clear. Regardless, she ended up lying in the other lane and in the path of a tractor towing two trailers.

Truck driver Loren Braat said at first he wasn't sure what was in the road when he saw Lurvey. Braat was driving what is called a "switch run" for Airland Transport Inc. where he takes a truck with trailers half way down to Anchorage, then switches with another driver and returns with a new rig.

Braat said he couldn't see because of the Chevelle's headlights, but eventually realized Lurvey was in the road and swerved to avoid her. He said he believed he was successful and drove through a pool of blood on the road.

See HIT AND RUN, Page B3

HIT AND RUN: Woman found dead on Parks Highway

Continued from Page B1

However, Haken said Braat didn't miss.

"Physical evidence shows he ran over her," Haken said.

Braat pulled over and talked to both Hodges and Jensen. Braat said Jensen was very upset when the two got into the car and left.

When Haken showed up on scene and Braat described the Chevelle, Haken knew where to find the car and driver.

When Haken found Jensen, he was highly intoxicated and said the car hit Lurvey, Haken said. But Hodges told Haken she didn't see the woman, but knew she ran over something.

Haken had the grisly task of investigating the scene of the accident and said physical evidence proves Hodges right.

"This was a hit and run. There will be charges along those lines, there's just a matter of determining to what degree the seriousness of charges," he said.

He impounded the car and has collected samples from six different spots on the Chevelle that will be sent to the state crime lab. Lurvey's body has also been sent to the medical examiner's office for an autopsy to help with the investigation.

Haken was able to interview several people and discovered Lurvey left the home she shares with her boyfriend, Ray Fox, at 2:30 a.m. She was highly intoxicated and decided to take the couple's three dogs out for a walk.

The couple's miniature Doberman pincher, returned shortly after, Fox said, but Lurvey had Baxter on a rope leash and carried the puppy.

Fox said his girlfriend has lived in Nenana and Fairbanks on and off over the last 10 years. Otherwise, she has spent time with family in Michigan and Texas or just "wandering around."

"She was kind of a wanderer, but in a good way," Fox said. "She didn't like to be in one spot for very long."

Reporter Beth Ipsen can be reached at bipson@newsminer.com or 459-7545.

(3)

Anchorage, AK
Anchorage Daily News
(Cir. D. 54,710)
(Cir. S. 67,750)

OCT 24 2003

Allen's P.C.B. *Est. 1888*

Street safety gets closer look

(4) A-23

■ LAKE OTIS: Officials seek long-term solutions to keep kids and cars apart.

By TATABOLINE BRANT
Anchorage Daily News

Steps have been taken to make things safer for kids who need to get across Lake Otis Parkway to school, but city and Anchorage School District officials said Thursday they are still investigating longer-term safety measures.

Getting kids across the street safely has long been a concern at Hanshew Middle School and Spring Hill Elementary, which sit side by side on Lake Otis, a busy four-lane road with a posted speed limit of 45 mph.

> "*As comforting as a school zone sounds, it's not going to give you the amount of protection you think it is. There's not going to be a magic bullet.*"
>
> — Gary Appurson, recently retired police sergeant

Those concerns were pushed to the forefront of public discussion earlier this month when a 13-year-old Hanshew girl was hit by a van while trying to cross Lake Otis on her way to school. Kimberly Osborn died from her injuries a few days after the accident.

Since Osborn's death, city officials have erected more than a dozen no-pedestrian-crossing signs along Lake Otis between O'Malley and Abbott roads, where the two schools are. The signs direct pedestrians to an under-road tunnel between the schools.

School officials have long encouraged students to take the tunnel to school or ride the bus, even if they live just across the street. But since Osborn's death, several parents have

See Page B-5, **CROSSING**

CROSSING: *Changes on Lake Otis, more planned*

Continued from B-1

said they don't think the tunnel is safe for kids either.

Siegfried Kirchner, whose son used to attend Hanshew, recently wrote to Mayor Mark Begich that the tunnel "is a filthy, dimly lit invitation for encounters of the worst kind. It is precisely the kind of place that women and children should avoid."

City traffic engineer Glenda Radvansky and district transportation director Steve Kalmes said Thursday that steps are being taken to make the tunnel safer. Cages have been put over the lights to protect them from vandals, Radvansky said, and the lights are now on 24 hours a day. In addition, two streetlights are going to be erected at each end of the tunnel, she said.

"It's definitely not going to be dark in there."

The city also is going to look at drainage issues in the tunnel, Radvansky said. The tunnel gets filled with water in spring and snow in winter.

The district also has temporarily stationed adults along Lake Otis before and after school hours to watch for jaywalkers and encourage kids to take the tunnel.

Several parents are clamoring for crosswalks, stoplights and a speed reduction along Lake Otis, but a group of city, district and state transportation officials that met Thursday said they do not favor the idea.

The Hazardous Transportation Committee did not rule out the idea of crosswalks and lights but strongly favored keeping the kids off the street altogether — the district's approach thus far.

The stretch of Lake Otis in which some people want the changes is more than a mile long, officials said. Getting every driver to slow to 25 mph for that long of a stretch, on a road that's built for higher speeds, is going to be next to impossible, they said.

"As comforting as a school zone sounds, it's not going to give you the amount of protection you think it is," said Gary Apperson, a recently retired police sergeant. All it will take is one driver on a cell phone in a pickup and you could have another dead child, he said.

About 460 drivers were cited for speeding in school zones in 2002, according to the Anchorage Police Department's Annual Statistical Report. But police officials said Thursday they can't catch or deter all the speeders, even when they do stings for days at a time.

"The size of the problem is huge," said Mark Mew, the district's security director and a former deputy police chief at APD.

The other problem with crosswalks on Lake Otis is that the road is neither straight nor flat, which could leave even the best drivers with little time to respond.

Still, the committee seemed to agree that more needs to be done to prevent kids from darting across Lake Otis — a growing problem since two new subdivisions went up on Lake Otis near O'Malley, some distance away from the under-road tunnel.

Radvansky said she was going to look into the feasibility of an overpass, the most expensive idea so far. Other ideas discussed at the meeting included erecting fences to keep kids off the street, increasing lighting on the streets, putting up speed reader boxes and hiring attendants to watch students during the beginning and end of the school day.

"There's not going to be a magic bullet," Apperson said. "It's going to be a combination of things, including having parents work with their kids."

The district plans to discuss the ideas with parents at a meeting at Hanshew at 7 p.m. Tuesday, Kalmes said. That feedback will be relayed to the Hazardous Transportation Committee, which plans to meet again in November to further discuss the options.

■ Daily News reporter Tataboline Brant can be reached at tbrant@adn.com or 257-4321.

A 43

Two brothers die in one day

■ **NOME:** 3-year-old hit by car after 6-day-old is found not breathing.

By PETER PORCO
Anchorage Daily News

A Nome family suffered a double tragedy in a single day this week when their baby boy died from unknown causes and, several hours later, the baby's 3-year-old brother suffered fatal injuries when he was struck by a sport utility vehicle while running across a street.

"It's a very sad story," Ralph Taylor, Nome chief of police, said Friday in a telephone interview. "The first brother who died was a newborn infant."

Brandon Kakaruk, 6 days old, was not breathing when his mother, who had been sleeping beside him, awoke about 8:30 a.m. Thursday, Taylor said.

The cause of the infant's death is "not known at this point," said Taylor. "We don't suspect any abuse by the parents, but we are investigating."

The baby's body was sent Thursday night to Anchorage, where the state medical examiner was expected to perform an autopsy to determine the cause of death. Results were not known Friday, Taylor said.

Later that afternoon, Jacob Kakaruk, who turned 3 last week, was playing with an 11-year-old cousin in a city park

See Page B-9, **BROTHERS**

BROTHERS: *Authorities investigating deaths*

Continued from B-1

across the street from where the Kakaruks live, the police chief said.

They were in a little playground, according to Catherine Kakaruk, the boys' mother.

"My son apparently just got up and ran and the person with him was chasing him and he was running so fast, I guess apparently the guy says he didn't see him," Catherine Kakaruk said, also in a telephone interview.

The boy was struck at 4:30 p.m. by a Dodge Ram SUV driven by Bernie Larsen, 50, of Nome, said Taylor.

The family called police, who tried to revive the boy until an ambulance arrived and took Jacob to Norton Sound Regional Hospital. Doctors there treated him but were unable to save him, Taylor said.

Police have not cited Larsen, he said. They are still investigating the incident.

Larsen wanted to speak to the family afterward, Catherine Kakaruk said.

"He wanted to come and talk to us, but we don't want to see him right now," she said.

"This is a residential neighborhood with a playground at a corner of the street with a sign. From the bottom of my heart, I wanted to say, 'I hate you, how can you not see a child with a red jacket? It's a bright red jacket.' "

Catherine, who's originally from Little Diomede, and her husband, Edward Kakaruk Jr., a worker for the Norton Sound Health Corp. who's from Teller, have lived in Nome for six years, she said.

They have another son, 10 years old.

Taylor said the family is "devastated" by Thursday's events. "I understand they were pretty broke up," he said.

"It's up and down," said Catherine. "Everybody's supporting us."

■ The Associated Press contributed to this story. Daily News reporter Peter Porco can be reached at pporco@adn.com or 257-4582.

Wasilla, AK.
Matanuska Valley
Frontiersman
(Cir. Bi-W. 8,800)

4-43

Crash kills Sutton woman

(3) A Sutton woman died Saturday when the car she was driving veered into a ditch and hit several trees, Alaska State Troopers said.

Jessica Christine Carr, 21, was driving a black 2000 Mercury Mystique at Mile 1.1 Jonesville Road at 3:17 a.m. when the crash occurred. Medics pronounced her dead at the scene, and troopers said she was not wearing a seat belt.

Passenger Troy McGlashan, 15, of Sutton, was wearing a seat belt and received only minor injured, troopers said.

Wasilla, AK.
Matanuska Valley
Frontiersman
(Cir. Bi-W. 8,800)

OCT 3 1 2003

AH3

Medical examiner says woman died of crash injuries

An autopsy has revealed that a Willow woman whose body was found Monday near Mile 100 Parks Highway died of internal injuries from a car crash, Alaska State Troopers said.

Anita Faye Mays, 39, was not wearing a seat belt when the Ford Bronco she was driving overturned, apparently on Oct. 20 when several other vehicles crashed in the area, troopers said. The State Medical Examiner said Mays was injured by the steering wheel and estimated she died within minutes or hours of the rollover.

Troopers who investigated the scene said she probably walked from the car to a small lake 150 yards from the highway where her body was discovered. Hypothermia may have contributed to her death, troopers said.

Anchorage, AK
Anchorage Daily News
(Cir. D. 54,710)
(Cir. S. 67,750)

NOV - 6 2003

Allen's P.C.B. *Est. 1888*

— The Associated Press

NIKISKI (3) A-43

Man dies after pickup rolls; driver had been fleeing trooper

A 40-year-old man was killed Tuesday in an automobile accident near Nikiski, Alaska State Troopers said.

Troopers say that around 11 p.m., a 1990 Chevrolet pickup left the Forelands Bar in Nikiski and turned onto Kenai Spur Road. The driver did not use a turn signal and accelerated rapidly, they said.

A nearby trooper saw him and pursued. The pickup was at times driving in excess of 100 mph, troopers said.

The trooper lost the pickup, which had gone off the road on Douglas Lane and rolled several times.

The trooper eventually found the truck off the side of the roadway, against a building, troopers said. The driver, Kelly McLay, of Nikiski, was found partially ejected from the truck and dead from massive head injuries, troopers said. He was not wearing a seat belt, troopers said.

The pickup was impounded by troopers for inspection. An autopsy has been requested by the state medical examiners office.

— *Anchorage Daily News*

Anchorage, AK
Anchorage Daily News
(Cir. D. 54,710)
(Cir. S. 67,750)

DEC 3 - 2003

Allen's P.C.B. *Est. 1888*

KODIAK A-43

Man is crushed and killed when dump truck rolls out of control

A 69-year-old Kodiak man was killed over the weekend in an industrial accident in Kodiak, Alaska State Troopers said Tuesday.

Troopers say Duaine Johnson was working alone Saturday on a hill, using a backhoe to fill a dump truck with dirt. The dump truck rolled down the hill and crushed Johnson, troopers said.

Johnson's body was discovered about 75 feet away from the backhoe, in the path that the dump truck rolled. Troopers believe Johnson tried to climb inside the dump truck to stop it from moving but fell off the vehicle and was run over by its rear driver's side tires.

The dump truck continued off a 20-foot embankment, across a highway and smashed into a large fuel tank near a dock, troopers said. The impact dented the fuel tank, but did not cause any fuel to leak, said troopers spokesman Tim DeSpain. Absorbent pads were put on the ground as a precaution, he said.

—*Anchorage Daily News*

(2)

Anchorage, AK
Anchorage Daily News
(Cir. D. 54,710)
(Cir. S. 67,750)

DEC 3 - 2003

Allen's P.C.B. *Est. 1888*

ANCHORAGE A-43

Officer who fatally struck woman with car cleared of wrongdoing

An Anchorage police officer who struck an 85-year-old woman last month as she was crossing the Old Glenn Highway in Eagle River has been cleared of wrongdoing in the accident, police said Tuesday.

Mary Kirkland was struck by officer Bryan Herrera on Nov. 5 while walking home from church. She died from her injuries on Nov. 17.

Police spokeswoman Anita Shell said Tuesday that an investigation into the accident showed it was not Herrera's fault. Kirkland was not in a marked crosswalk and stepped out in front of the officer, she said. It was dark, drizzling and foggy on the night of the accident, according to police and witnesses.

Many people at the Eagle River Church of God knew Kirkland as "Grandma Mary." Friends and relatives surrounded Kirkland during her last days in the hospital. Her family said in November that Herrera visited them to express his sympathy.

"It was an accident. The whole thing was," Kirkland's daughter Lorraine Bance said in November.

Shell said Tuesday that Herrera, a 10-year veteran of the department, "was very traumatized" by the accident.

— Anchorage Daily News

Allen's P.C.B. *Est. 1888*

Colony football team touched by their manager's example

A-43

The toughest player on the Colony High football team was not surly linebacker David Craig, nor was it speedy quarterback Rhett Magner.

The toughest player for Colony High never wore the black jersey with forest green trim, nor did she ever wear a helmet. But she washed untold numbers of those jerseys and fixed who knows how many helmets.

Badillo

The toughest player on the Colony High football team was the manager, 17-year-old Sharday Badillo. Badillo died Nov. 23 from injuries suffered in a car wreck along icy Trunk Road. As a measure of just how much the short girl with long dark hair meant to the team, most of the players attended her funeral Friday at Wasilla Assembly of God Church. Badillo's teammates served as ushers and pallbearers, and they spoke of what she did for them.

RON WILMOT
SPORTS

Badillo cleaned up after a horde of sweaty, bloody, dirty football players. She washed their uniforms and jock straps. She handed out ice packs and water bottles, did paperwork and helped inventory equipment. Twice a day at practices she filled and lugged a water cooler up and down a hill along with another manager. She stood on the sidelines, day after day, for every practice and every game, to be there for whatever the players might need.

Sometimes, they needed a cheer-

See Prep Page C-3, WILMOT

WILMOT: *Badillo didn't cut Colony players any slack*

Continued from C-1

eader, and Badillo performed that ole too, though not always in a rah-ah way. Once, when a few players vere complaining about the rigors f practice and were considering uitting, Badillo challenged them to tick it out. They did.

"She looked at them and said, You don't have a clue what tough s,' " her mother, Sherry Badillo, aid. "The players were saying that vas one of the things they loved bout her. She cut them no slack."

Young Sharday was broken up ver her parents' divorce, and Sher-y said performing the duties of nanager helped her daughter heal.

"She had a lot of her own trou-les," Sherry said. "That turned her round. Football probably saved hat child's life. It gave her focus, nd she had to pull her weight."

Badillo even pulled her weight when an earlier car wreck left her with an arm in a cast and a bum knee that forced her to walk with crutches. If the players played hurt, so would she.

"She was really a different manager than ones in the past," said senior Kyle Van Sant. "She did a lot of the paperwork, and she did anything the players asked of her, and she did it with a smile. After a loss or a bad play she'd cheer us up and remind us it's about football and having fun. She had a lot of heart. She was something special. She didn't let anything stop her. She loved it."

Badillo's older sister Brittany was also a Colony football manager. She introduced Sharday to it and showed her the ropes.

"Their family has been with us a long time," said head coach Randy Magner. "She was a typical football manager; she did everything. A lot of times they start working in the winter, helping me with inventory. They're there before the players are ready, doing laundry or sitting on the sideline in case a player needs an ice bag or helmet fixed. They put in more hours than the players do. I've never quite figured out why they do it. Nothing can pay them adequately for what they do."

Badillo was also a published poet. Badillo wrote "Cherished Moments" when she was 14 after Brittany was nearly killed in a car accident involving a black bear on the Glenn Highway. Badillo recited the poem at a national writing convention, Sherry said. The poem was also recited at the funeral.

"It just talks about cherishing the people in your life," Sherry said. "Sharday was ready to go to college and her writing was going well. Everything was just going great. I in a flash, it's over."

After Friday's services, a gr of players spent the night toget er to talk and remember Badill nior Mike Benson heard about wreck from his girlfriend, who nessed the accident and called he said.

"It was pretty shocking. It p in perspective how quickly thi can change," he said.

Van Sant said Badillo se above the petty attitudes so co mon in high school.

"She was one of those types of people," he said, then stopp "At Colony, there are a lot of pe ple who really care about wha er people think. Sharday didn' ly care. If no one else liked her didn't really care.

"She was something else," said. "I'm going to miss her a l

(1)

Fairbanks, AK
Daily News-Miner
(Cir. D. 21,800)
(Cir. S. 25,500)

Palmer man dies in snowmachine crash

743

PALMER—A Palmer man died Thursday when he lost control of his snowmachine and struck his head on a parked boat, Alaska State Troopers said.

Alan Scott Ensley, 29, died of an apparent skull fracture, troopers said.

Ensley was riding his 1990 Polaris 600 along a driveway near his home on the Old Glenn Highway at about 2 a.m. when the snowmachine overturned, troopers said.

Ensley's body was found at 10:30 a.m., about 200 feet from his home.

Investigators said that Ensley's helmet was damaged, apparently from striking a 16-foot boat parked near his home.

Alcohol is believed to have been a factor in the accident, troopers said.

Fairbanks, AK
Daily News-Miner
(Cir. D. 21,800)
(Cir. S. 25,500)

Snowmachine accident kills Nulato man

A43

By BETH IPSEN
Staff Writer

A 21-year-old University of Alaska Anchorage student home for the holidays died in a snowmachine accident in Nulato early Thursday morning, Alaska State Troopers said.

Trooper said Arvin Ekada, 21, died of injuries from a snowmachine accident just days after he returned home from college.

Ekada's uncle, Adolph, said Ekada drove into a cabin in Old Nulato. His passenger, Eddie George, jumped free before the snowmachine hit the cabin.

"From what I understand, he just came upon it, just too suddenly, going at a high speed and he couldn't turn in time," Adolph Ekada said.

Ekada said his nephew had just started going to college in hopes of earning his degree before entering a career in law enforcement.

"He's just a young kid, he's just starting life," Adolph Ekada said. "He was a good kid."

Ekada said the man's mother, Shelly Agnes, a health aid in Nulato, was in Fairbanks at the time of the boy's death and returned to Nulato Thursday afternoon.

Trooper spokesman Greg Wilkinson said Robert Ruzika, 55, of Nulato called Fairbanks troopers at 3:38 a.m. to report finding Ekada dead in the road. A trooper flew from Galena, about 50 miles upriver, to the small Koyukon Athabascan village on the north bank of the Yukon River.

Wilkinson didn't have any additional information regarding the accident.

According to Wilkinson's records, Ekada is the fifth person to die in a snowmachine accident in Alaska this year.

Reporter Beth Ipsen can be reached at bipsen@newsminer.com or 459-7545.

Anchorage, AK
Anchorage Daily News
(Cir. D. 54,710)
(Cir. S. 67,750)
JAN - 8 2004

Woman dies in fiery head-on collision

(2) A-43

■ GLENN HIGHWAY:
Minivan veered into oncoming lane, hit semi.

By ZAZ HOLLANDER
Anchorage Daily News

SUTTON — A woman died in a fiery head-on collision with a tractor-trailer that closed the Glenn Highway for several hours Friday evening.

The woman, whose name was not available Friday night, was driving a Windstar minivan north on the Glenn just outside Sutton when she veered into the southbound lane and hit the truck, Alaska State Troopers said.

The truck driver, who was not injured, told troopers he saw the woman go around some vehicles as she drove down a long hill that leads into town, said trooper Ron Hayes. The stretch of highway is marked with a double yellow line for northbound drivers; southbound drivers headed up the hill have a pass-

See Page B-9, **CRASH**

CRASH: *Woman perishes in accident near Sutton*

Continued from B-1

ing lane.

It wasn't clear whether the woman was passing the vehicles or skidding out of control, Hayes said. The roads were mostly clear, with a few patches of black ice, he said.

There is no indication that either vehicle was speeding, Hayes said. "We don't really know why she came into the oncoming lane."

The truck driver tried to avoid the collision by steering to the right — he couldn't go left because of the oncoming traffic — but couldn't get out of the way, he said. The van collided with the truck, which burst into flames.

The truck driver scrambled out of his cab and ran to the van. The van did not catch fire.

"He actually came to check on her and could see right away she was deceased," Hayes said.

The van belongs to Valley Hospital, said Patsy Crofford, vice president of human resources at the hospital. Crofford said Friday evening that she was still waiting for the troopers to confirm the identification of the driver.

The company that owns the truck, K & L Distributors Inc. in Anchorage, had no comment, said general manager Don Grasse.

The truck and van remained at the scene of the wreck Friday night, and debris littered the roadway, slick with frozen water left after firefighters doused the flames. The fire destroyed the cab, leaving a charred metal skeleton with melted tires. The trailer, bearing images of Corona beer bottles, was scorched but salvageable.

The van, its hood crumpled and air bag deployed, was a total loss, Hayes said.

Troopers said the highway was reopened about 6:30 p.m.

■ Daily News reporter Zaz Hollander can be reached at zhollander@adn.com.

(2)

Anchorage, AK
Anchorage Daily News
(Cir. D. 54,710)
(Cir. S. 67,750)

JAN - 5 2004

Allen's P.C.B. *Est. 1888*

MAT-SU A-43

Woman dies, man injured in Parks Highway head-on collision

A two-vehicle crash Saturday on the Parks Highway killed a Houston woman and hurt a man, Alaska State Troopers said Sunday.

Anna Rose Carter, 21, was pronounced dead at the scene, near Mile 56, troopers said. Jeremy Rein, 25, of Anchorage was injured and is in stable condition at Valley Hospital, troopers said.

Carter was northbound on the Parks sometime before 3:30 p.m. when her car apparently crossed the center line and struck Rein's truck head-on, troopers said.

Both drivers were wearing seat belts, troopers said.

— The Associated Press

Anchorage, AK
Anchorage Daily News
(Cir. D. 54,710)
(Cir. S. 67,750)

JAN - 7 2004

Allen's P.C.B. *Est. 1888*

Motorist dies after crash with moose

A-43

■ **COLLISION:** Impact kills Trapper Creek man on Parks Highway.

By S.J. KOMARNITSKY
Anchorage Daily News

WASILLA — A 30-year-old Trapper Creek man was killed Monday after hitting a moose on the Parks Highway while headed home from work, Alaska State Troopers said.

The collision was the worst of many moose encounters on Mat-Su roads in recent days as snow and cold weather have driven the animals down from the hills and onto area streets.

John J. High died shortly after the collision about 6:25 p.m. near Mile 105 of the Parks Highway, troopers said.

Trooper Rod Johnson said that judging from skid marks, High, who was headed home from a construction job in Wasilla, didn't see the moose until just before he hit it. The moose was lifted onto the hood of the Subaru Legacy where it smashed through the windshield. The impact bent the door frame and pushed up the

See Back Page, **MOOSE**

MOOSE: *More animals turning up on highways*

Continued from A-1

roof, Johnson said.

"It looked like the moose just landed in this guy's lap," he said.

High's death appears to be the first fatality from a moose-car collision this winter, although a teenage snowmachiner died last month in Sterling after hitting a moose on a roadside path. There have been many more close encounters.

Nine moose were hit in the Valley on Sunday and Monday, bringing the total killed in vehicle collisions in Mat-Su this winter to 156, nearly a record-setting pace.

The Glenn Highway on Sunday evening was particularly nasty with three moose reported hit within a five-minute period, including two -- a cow and bull — in one collision.

David R. Spear hit the two moose about 5:45 p.m. near Buffalo Mine Road while headed north on the highway, troopers said.

Roland Bolduc, a tow truck driver with Matanuska Towing & Recovery who responded to the accident, said Spear was shaken but otherwise unhurt. His 1994 Dodge pickup, on the other hand, was mangled, Bolduc said.

The tow truck driver said Spear hit the cow and then a bull right behind it.

Less than eight miles up the highway, Ingrid Ling, 27, was having her own moose encounter. A lifelong resident of Sutton, she'd bought a used 1999 Ford Expedition last year specifically because she was concerned about moose collisions, she said.

Ling was headed home to Wasilla with her three young children when she hit a bull moose just south of Sutton. She said she didn't see the animal until it was right in front of her.

"It was like a Bev Doolittle painting," she said. "You look at it and didn't see anything. Then you see it."

She hit the brakes and swerved to the right, but the moose hit the front driver side bumper and flipped onto the hood. It then slid snout first through the windshield, nearly hitting her 4-year-old daughter, Emily.

The bull then started to slip off the side of the truck, smashing its antler through the driver's side window. Ling said she avoided being hit by the antler only because she had leaned over to shield her daughter.

She didn't suffer any major injuries, but got glass in her face, as did her daughter. Ling also got some glass in her eyes, which a doctor had to remove. There was also moose hair everywhere; her kids took some to school this week for show and tell, Ling said.

Ling said she doesn't know why she didn't see the moose sooner, but joked that she certainly had warning. She'd passed two moose and a state moose crossing sign just before the accident. She also knew there were three bulls that like to hang out in a field near where her collision occurred and suspects it was one of those that she hit.

After the accident, Ling borrowed her mother's vehicle and continued on to Wasilla. On the way, she saw three more dead moose — the two Spear hit and another just north of Palmer.

Anchorage also has seen an increase in moose hits lately and the ungulates have certainly become more visible recent weeks, said Jessy C trane, a state wildlife biologis

She's received more ca about moose in people's ba yards, but none as stran as the person who called p lice Tuesday to report a daz moose walking down Dowli Road. The official note in t computer as read by a dispat supervisor states: "Moose wi packed snow on its head is sta gering and confused, walki slowly between Dowling and T dor on Brayton."

On the Kenai Peninsula, 2 moose have been killed in col sions so far this winter, a pa nearly on par with the reco year of 1989-90 when 366 moo were killed, said state area wil life biologist Jeff Selinger.

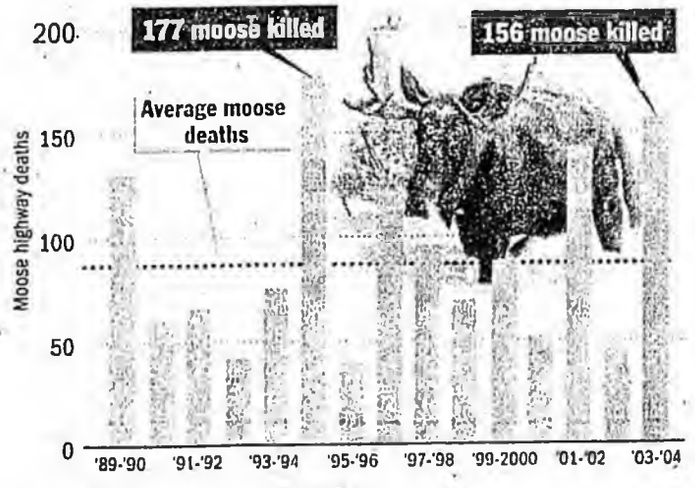
The area has also seen i share of moose antics, he sai Although none has manag to get tangled up in Christm lights so far this year, biologis recently had to dart a young bu that had been running arour for a month with a metal-an wood bar stool stuck on its an lers, he said.

"We figured he'd been d ing silly bar tricks for drinks

Page 2
Moose
1/7/04

Highway carnage

Moose deaths in the Mat-Su due to collisions with vehicles are at their second highest during the last 15 years. Only 1994-95 was worse. September to January only.



Source: Alaska department of Fish and Game

CHARLES ATKINS / Anchorage Daily News

he said.

Selinger said people are seeing more moose because the colder, snowier weather tends to drive the animals out of the hills in search of easier paths and more accessible food.

December is typically a bad time for moose collisions because the lack of light, and statistics show that many of the accidents occur around dusk and dawn. Selinger's advice for those looking to avoid moose encounters on the roadways: Slow down.

■ Reporter S.J. Komarnitsky can be reached at skomarnitsky@adn.com or

GIRDWOOD A-43

Michael Brose, 43

Girdwood resident Michael Xavier Brose, 43, died Feb. 6, 2004, after rolling his pickup on the Seward Highway.

A celebration of his life was Tuesday at Anchorage Funeral Home.

Born March 8, 1960, in Columbia, Mo., he grew up and lived around the world including Liverpool, England; Mexico City; British Columbia; Arizona and Missouri. He graduated from high school in Seattle, where he played football.

He spent more than 10 years working and living in Alaska.

A friend wrote: "Brose, or 'Bro' to his friends, was an ironworker and bon vivant who traveled the world collecting friends and constructing buildings, stadiums and bridges used by millions of people throughout North America.

"He was a gregarious, inquisitive and gentle soul. He lived his life with enthusiasm and energy. A professional ironworker since the age of 20 and affiliated with Ironworkers Local Union No. 751 in Anchorage, he worked on many familiar landmarks including the Anchorage International Airport, numerous buildings in Seattle including the new Seahawks Stadium, and large projects in every major city on the West Coast.

"Michael Brose knew and was loved by an enormous group of people. His friendly nature, insightful character and ability to converse with people from many walks of life allowed him to gather a large and ever-growing circle of loving friends. He lived his life to the fullest, enjoying barbecues, movies, literature, travel and sharing the world with friends and family. A dedicated and astute observer of human nature, Brose's often witty, insightful and clever remarks are the stuff of legend among his friends. Brose was intensely proud of working iron and loved his family and friends with that same sense of loyalty and devotion."

Mr. Brose is survived by his mother, Mary Lou Brose of Snohomish, Wash.; sister, Anne and husband Brian Hendrickson of Mill Creek, Wash., and their children, Katie and Julia; nieces, Marcie Kugzruk of Perrysville and Shawnelle Damon of Mesa, Ariz.

He was preceded in death by his father, Thomas Brose Sr., and brother, Thomas Brose Jr.

ANCH DAILY NEWS FEB 11, 2004

Petersburg, AK
Petersburg Pilot
(Cir. W. 1,800)

FEB 12 2004

Allen's P. C. B. Est. 1888

(3) A1-A3

Alcohol a factor in Mitkof Hwy accident

According to Petersburg Police Chief Dale Stone, blood tests performed in the wake of the January 25 accident on Mitkof Highway show that driver John Eide, 62, had a .139 blood alcohol level at the time of the Sunday morning crash. Eide, who was driving a full-size '95 Ford Pickup, crossed the center line and collided with a smaller pickup driven by Reed Carr, 35. Eide was pronounced dead at Petersburg Medical Center. Stone said this week that the blood alcohol results will be listed as a factor in the crash, but added that the police department will take no further action.

Carr, who was injured in the accident, did not return a phone call from the Pilot.

Wasilla man dies in crash

A-42

WASILLA — A 44-year-old Wasilla man died Friday from injuries sustained in a two-car collision.

Steven Porter was pronounced dead at Valley Hospital shortly after the 7:33 p.m. incident at Knik-Goose Bay and Edlund roads, Alaska State Troopers said.

Porter was a passenger in a 1987 Chevrolet pickup truck being driven south by David Stone, 35, of Palmer. Stone turned his truck in front of a 2000 Toyota van driven north by Paul Bartschi, 32, of Anchorage and the van struck Stone's vehicle on the pas[illegible]ger door, troopers said.

Neither Bartschi nor his pregnant wife, Carma, 26, were injured. They wore seat belts, troopers said, and continued to Valley Hospital where she went into labor.

Stone was treated for undisclosed injuries at Valley Hospital.

No charges had been filed as of Saturday morning, trooper spokesman Greg Wilkinson said.

Anchorage, AK
Anchorage Daily News
(Cir. D. 54,710)
(Cir. S. 67,750)

FEB 2 6 2004

Allen's P.C.B. *Est. 1888*

Driver who killed pedestrian hunted

A-43

APPEAL: Investigators believe members of the public can help them.

By PETER PORCO
Anchorage Daily News

A Barrow man was killed on the Old Seward Highway by a hit-and-run driver early Wednesday, and Anchorage police are asking for the public's help in finding the vehicle and driver involved.

Joseph Okakok, 53, was on foot when he was struck sometime before 1 a.m. on Old Seward Highway near East 48th Avenue, according to police.

Dispatchers received a call at that time about a man on the ground. Officers who arrived determined quickly, police said, that the evidence at the scene indicated that Okakok was the victim of a hit-and-run.

No witnesses to the crash have been found. The driver left the area without contacting police or Anchorage Fire Department paramedics, the APD said.

RON ENGSTROM / Anchorage Daily News

Investigators believe members of the public can help them, said spokesman Ron McGee.

"It's important ... that if anyone sees new front-end damage

See Page B-2, **CLUES**

Wasilla, AK.
Matanuska Valley
Frontiersman
(Cir. Bi-W. 8,800)

Wasilla man dies in crash

(3) A-43

WASILLA — A 44-year-old Wasilla man died Friday from injuries sustained in a two-car collision.

Steven Porter was pronounced dead at Valley Hospital shortly after the 7:33 p.m. incident at Knik-Goose Bay and Edlund roads, Alaska State Troopers said.

Porter was a passenger in a 1987 Chevrolet pickup truck being driven south by David Stone, 35, of Palmer. Stone turned his truck in front of a 2000 Toyota van driven north by Paul Bartschi, 32, of Anchorage and the van struck Stone's vehicle on the passenger door, troopers said.

Neither Bartschi nor his pregnant wife, Carma, 26, were injured. They wore seat belts, troopers said, and continued to Valley Hospital where she went into labor.

Stone was treated for undisclosed injuries at Valley Hospital.

No charges had been filed as of Saturday morning, trooper spokesman Greg Wilkinson said.

Seward, AK
Seward Phoenix Log
(Cir. W. 2,225)

MAR 4 - 2004

Allen's P. C. B. Est. 1888

Accident claims Kenai man

Highway a mess following two simultaneous accidents

By Nancy Erickson

Seward Phoenix LOG

Two simultaneous tractor-trailer accidents six miles apart on the highway north of Seward Tuesday morning claimed the life of a Kenai man.

Keven Hall, 25, of Kenai was hauling steel I-

See **Fatality**, page 3

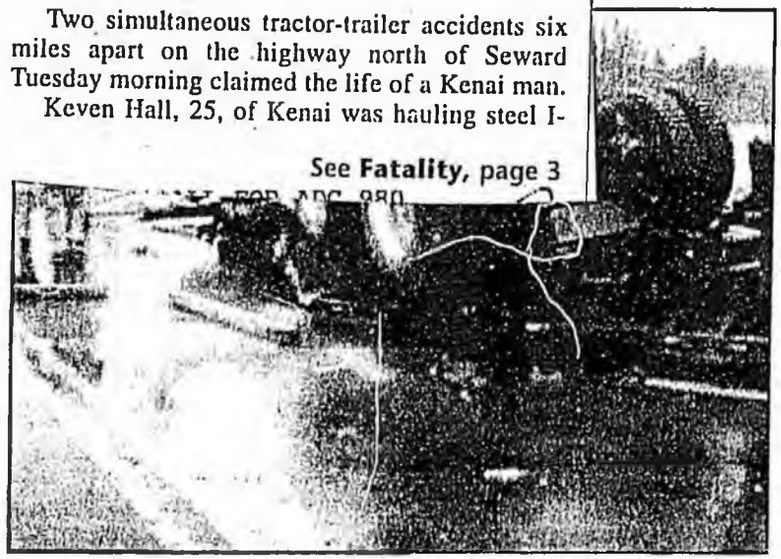


Photo courtesy of Alaska State Troopers

Emergency personel overlook the wreckage of a fatal semi tractor-trailor accident Tuesday morning.

Fatality ...

From page 1

beams north on the Seward Highway when he lost control of his Carlile Transportation tractor-trailer on a curve at Mile 15, according to Alaska State Trooper, Sgt. Brandon Anderson.

The rig struck a guard rail, starting a weaving chain reaction on the slush-covered highway that broke the I-beams loose from the flatbed trailer, Anderson said.

The tractor and trailer rolled on to its top, crushing Hall. He was pronounced dead at the scene.

Two seconds before reports of the fatality, Seward police dispatchers received word of a south bound tractor-trailer jackknifed across the highway at Mile 9.

The driver, Gene Shadle, 66, of Anchorage, escaped unharmed, but a ruptured fuel tank kept cleanup crews busy most of the day. Shadle was issued a citation for basic speed.

Drivers of the two fated semis had met each other on the highway only minutes before the two accidents, Anderson said.

Anderson reported road conditions as slushy with snow flurries and temperatures just above freezing.

"The highway is a mess," Anderson said during a break early Tuesday afternoon.

A Carlile crew from Anchorage and Kenai responded with heavy equipment to remove Hall's tractor-trailer and its displaced load.

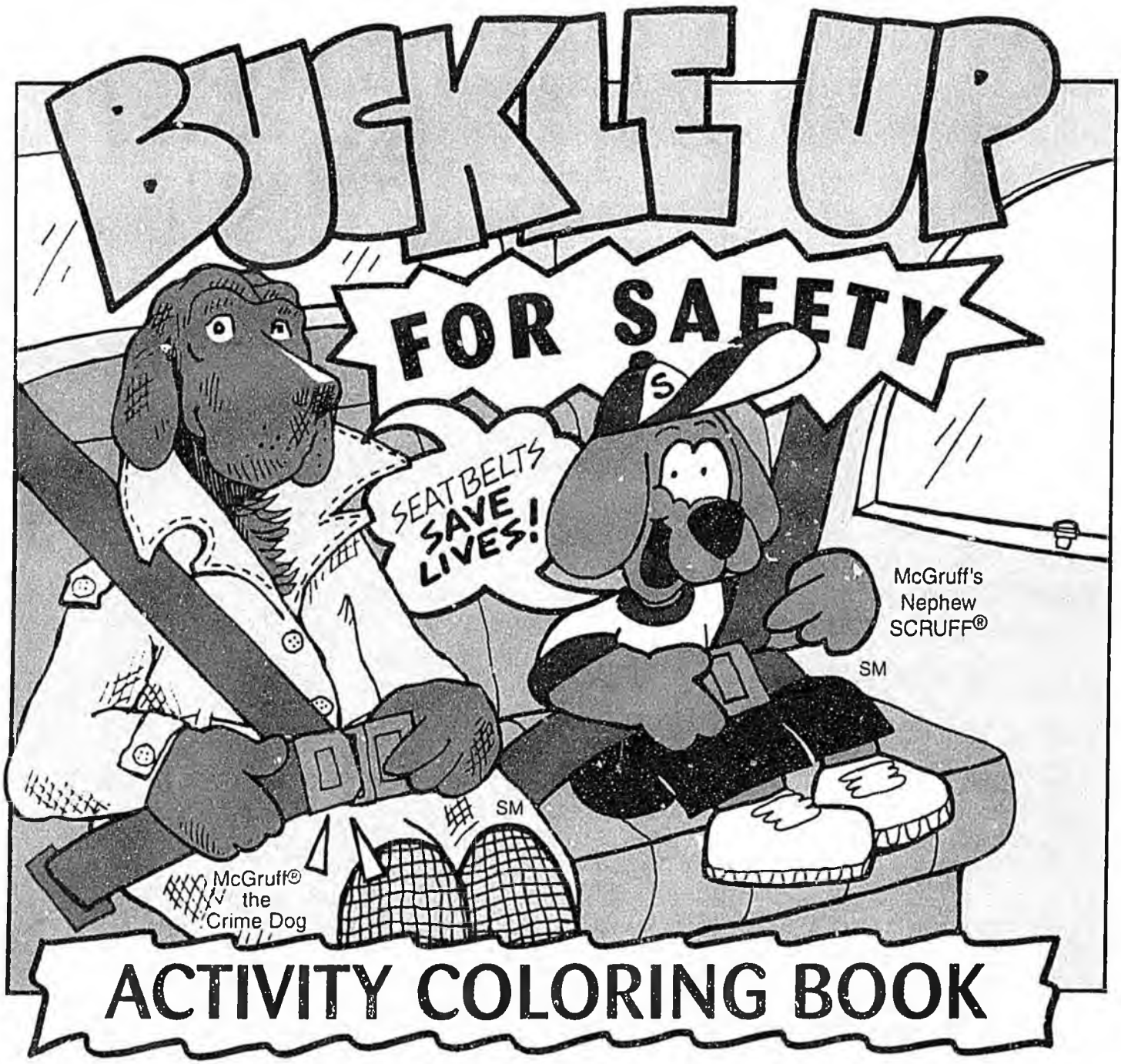
According to Carlile's owner Harry McDonald, Hall had been working for the company for about six months. He was transporting material that had been off-loaded earlier from a barge in Seward.

Hall's brother is overseeing operations of the Seward terminal and responded to the scene, according to the trooper.

McDonald said there will be an extensive investigation into the accident.

Hall is survived by his wife and three small children, according to Anderson.

McGRUFF® *and* SCRUFF®



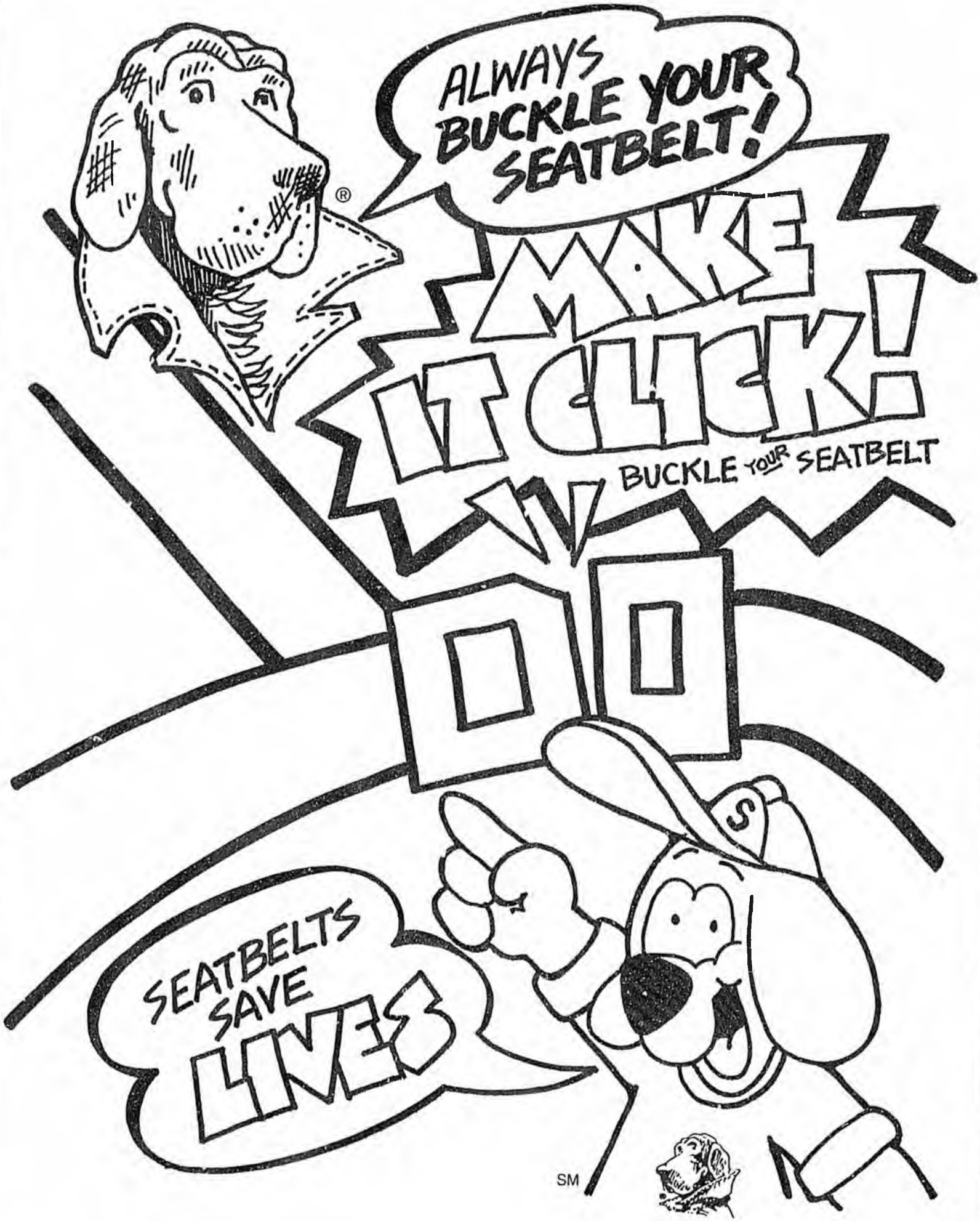
Alaska Highway Safety Office

3132 Channel Drive, #145

Juneau, Alaska 99801

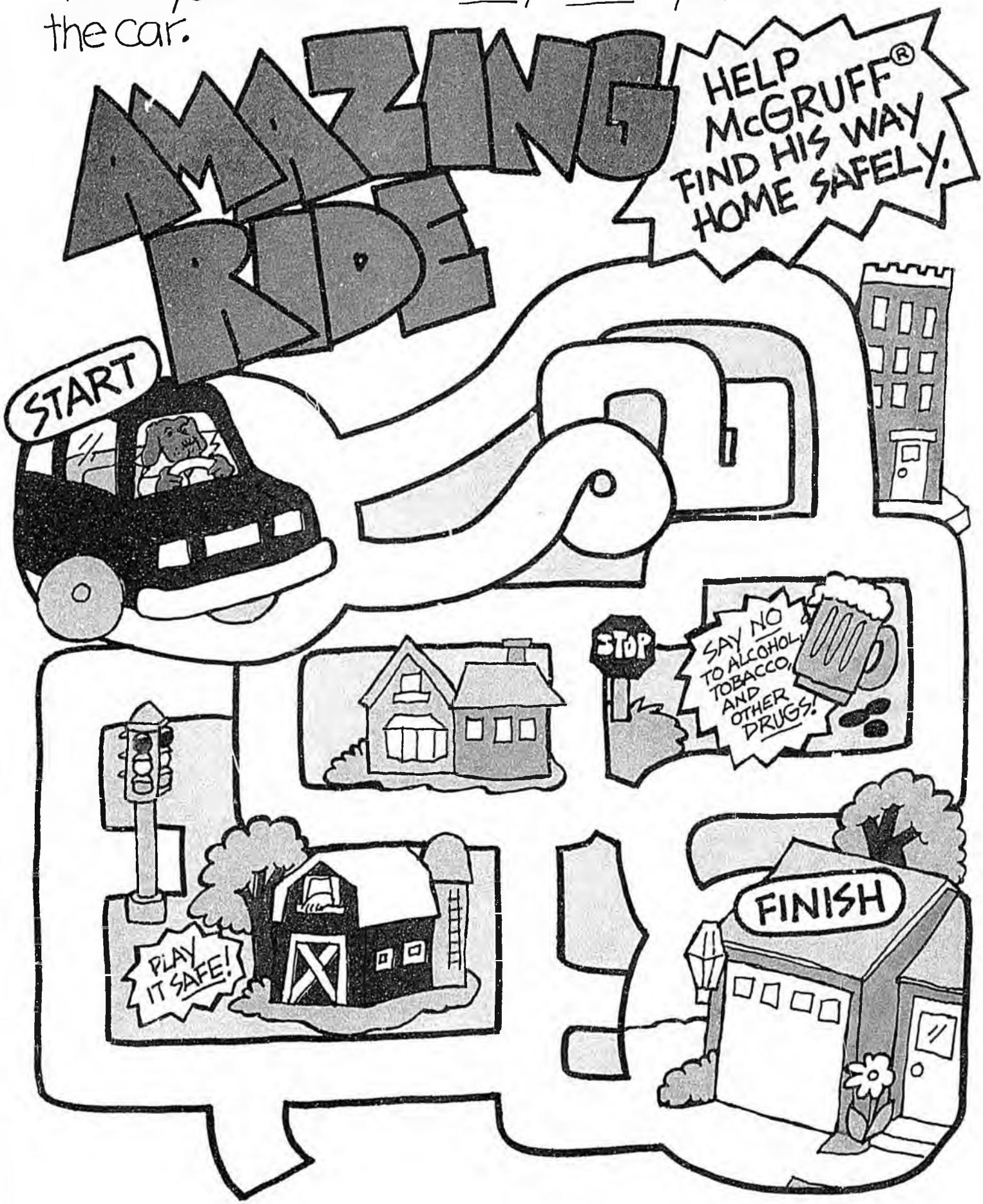
Tel: 907-465-4371, Fax: 907-465-4030

www.alaska.gov/highwaysafety




BUCKLE YOUR SEATBELT FIRST
WHEN YOU GET IN THE CAR!
SM
REMIND FAMILY AND FRIENDS TO BUCKLE THEIR SEATBELTS, TOO!

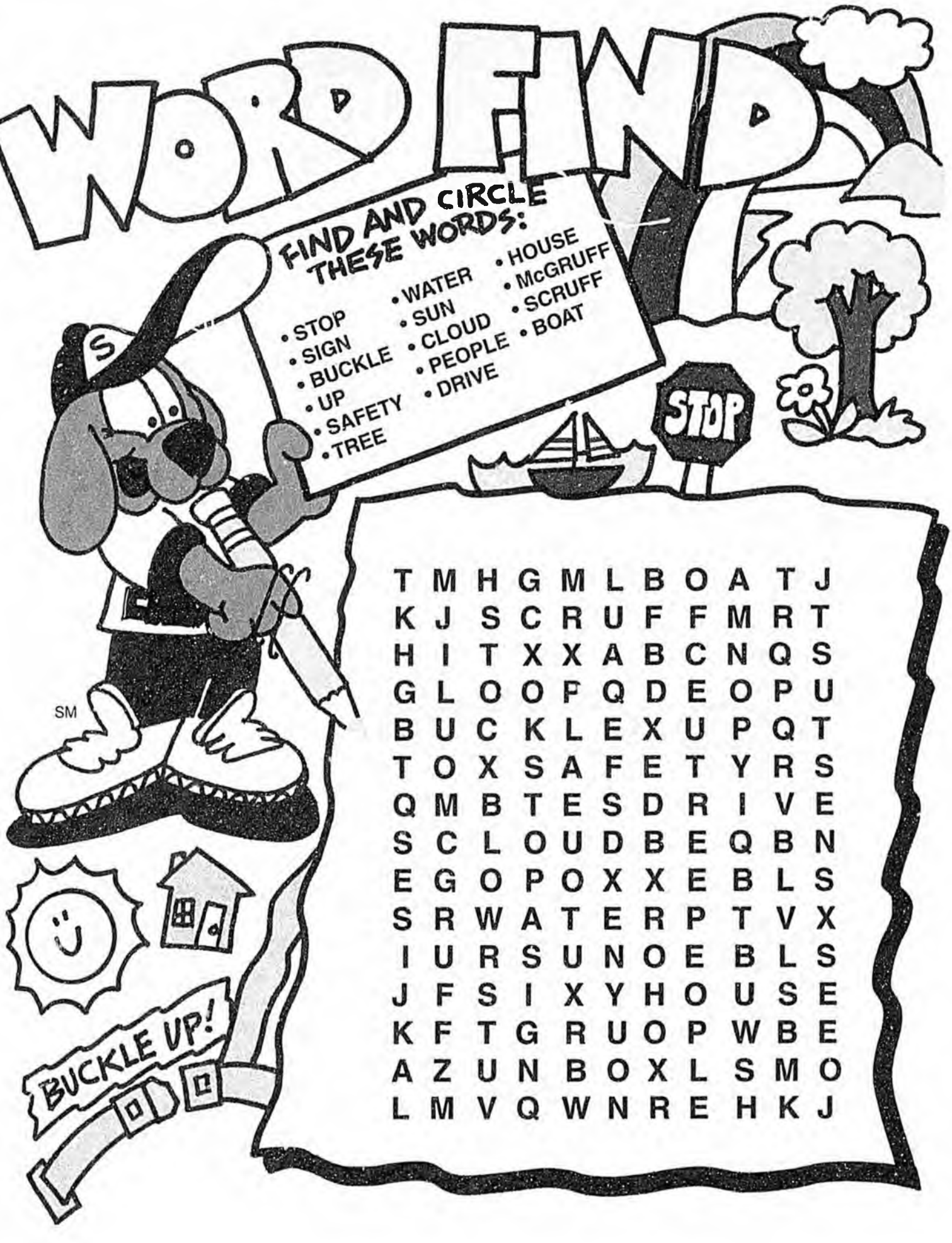
Wear your seatbelt every time you ride in the car.



WORD FIND

FIND AND CIRCLE THESE WORDS:

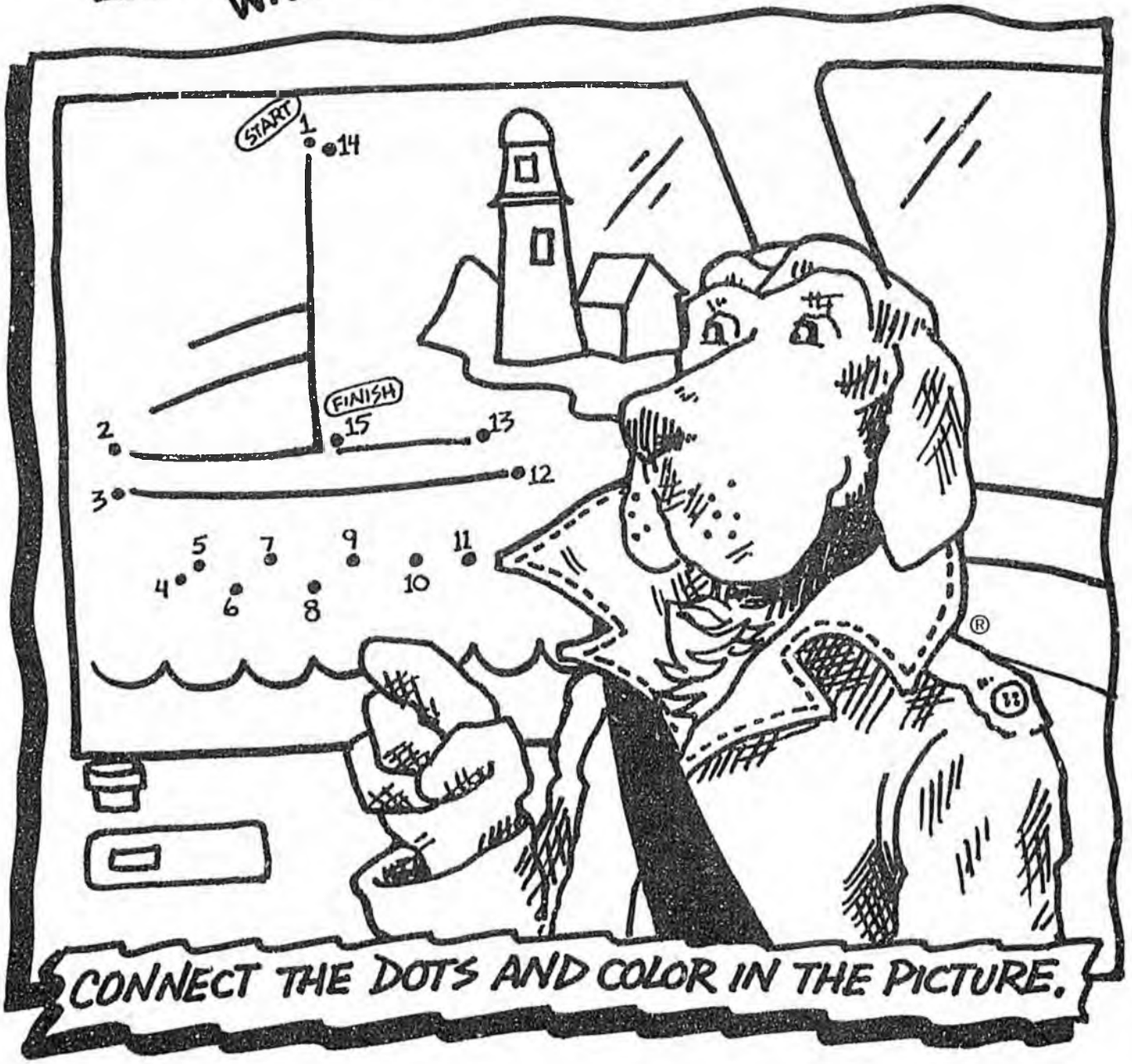
- STOP
- SIGN
- BUCKLE
- UP
- SAFETY
- TREE
- WATER
- SUN
- CLOUD
- PEOPLE
- DRIVE
- HOUSE
- McGRUFF
- SCRUFF
- BOAT



T	M	H	G	M	L	B	O	A	T	J
K	J	S	C	R	U	F	F	M	R	T
H	I	T	X	X	A	B	C	N	Q	S
G	L	O	O	P	Q	D	E	O	P	U
B	U	C	K	L	E	X	U	P	Q	T
T	O	X	S	A	F	E	T	Y	R	S
Q	M	B	T	E	S	D	R	I	V	E
S	C	L	O	U	D	B	E	Q	B	N
E	G	O	P	O	X	X	E	B	L	S
S	R	W	A	T	E	R	P	T	V	X
I	U	R	S	U	N	O	E	B	L	S
J	F	S	I	X	Y	H	O	U	S	E
K	F	T	G	R	U	O	P	W	B	E
A	Z	U	N	B	O	X	L	S	M	O
L	M	V	Q	W	N	R	E	H	K	J

What does McGruff See?

WHAT DOES McGRUFF SEE OUT THE WINDOW?

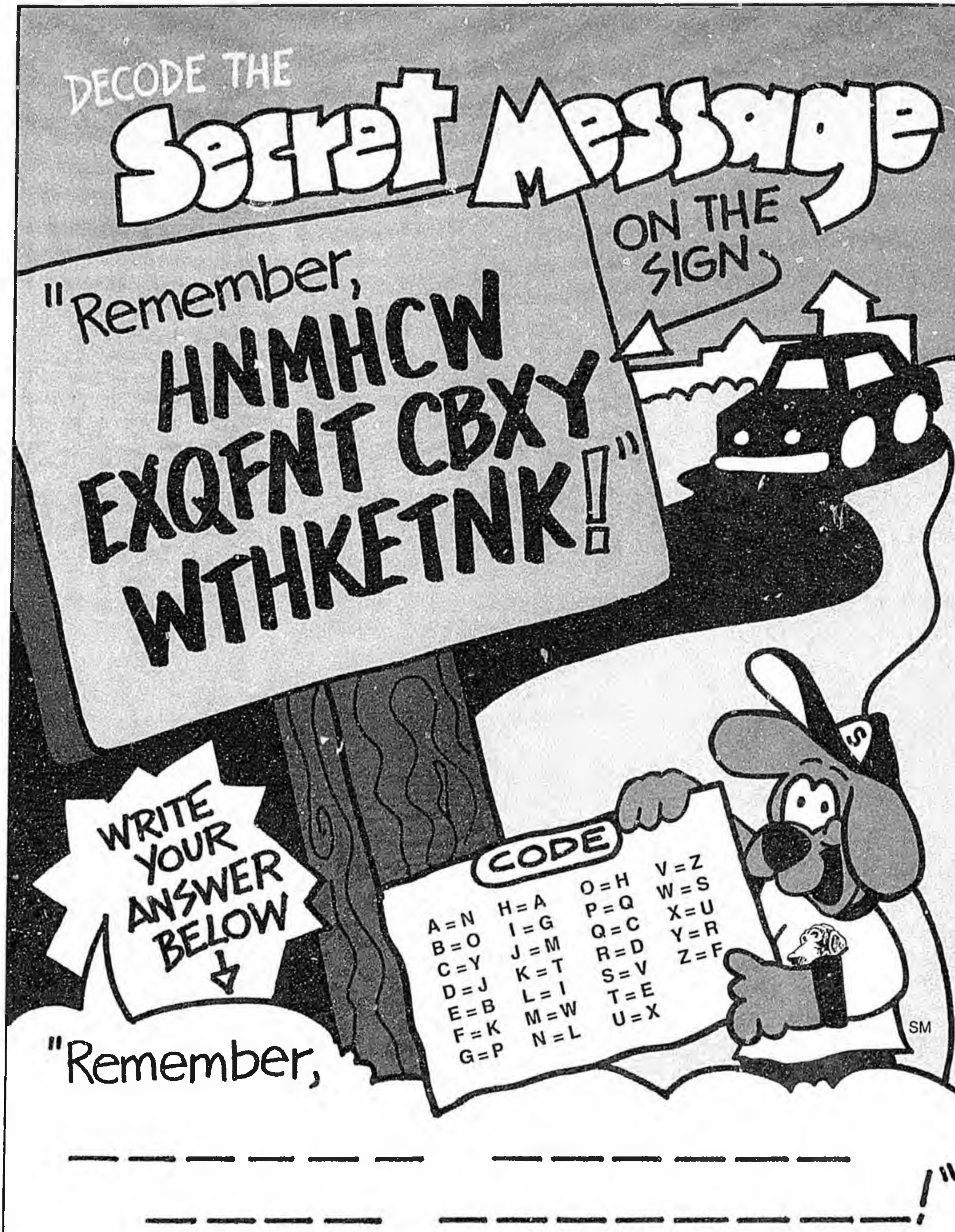


CONNECT THE DOTS AND COLOR IN THE PICTURE.

SAFETY BELTS SAVE LIVES.

We are all special and unique.

DRAWING FUN


DECODE THE
Secret Message
ON THE SIGN
"Remember,
HNMHCW
EXQFNT CBXY
WTHKETNK!"
WRITE YOUR ANSWER BELOW
CODE
A = N
B = O
C = Y
D = J
E = B
F = K
G = P
H = A
I = G
J = M
K = T
L = I
M = W
N = L
O = H
P = Q
Q = C
R = D
S = V
T = E
U = X
V = Z
W = S
X = U
Y = R
Z = F
SM
"Remember,
!"

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

DIVISION OF STATEWIDE PLANNING

FRANK H. MURKOWSKI, GOVERNOR

3132 CHANNEL DRIVE
JUNEAU, ALASKA 99801-7898

PHONE: (907) 465-4070
TTY/TDD: (907) 465-3652
FAX: (907) 465-6984

March 10, 2004

Representative Jim Holm, Chairman
Transportation Committee
Alaska State House Of Representatives
Alaska State Capitol – Room 416
Juneau, Alaska 99801-1182

Dear Jim,

On Tuesday, March 16th, you will be considering House Bill 392 – the Primary Seat Belt Law.

I'm writing to ask that you allow this bill to pass out of House Transportation. This is a very important piece of legislation and it deserves a chance to be heard by the full membership of the Alaska State House of Representatives. A similar bill – SB 316 – is successfully working it's way through the State Senate.

A Primary Seat Belt Law in Alaska will save a dozen or more Alaskan lives. It will also spare hundreds and hundreds of Alaskans significant major injuries. Millions upon millions of dollars will be saved by not having to treat injuries or have Alaskan's away from their means of employment.

Passage of a Primary Seat Belt Law will also entitle the State of Alaska to a federal incentive grant of over $3.9 million.

I know that several on the Transportation Committee are concerned that this law will cause a significant enforcement activity. With our limited State and Municipal budgets, I doubt that this will occur. Passage of a Primary Seat Belt Law will basically notice Alaskans that it is illegal to drive un-belted and as a consequence, thousands of Alaskans will "Click-It". Our seat belt usage should grow from the current 78.9% to around 90% after this legislation becomes law.

I've heard suggestions that there should be an amendment that specifically notices Alaskan Public Safety Officials to NOT use this law as a harassment tool – and I agree! We would have no problem if such an amendment were to be offered and added to the bill.

I hope that you can see your way to allow HB 392 to move out of committee on Tuesday. Thousand of Alaskans will thank you for allowing this bill to have a chance to be heard by the full membership of the Alaska State House of Representatives.

Sincerely,

Don Smith, Administrator
Alaska Highway Safety Office

cc: Governor Frank Murkowski

Keep our state clean.

4
Recycled Poly

ALASKA

MOTTO: *"North To The Future"*
TREE: *Sitka Spruce*
FLOWER: *Forget-Me-Not*
BIRD: *Willow Ptarmigan*

Thanks

FOR BUCKLING UP

ALASKA HIGHWAY SAFETY PLANNING AGENCY
(907) 465-4371

Subject:
Alaska "Digest" Email News
Date:
Tue, 9 Mar 2004 20:48:12 -0900
From:
"Don Smith" <alaskareg@ak.net>
To:
"barbara_cotting@legis.state.ak.us" <barbara_cotting@legis.state.ak.us>

A L A S K A D I G E S T E M A I L N E W S

March 9, 2004

PRIMARY SEAT BELT LAW. ACTION ALERT!!!!!!!!!

Legislation that would establish a Primary Seat Belt Law for Alaska will be considered by two committees over the next few days. Both hearings will be teleconferenced.

Friday - March 12th - the Senate Judiciary Committee will be hearing SB 316. The meeting will start at 8:00 am.

Tuesday - March 16th - The House Transportation Committee will consider HB 392. The committee has already held a hearing on the bill and will decide if the committee wants to report out the bill to the next committee - House Judiciary. The committee will not take testimony - so you need to call, fax, email or write to members of the committee.

Currently Alaska has a Secondary Seat Belt Law. That means that you cannot be stopped by a police officer for not wearing a seat belt unless you have committed another violation. States that went from secondary to primary have generally experienced a 10% to 15% increase in seat belt usage.

An Alaskan PRIMARY Seat Belt law would probably save the

lives of 10 to 15 Alaskans each year. Hundreds of other Alaskans suffer massive injuries each year because they were not belted. The average cost for someone in an automobile accident that results in a head injury is looking at a bill of $1.3 million. A large percentage of the medical expenses incurred because of automobile accidents are paid for by governmental agencies.

Let your legislator know how you feel about these bills!

ALASKA HIGHWAY SAFETY OFFICE

YEAR	TOTAL	PROGRAM	ASHO SHARE	Total by Year
2004	$ 63,834	*North Pole Police*	$ 31,917	
2004	$ 140,500	*Fairbanks Safe Rider*	$ 70,000	
2004	$ 58,346	*Fbks School Dist Drivers Ed*	$ 28,768	
2004	$ 22,000	*Volunteers in Policing*	$ 18,000	2004 $ 148,685
2003	$ 64,076	*North Pole Police*	$ 46,440	
2003	$ 59,498	*Fairbanks Safe Kids*	$ 14,999	
2003	$ 73,288	*Fairbanks Police*	$ 66,626	
2003	$ 117,996	*Volunteers in Policing*	$ 60,330	
2003	$ 58,348	*Fbks School - Behind the Wheel*	$ 28,769	2003 $ 217,164
	$ 657,886	Fairbanks Total		2003-04 **$ 365,849**

from Don Smith 3/8/5

from Don Smith 3/8/5

ORAL TESTIMONY
CURT WINSTON, REGIONAL ADMINISTRATOR,
NATIONAL HIGHWAY TRAFFIC SAFETY
ADMINISTRATION, SEATTLE, WASHINGTON
BEFORE THE ALASKA
SENATE JUDICIARY COMMITTEE

March 10/12, 2004

Good afternoon. My name is Curt Winston. I am the Regional Administrator for Region X, of the National Highway Traffic Safety Administration--also known as NHTSA--an agency of the U.S. Department of Transportation.

I would like to thank Senator Con Bunde for inviting me to testify on the proposed safety belt legislation. This legislation, if enacted, will save the lives of 12 to 15 people in Alaska in the first year.

NHTSA is the agency charged with reducing the devastating toll that traffic crashes take each year in our country. We do this by regulating the automotive industry and by careful scientific analysis of where the fatality problems are and how to address them.

Traffic crashes killed nearly 43,000 people and caused about 3 million injuries in 2002. Largely preventable...these injuries not

only impact the **lives and livelihood** of the crash victims and their families...but also cost the Nation about $230 billion each year in medical expense, lost productivity, property damage, and related costs.

Alaska pays more than $475 million of these costs each year. That is nearly $758 for every Alaskan, each year. And 75% of that cost is paid by citizens **not involved** in the crashes.

Motor vehicle crashes are the leading cause of death for children in Alaska--indeed in all of Amer[illegible]a--and for adults up to age 34.

Our data clearly show that upgrading Alaska's safety belt law from secondary to primary enforcement is the most effective way for you to reduce traffic deaths, injuries, and their costs...more than vehicle improvements...more than road and intersection improvements...more than any other piece of legislation you might consider.

The Bush Administration recognizes there are those who have a philosophical argument against government mandates. But we clearly have the need for science-based actions to protect our citizens and blunt our economic loss. Our Administration cannot

condone the sacrifice of the lives of our citizens on an altar of political philosophy. This law is about our core value of human life. In Alaska, it's 12 to 15 human lives in the first year; lives that are disproportionately young.

Your Department of Transportation Office of Highway Safety, State Troopers, and local Law Enforcement are doing the best they can with your secondary law. They have increased usage by about 13 percent in 2003, to 78.9%. But they need the same tools as your neighboring States of Washington and Oregon. Washington saved 76 lives with their primary law in its first full year.

Even with their hard work, more than a fifth of Alaska's population--about 130 thousand people--are still not buckling up. Our research indicates that most of these are males aged 16 to 36, driving pickup trucks.

Alaska's safety belt use rate is 78.9%. In comparison, your neighboring States Washington and Oregon, with their primary safety belt laws, have use rates of 94.8% and 90.4%, respectively.

If Alaska enacts this legislation and attains the predicted increase in safety belt use, you will not only save 12 to 15 lives, but you

will also prevent nearly 300 serious injuries that would clog your trauma centers. You could save $20 million in costs each year.

In 2002, 54 people died in Alaska while riding in cars and trucks. Of these, 25 (46%) died while not wearing their safety belts. If those people had been belted, 13 would be alive and well today. Of the 54 who died in cars and trucks, 14 were between 14 to 24 years of age. 50% (7) of these young occupants were not wearing safety belts. If these young people had been belted, about 3-4 would be with their families today.

Our studies and our experience make it clear that young people do not respond to isolated educational messages about belt use, but they do change their habits with the threat of a ticket and fine.

Most of the business community also understands and supports primary laws. Unbelted motorists are a burden on your State's employers. A recent NHTSA study of 1998-2000 data shows that motor vehicle crashes--both on and off the job--cost employers $60 billion each year. More than $6 billion of this total is due to nonuse of safety belts.

This occurs because of lost work time, lower productivity due to injury and replacement employees, and provisions of increasingly expensive health insurance.

Here in Alaska, crashes cost employers more than $38 million annually. That amounts to $320 per employee in the State. In an era of dwindling resources, reducing the costs...however we can...is good government.

In addition to saving money, this legislation could earn a large amount of money for Alaska. The President's Highway Bill, SAFETEA--now pending before Congress--would entitle the State to an incentive grant of over $3.9 million, if it upgrades its belt law to primary enforcement or reaches 90% belt use. To date, no State has come close to 90% without a primary law.

Even in low velocity crashes, you are safer wearing your safety belt. Considering all types of crashes, safety belts cut your risk of death in half. And in rollover crashes, safety belts reduce the risk of death by 80%, meaning 4 out of 5 unbelted rollover deaths would not have happened if the occupants had been belted.

While my boss U.S. Secretary of Transportation Norman Mineta continually reminds me that safety is our number one priority, he also asked me to ensure that enactment of primary safety belt laws does not result in profiling of any sort. Secretary Mineta has a deep and personal understanding of what it means to be singled out and he understands why profiling has no place in our society. He also understands that a primary safety belt law has not, and must not, lead to profiling. And he is not alone.

Legislators, law enforcement officers, political and social leaders support primary safety belt laws. The Congressional Black Caucus, the National Organization of Black Law Enforcement Executives, the Hispanic American Police Command Officers Association, the National Conference of Black Mayors, the National Council of Negro Women, and other organizations are vocal supporters of the laws. These groups know that primary safety belt laws help reduce deaths and injuries among minorities and they do not discriminate.

NHTSA and the U.S. Department of Justice are working closely with law enforcement leaders, providing training and educational materials to ensure that officers on the road understand and practice only appropriate and respectful traffic stops.

Finally, enactment of this legislation will also save the lives of your children. Our research shows that when the driver buckles up, 92% of the time the children in the vehicle are wearing belts or are in child safety seats. However, when the driver is not wearing a safety belt, only 62% of the children are wearing belts or are in safety seats.

You have the power to turn "if only he'd worn his safety belt" into "thank God he was wearing his safety belt." Every family of a crash victim wishes they could have prevented that tragedy.

You have the power, and hopefully the discretion, to make it happen.

Thank you for the opportunity to testify today. I would be glad to answer any questions.

HB 392 Testimony
Alaska Department of Health and Social Services
Martha Moore, Trauma Registry Coordinator
2/4/04

The Department supports HB 392.

There were about 43,000 (42,931) Alaskans involved in a car, truck or bus crash in 2001 according to the Department of Transportation's Traffic Accidents Report. (In about ¾ of these crashes we know seatbelt usage.) The unbelted occupants were 19 times more likely to die than those restrained in safety belts, and 12 times more likely to sustain a major injury. Eighty-four percent (84%) of the belted occupants in crashes walked away uninjured, compared with only 60% of the unbelted occupants.

A very revealing statistic from the 1998 Traffic Accident Report, which is the most recent published report that talks about ejections from the vehicle during a crash, is that there were 20 crash victims who were ejected from the vehicle that year, and 19 of them died.

The Alaska Trauma Registry records all hospitalized injuries. In the last decade there were about 3,500 (3315) Alaskans were admitted to a hospital due to a car crash injury. Over half of these victims were not restrained at the time of the crash and they were almost twice as likely to sustain a serious head injury and one and a half times more likely to be discharged with a permanent disability, than the restrained crash victims.

Among the 1,765 patients who were not restrained:

- there were 90 fatalities
- 606 traumatic brain injuries
- 274 permanent disabilities
- 148 were discharged from the hospital to a rehabilitation or skilled nursing facility.

The trauma registry also records hospital costs associated with injury. The data show that the cost of hospitalization alone for an unbelted person injured in a motor vehicle crash is on average about $22,000 per patient, compared with $17,000 for someone who used a seat belt and harness. The trauma registry also shows that about 22% of the unbelted victims were uninsured and 31% billed a government program for their hospital care (including 172 billing Medicaid). So for over 50%, the cost of hospitalization is passed directly on to the public.

****

By enacting primary safety belt enforcement legislation, we could expect to see the safety belt wear rate to increase just as it has in other states. For every two percentage points that the wear rate increases, the National Highway Traffic Safety Administration tells us we can expect one-two lives saved. So for example if usage rate increased 10 percentage points in the first year, we could expect to see about 7 lives saved, the prevention of 72 major injuries, 50 minor injuries, and a savings of $14,000,000 in economic costs, for medical care, funerals, rehabilitation, and lost productivity.

HB 392 Testimony
Alaska Department of Health and Social Services
Martha Moore, Trauma Registry Coordinator
2/4/04

The Department supports HB 392.

There were about 43,000 (42,931) Alaskans involved in a car, truck or bus crash in 2001 according to the Department of Transportation's Traffic Accidents Report. (In about ¾ of these crashes we know seatbelt usage.) The unbelted occupants were 19 times more likely to die than those restrained in safety belts, and 12 times more likely to sustain a major injury. Eighty-four percent (84%) of the belted occupants in crashes walked away uninjured, compared with only 60% of the unbelted occupants.

A very revealing statistic from the 1998 Traffic Accident Report, which is the most recent published report that talks about ejections from the vehicle during a crash, is that there were 20 crash victims who were ejected from the vehicle that year, and 19 of them died.

The Alaska Trauma Registry records all hospitalized injuries. In the last decade there were about 3,500 (3315) Alaskans were admitted to a hospital due to a car crash injury. Over half of these victims were not restrained at the time of the crash and they were almost twice as likely to sustain a serious head injury and one and a half times more likely to be discharged with a permanent disability, than the restrained crash victims.

Among the 1,765 patients who were not restrained:

- there were 90 fatalities
- 606 traumatic brain injuries
- 274 permanent disabilities
- 148 were discharged from the hospital to a rehabilitation or skilled nursing facility.

The trauma registry also records hospital costs associated with injury. The data show that the cost of hospitalization alone for an unbelted person injured in a motor vehicle crash is on average about $22,000 per patient, compared with $17,000 for someone who used a seat belt and harness. The trauma registry also shows that about 22% of the unbelted victims were uninsured and 31% billed a government program for their hospital care (including 172 billing Medicaid). So for over 50%, the cost of hospitalization is passed directly on to the public.

****

By enacting primary safety belt enforcement legislation, we could expect to see the safety belt wear rate to increase just as it has in other states. For every two percentage points that the wear rate increases, the National Highway Traffic Safety Administration tells us we can expect one-two lives saved. So for example if usage rate increased 10 percentage points in the first year, we could expect to see about 7 lives saved, the prevention of 72 major injuries, 50 minor injuries, and a savings of $14,000,000 in economic costs, for medical care, funerals, rehabilitation, and lost productivity.

HB 392 Testimony
Alaska Department of Health and Social Services
Martha Moore, Trauma Registry Coordinator
2/4/04

The Department supports HB 392.

There were about 43,000 (42,931) Alaskans involved in a car, truck or bus crash in 2001 according to the Department of Transportation's Traffic Accidents Report. (In about ¾ of these crashes we know seatbelt usage.) The unbelted occupants were 19 times more likely to die than those restrained in safety belts, and 12 times more likely to sustain a major injury. Eighty-four percent (84%) of the belted occupants in crashes walked away uninjured, compared with only 60% of the unbelted occupants.

A very revealing statistic from the 1998 Traffic Accident Report, which is the most recent published report that talks about ejections from the vehicle during a crash, is that there were 20 crash victims who were ejected from the vehicle that year, and 19 of them died.

The Alaska Trauma Registry records all hospitalized injuries. In the last decade there were about 3,500 (3315) Alaskans were admitted to a hospital due to a car crash injury. Over half of these victims were not restrained at the time of the crash and they were almost twice as likely to sustain a serious head injury and one and a half times more likely to be discharged with a permanent disability, than the restrained crash victims.

Among the 1,765 patients who were not restrained:

- there were 90 fatalities
- 606 traumatic brain injuries
- 274 permanent disabilities
- 148 were discharged from the hospital to a rehabilitation or skilled nursing facility.

The trauma registry also records hospital costs associated with injury. The data show that the cost of hospitalization alone for an unbelted person injured in a motor vehicle crash is on average about $22,000 per patient, compared with $17,000 for someone who used a seat belt and harness. The trauma registry also shows that about 22% of the unbelted victims were uninsured and 31% billed a government program for their hospital care (including 172 billing Medicaid). So for over 50%, the cost of hospitalization is passed directly on to the public.

****

By enacting primary safety belt enforcement legislation, we could expect to see the safety belt wear rate to increase just as it has in other states. For every two percentage points that the wear rate increases, the National Highway Traffic Safety Administration tells us we can expect one-two lives saved. So for example if usage rate increased 10 percentage points in the first year, we could expect to see about 7 lives saved, the prevention of 72 major injuries, 50 minor injuries, and a savings of $14,000,000 in economic costs, for medical care, funerals, rehabilitation, and lost productivity.

HB 392 Testimony
Alaska Department of Health and Social Services
Martha Moore, Trauma Registry Coordinator
2/4/04

The Department supports HB 392.

There were about 43,000 (42,931) Alaskans involved in a car, truck or bus crash in 2001 according to the Department of Transportation's Traffic Accidents Report. (In about ¾ of these crashes we know seatbelt usage.) The unbelted occupants were 19 times more likely to die than those restrained in safety belts, and 12 times more likely to sustain a major injury. Eighty-four percent (84%) of the belted occupants in crashes walked away uninjured, compared with only 60% of the unbelted occupants.

A very revealing statistic from the 1998 Traffic Accident Report, which is the most recent published report that talks about ejections from the vehicle during a crash, is that there were 20 crash victims who were ejected from the vehicle that year, and 19 of them died.

The Alaska Trauma Registry records all hospitalized injuries. In the last decade there were about 3,500 (3315) Alaskans were admitted to a hospital due to a car crash injury. Over half of these victims were not restrained at the time of the crash and they were almost twice as likely to sustain a serious head injury and one and a half times more likely to be discharged with a permanent disability, than the restrained crash victims.

Among the 1,765 patients who were not restrained:

- there were 90 fatalities
- 606 traumatic brain injuries
- 274 permanent disabilities
- 148 were discharged from the hospital to a rehabilitation or skilled nursing facility.

The trauma registry also records hospital costs associated with injury. The data show that the cost of hospitalization alone for an unbelted person injured in a motor vehicle crash is on average about $22,000 per patient, compared with $17,000 for someone who used a seat belt and harness. The trauma registry also shows that about 22% of the unbelted victims were uninsured and 31% billed a government program for their hospital care (including 172 billing Medicaid). So for over 50%, the cost of hospitalization is passed directly on to the public.

****

By enacting primary safety belt enforcement legislation, we could expect to see the safety belt wear rate to increase just as it has in other states. For every two percentage points that the wear rate increases, the National Highway Traffic Safety Administration tells us we can expect one-two lives saved. So for example if usage rate increased 10 percentage points in the first year, we could expect to see about 7 lives saved, the prevention of 72 major injuries, 50 minor injuries, and a savings of $14,000,000 in economic costs, for medical care, funerals, rehabilitation, and lost productivity.

Alaska State Legislature

Please enter into the record my testimony to the TRANSPORTATION
committee name

Committee on HB 392 Date, FEBRUARY 15, 2004
bill # / subject

Transportation Chair Representative Holm,
Transportation Members: Masek, Kohring,
Ogg, Stepovich, Kapsner, and Kookesh:

I am opposed to repealing AS 28.05.095 (e) from the Alaska Statutes

There is no need to repeal section (e), if it's repealed, Police Officers & Alaska State Troopers will randomly be stopping vehicles without having any valid reasons for pulling over vehicles. There are older cars/trucks/vans driving on our roads with lap seat belt for backseat passengers. To allow officers to pull over a vehicle, simply because the officer can't see somebody wearing a seatbelt is completely unreasonable. This repeal will cost Alaska a huge increase in overtime pay, because officers will not be taking care of their duties. Officers will waste countless hours chasing down SUSPECTED seatbelt violators. This would become a huge waste of tax dollars.

I urge all of our legislative representatives to Please VOTE NO ON HB 392

AS 28.05.095. Use of Seat Belts and Child Safety Devices Required.

(e) Notwithstanding any other provision of law, a peace officer may not stop or detain a motor vehicle to determine compliance with (a) of this section, or issue a citation for a violation of (a) of this section, unless the peace officer has probable cause to stop or detain the motor vehicle other than for a violation of (a) of this section.

Signed: LAURIE CHURCHILL
Testifier

SELF
Representing (optional)

PO BOX 7043 NIKISKI, AK 99635 MY NEW EMAIL ACCOUNT: ak501c3@yahoo.com
Address

907-776-3499
Phone number

Alaska State Legislature

Please enter into the record my testimony to the TRANSPORTATION
committee name

Committee on HB 392 Date, FEBRUARY 15, 2004
bill # / subject

Transportation Chair Representative Holm,
Transportation Members: Masek, Kohring,
Ogg, Stepovich, Kapsner, and Kookesh:

I am opposed to repealing AS 28.05.095 (e) from the Alaska Statutes

There is no need to repeal section (e), if it's repealed, Police Officers & Alaska State Troopers will randomly be stopping vehicles without having any valid reasons for pulling over vehicles. There are older cars/trucks/vans driving on our roads with lap seat belt for backseat passengers. To allow officers to pull over a vehicle, simply because the officer can't see somebody wearing a seatbelt is completely unreasonable. This repeal will cost Alaska a huge increase in overtime pay, because officers will not be taking care of their duties. Officers will waste countless hours chasing down SUSPECTED seatbelt violators. This would become a huge waste of tax dollars.

I urge all of our legislative representatives to Please VOTE NO ON HB 392

AS 28.05.095. Use of Seat Belts and Child Safety Devices Required.

(e) Notwithstanding any other provision of law, a peace officer may not stop or detain a motor vehicle to determine compliance with (a) of this section, or issue a citation for a violation of (a) of this section, unless the peace officer has probable cause to stop or detain the motor vehicle other than for a violation of (a) of this section.

Signed: LAURIE CHURCHILL
Testifier

SELF
Representing (optional)

PO BOX 7043 NIKISKI, AK 99635 MY NEW EMAIL ACCOUNT: ak501c3@yahoo.com
Address

907-776-3499
Phone number

Alaska Civil Liberties Union

An Affiliate of the American Civil Liberties Union
P. O. Box 201844, Anchorage, AK 99520-1844
Phone: (907) 258-0044 Fax: (907) 258 0288 Email: akclu@alaska.net

To: House Transportation Committee
CC: Rep. Cheryll Heinze
From: Jennifer Rudinger, Executive Director
Date: February 17, 2004

Re: Statement in Opposition to House Bill 392, Making Failure to Wear a Seat Belt a Primary Offense

As an organization with approximately 1,800 members and supporters throughout the State of Alaska dedicated to preserving the guarantees of individual liberty, privacy and equality found in the Alaska Constitution and the US Bill of Rights, the Alaska Civil Liberties Union (AkCLU) is very concerned about any attempt to pass a "primary seat belt law" without the inclusion of meaningful language to prevent its use as a tool for harassment.

First of all, we wish to point out that Alaskans value their privacy very highly, so much so that we are one of only a handful of states with an explicit right to privacy guaranteed in our state constitution. The spirit of Alaska is "live and let live," that we have the right to make our own decisions as long as we are not placing anyone else in jeopardy. It is one thing for police to pull people over who are posing a danger to others on the road or who give rise to probable cause to believe that criminal activity is taking place. It is quite another for police to start pulling people over who pose no threat to anyone else and enforcing laws that the State says are "for their own good."

Second, aside from invading innocent people's privacy unnecessarily, HB 392 would be a poor use of law enforcement's limited resources. Our police are already understaffed, and our law enforcement resources would best be spent catching the real criminals, not pulling over innocent people on the roads.

Finally, passage of a "primary" seat belt law will give police an enormous expansion of discretion in deciding whom to pull over for traffic stops. Statistics show that, even with passage of a primary law, many people will not be wearing a seat belt. The AkCLU has been hearing an increasing number of serious complaints that police in various parts of the state -- using current traffic laws -- disproportionately stop and search people of color. If that is happening now, as many of us have reason to believe, we are especially wary of giving police even greater discretionary powers for traffic stops. Obviously, the police are not going to be able to stop all of the cars in which a driver or passenger is violating the seat belt law. How will they pick and choose which of these many violators to pull over?

We fully recognize the sponsor's public health and safety concerns that are prompting this bill. **If the Legislature sees fit to make failure to wear a seat belt a primary offense, we believe that an amendment to HB 392 (which is attached to this letter) is a reasonable compromise: the state will have primary seat belt enforcement power, but police will not be able to use seat belt violations as a pretext for pulling people over for other reasons and then seeking consent to search their cars.**

We are hopeful that the supporters of this bill will also support the proposed amendment. From our perspective, there can be only one reason *not* to accept this amendment: to, in fact, give police the power to use a "seat belt law" to pull cars over for other reasons in order to search vehicles that they otherwise have no legitimate basis for stopping or searching.

We urge you to oppose this bill unless the enclosed amendment is adopted. Thank you for your attention to this important matter.

Sincerely,

Jennifer Rudinger
Executive Director

PROPOSED AMENDMENT TO HB 392

"No law enforcement officer shall use AS 28.05.095 as the basis for stopping a motor vehicle for other reasons, and no operator of a motor vehicle shall be requested to consent to a search by a law enforcement officer of his or her motor vehicle which is stopped solely for a violation of AS 28.05.095. Any evidence obtained as a result of a search prohibited by this subsection shall be inadmissible in any judicial proceeding. A person may not be placed under arrest solely for a violation of AS 28.05.095. Nothing herein shall be construed to preclude a search based upon any legally sufficient cause to believe that a search will uncover contraband or evidence of a crime."

EXPLANATION OF AMENDMENT

1. "No law enforcement officer shall use AS 28.05.095 as the basis for stopping a motor vehicle for other reasons, and no operator of a motor vehicle shall be requested to consent to a search by a law enforcement officer of his or her motor vehicle which is stopped solely for a violation of AS 28.05.095." This sentence prohibits what should be prohibited: use of the seat belt law to pull people over for other reasons and to use the stop as an excuse for obtaining consent to search a vehicle.

2. "Any evidence obtained as a result of a search prohibited by this section shall be inadmissible in any judicial proceeding." This sentence, by providing a remedy for illegal searches, is designed to deter any violations of the ban contained in the first sentence. Without it, the ban on pretext stops is virtually meaningless.

3. "A person may not be placed under arrest solely for a violation of AS 28.05.095." This sentence ensures that no one will be placed under arrest solely for failure to wear a seat belt.

4. "Nothing herein shall be construed to preclude a search based upon any legally sufficient cause to believe that a search will uncover contraband or evidence of a crime." This final sentence ensures that the ban on pretext stops and searches will not be interpreted to ban legitimate searches when the officer finds grounds for a search after pulling the car over.

STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

DIVISION OF PROGRAM DEVELOPMENT

FRANK H. MURKOWSKI, GOVERNOR

3132 CHANNEL DRIVE
JUNEAU, ALASKA 99801-7898

PHONE: (907) 465-4070
TTY/TDD: (907) 465-3652
FAX: (907) 465-6984

February 20, 2004

Representative Jim Holm
Alaska State House
Room 416 State Capitol
Juneau, Alaska 99801-1182

Dear Representative Holm,

Enclosed is a publication produced by the National Highway Traffic Safety Administration that you might find interesting.

As Administrator of the Alaska Highway Safety Office, I am following with great interest the two bills, (HB 392 & SB 316), which would establish primary enforcement of seat belt use in Alaska.

Last year 95 Alaskans lost their lives in automobile accidents in our state. Of those, 37 were not buckled and many of them could have survived. National statistics show that states with a primary seat belt law have upwards of 90% of the drivers and passengers using their seat belts. Alaska currently has a 78.9% seat belt use rate.

A primary seat belt law will not only save lives and reduce injuries in Alaska, but it will also save Alaska's citizens substantial amounts of money in associated health care costs. Primary safety belt laws also help save the lives of children. Citizens are much more likely to buckle up and place their children in child safety seats when there is the possibility of receiving a citation for not doing so.

Please feel free to contact me if you have any questions of would like some additional information.

Sincerely,

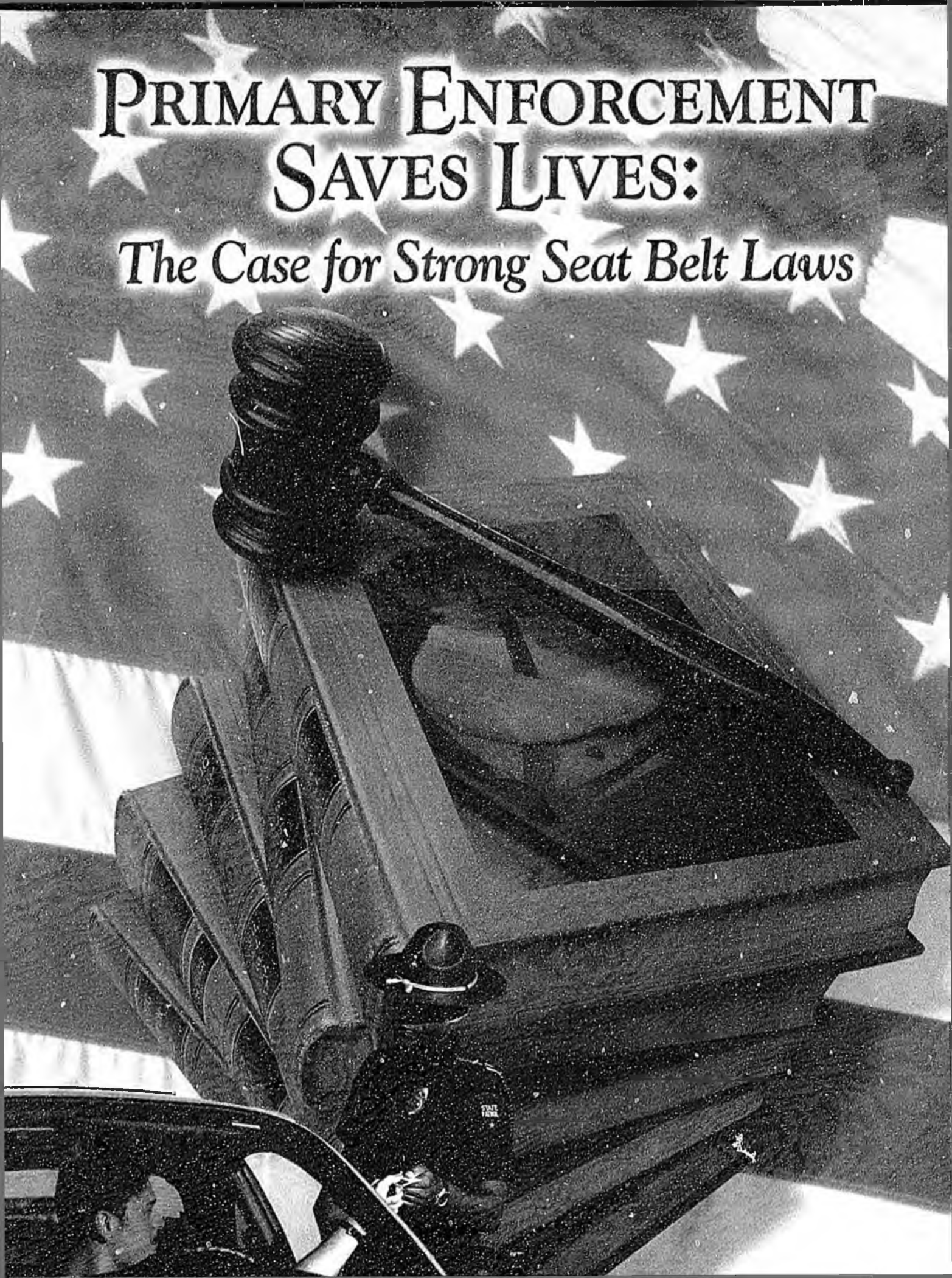
Don Smith
Administrator
Alaska Highway Safety Office

Enclosure

25A-T34LH-10

PRIMARY ENFORCEMENT SAVES LIVES:

The Case for Strong Seat Belt Laws



Primary Enforcement Saves Lives:

The Case for Strong Seat Belt Laws

NHTSA
People Saving People

BUCKLE UP AMERICA
Every Trip. Every Time

Table of Contents

SECTION I

The Case for Buckling Up

Seat belts are the most effective means of reducing fatalities and serious injuries in traffic crashes. Seat belts are estimated to save over 11,000 lives in America each year.

Seat Belts Save Lives

Carolyn Hanig is an Oklahoma Life Flight nurse who was called to a mass-casualty incident involving several motor vehicles. As the helicopter flew over the crash scene, the flight crew could see several victims lying about, already receiving medical attention. Carolyn and her partner went to assist a badly injured young man who was receiving CPR in an ambulance. As she moved in to help, Carolyn froze as she recognized the young man's shoes. They belonged to her 17-year-old son, Nik, who was an unbelted back seat passenger in one of the vehicles. His injuries were grave and he did not survive.

Based on her firsthand experience at the site of many terrible crashes, Carolyn had done everything she could think of to teach Nik the importance of wearing a seat belt—she had even made him visit the hospital room of a young man who became a paraplegic after a crash in which he wasn't wearing a belt. With all that knowledge, however, Nik still wasn't wearing his seat belt on that day. A front-seat passenger who was wearing a seat belt walked away with only minor cuts and bruises.

Carolyn joined with the local coalition supporting a primary enforcement bill that faced vocal opposition. She took her story to lawmakers and to Governor Frank Keating, who promised Carolyn she would make a difference. At the end of Oklahoma's 1997 legislative session, the legislature sent the Governor a primary enforcement bill. When he signed it, Oklahoma became the13th State (plus the District of Columbia) to have a primary enforcement seat belt use law.

The Highway Safety Problem

It's a fact: on average, someone is killed every 13 minutes and someone is injured every 10 seconds on America's roadways.[1]

It takes only a few seconds to fasten a seat belt. Yet this simple action, repeated every time you get into a motor vehicle, may be the most significant driving-related behavior change you can make to extend your life. The "buckle up" habit dramatically increases your chance of surviving a crash. It's your best weapon against a drunk, drowsy, or aggressive driver.

Despite recent advances—safer highway design, new auto safety devices, reductions in impaired driving, and improved seat belt use rates—traffic crashes are still the leading cause of unintentional death in the United States. In fact, motor vehicle crashes are the leading cause of death for persons of every age from 4 through 33 years old.[2] Each year, approximately 42,000 Americans die in traffic crashes and another three million are injured. Sadly, many of these deaths and injuries could have been prevented if the victims had been wearing seat belts or were properly restrained in child safety seats.

Over the past decade, highway fatalities and injuries have declined. One vital reason for this decline is that more motorists are wearing their seat belts. Research has found that lap/shoulder belts, when used properly, reduce the risk of fatal injury to front seat passenger car occupants by 45 percent and the risk of moderate-to-critical injury by 50 percent (for occupants of light trucks, 60 percent and 65 percent, respectively).[3] Despite the effectiveness of seat belts in saving lives and preventing injuries, however, the national seat belt use rate in June 2001 was only 73 percent.[4]

Trends in Seat Belt Use

Seat belt use was very low, only 10-15 percent nationwide, until the early 1980s. Due in part to the passage of seat belt use laws in 31 States, belt use increased from 14 percent to 42 percent from 1984 through 1987. From 1990 through 1992, belt use rose from 49 percent to 62 percent, attributable, in part, to a national effort of highly visible seat belt law enforcement and public education.

Since that time, belt use has risen only slowly, and some States still struggle to maintain seat belt use at current levels. One key factor in increasing seat belt use is the enactment of primary seat belt laws. Seventeen States, the District of Columbia, and Puerto Rico had primary seat belt laws as of December 31, 2001. The remaining States, except New Hampshire, had secondary laws. New Hampshire continues to have no adult seat belt law. A *primary* seat belt law is a law which allows a citation to be issued if a law enforcement officer simply observes an unbelted driver or passenger. A *secondary* seat belt law requires an officer to stop or cite a violator for another infraction before being able to issue a citation for not buckling up. Primary seat belt laws are extremely effective in increasing seat belt use because the general public is much more likely to buckle up and place their children in child restraint systems when there is the possibility of receiving a citation for not doing so.

The importance of primary laws in increasing seat belt use cannot be overemphasized. In June 2001, the seat belt use rate in States with

Seat belts and child safety seats help prevent injury five different ways:

1. Preventing ejection.
2. Shifting crash forces to the strongest parts of the body's structure.
3. Spreading forces over a wide area of the body.
4. Allowing the body to slow down gradually.
5. Protecting the head and spinal cord.

How Motor Vehicle Crash Figures Compare with Crime

CRIME

- One murder every 34 minutes
- One aggravated assault every 35 seconds
- One violent crime every 22 seconds
- One property crime every 3 seconds
- One crime every 3 seconds

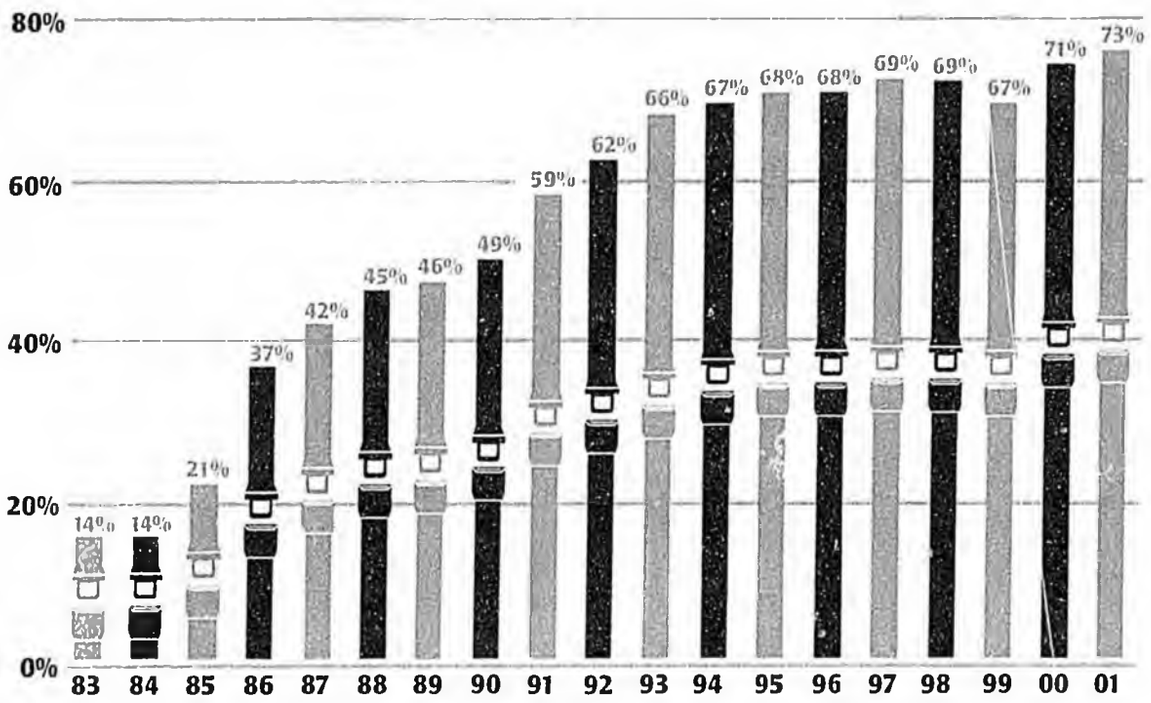
MOTOR VEHICLE CRASHES

- One fatality every 13 minutes
- One injury every 10 seconds
- One crash causing property damage every 7 seconds
- One crash every 5 seconds

Source: NHTSA Traffic Safety Facts, 2000, U.S. Department of Transportation and Uniform Crime Report, 2000, U.S. Department of Justice

The Transportation Equity Act for the 21st Century, passed by Congress in June 1998, authorized an incentive grant program to help States increase seat belt and child safety seat use. The program reinforces the *Buckle Up America* strategy and provides grants to States that adopt and strengthen seat belt and child safety seat use laws, conduct high visibility enforcement, and establish education programs.

U.S. Seat Belt Use Rates 1983-2001



1983-1990 from 19-city surveys
1991-1997 from State surveys
1998-2001 from NOPUS/initial NOPUS surveys

primary seat belt laws was 78 percent compared to 67 percent in States without primary enforcement laws.[5] NHTSA provides information and technical assistance to support the efforts of States and national organizations to strengthen State laws regarding seat belt and child restraint use. Two excellent publications on primary enforcement are listed on page 23 in this booklet.

Buckle Up America

In 1997, NHTSA developed the *Buckle Up America* Campaign, a massive public health and safety campaign designed to increase seat belt use nationwide. Increasing the national seat belt use rate has tremendous potential for saving lives, preventing injuries, and reducing the economic costs associated with crashes. For example, increasing the national seat belt use rate from 68 percent (the rate measured in 1996 before the *Buckle Up America* Campaign began) to 90 percent would:

- Prevent an estimated 5,536 fatalities annually
- Prevent an estimated 132,670 injuries annually
- Save approximately $8.8 billion annually

These economic cost savings result from reduced productivity losses, property damage, medical costs, rehabilitation costs, legal and court costs, emergency services costs, insurance administration costs, funeral costs, traffic delay, and costs to employers.

We Know What Works: The Four Strategies

The *Buckle Up America* Campaign consists of the following four-point strategy:

Point 1 - Enact strong legislation.

It is imperative to adopt primary enforcement seat belt use laws (also referred to as "standard" enforcement laws—see box on this page, "Terminology") and to close the gaps in child passenger safety laws in all States. Police officers should be able to write a citation whenever a seat belt violation is observed, whether or not the driver has committed any other traffic infraction. Child passenger safety laws should cover all children up to age 16 in every seating position.

Savings Resulting From 90% Seat Belt Use

Point 2 - Build public-private partnerships at the local, State and Federal level.

The goal of increasing safety belt use is too big for any one group or agency to accomplish alone. But, working together, the Nation can achieve higher use through stronger laws, visible enforcement and public education and information. Partnerships or coalitions can set the tone in a community, workplace or organization, and the media can help spread the message that healthy, safe families are properly buckled up. There are many successful coalitions and partnerships to use as role models; the agencies and organizations listed as resources in Appendix D can provide help.

Point 3 - Conduct active, high-visibility enforcement.

Experience has shown that, after seat belt use laws are passed, belt use increases quickly. But without active, high-visibility enforcement, it soon drops again. Belt laws must be visibly enforced the way other traffic laws are (red light running, speeding, etc.). In addition to increasing belt use and reducing crash injuries, high-visibility enforcement results in a measurable reduction in crime (one-third of criminal apprehensions occur as part of traffic stops).

Point 4 - Expand effective public education.

It is critical to educate the public about the benefits of seat belt and child safety seat use. Public education may include a broad range of activities such as enforcement campaigns, promotional events and community-based initiatives. These efforts are most effective when they are well planned and coordinated and use a simple message that is repeated many times in different ways.

Terminology

Different terms are often used to mean the same or similar things. Here are the definitions used by the National Highway Traffic Safety Administration:

Primary enforcement and **standard enforcement** both mean the same thing—that a seat belt or child passenger safety citation can be written whenever a law enforcement officer simply observes an unbelted driver or passenger.

Secondary enforcement means a citation can be written only after a law enforcement officer stops or cites an individual for another traffic violation.

Seat belts and **safety belts** both refer to the lap belt or lap-shoulder belt occupant restraint device.

SECTION II

Why Primary Enforcement?

What is Primary Enforcement?

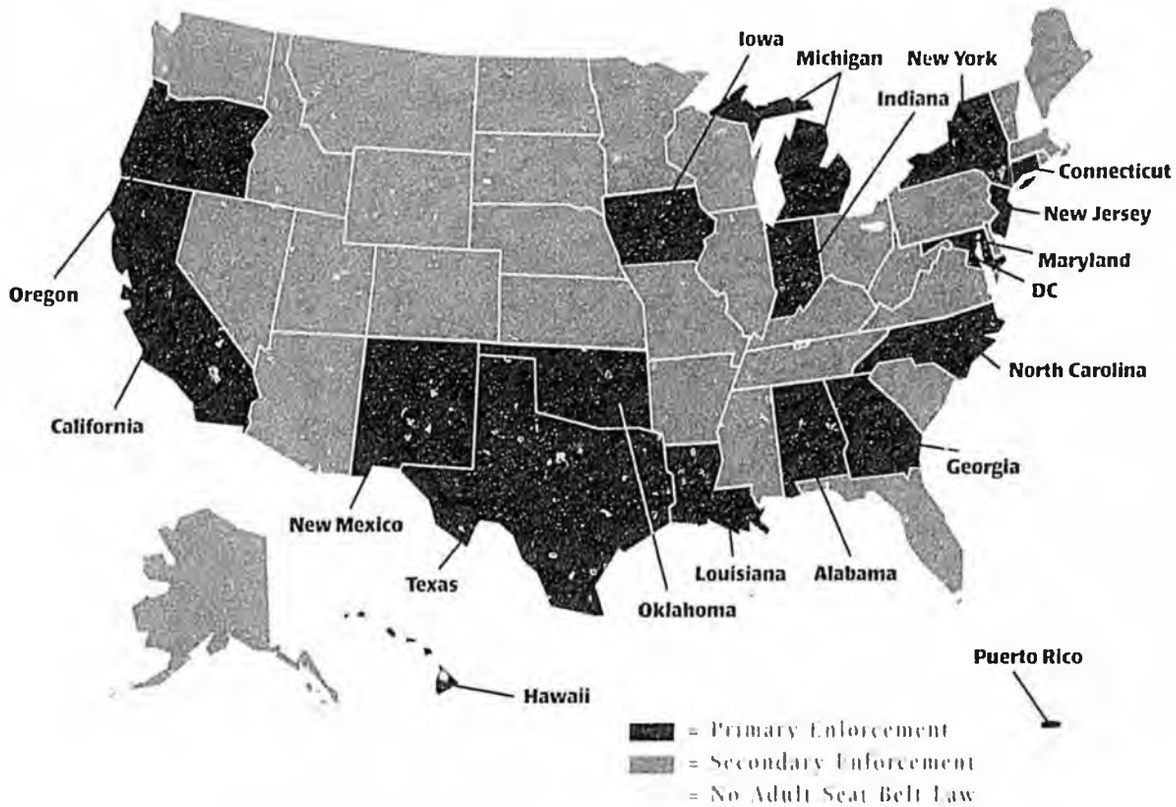
As previously noted, primary (standard) enforcement allows a law enforcement officer to stop or cite an individual when the officer observes an unbelted driver or passenger. Secondary enforcement means that a citation for not wearing a seat belt can be written only after the officer stops or cites an individual for another infraction.

Virtually all traffic safety laws—and other laws, for that matter—are primary, except secondary enforcement seat belt use laws. In States with secondary laws, a law enforcement officer can stop a motorist for a burnt out taillight or an expired license tag, but cannot stop a motorist for violating the State's seat belt law.

Forty-nine States and the District of Columbia now have seat belt use laws, but only one third provide for primary enforcement procedures as reflected in the map below.

Increases in belt use have been made without a primary safety belt use law, but the greatest

States with Primary Enforcement Seat Belt Use Laws (as of December 31, 2001)



gains are possible when a primary law works in conjunction with enforcement, education, and partnership efforts. Passing primary seat belt use laws in every State is absolutely essential to saving thousands of lives and preventing tens of thousands of injuries each year.

Increasing adult belt use also has a significant impact on child safety. Research shows that when drivers wear seat belts, children are restrained significantly more often than when the drivers are unbuckled.

How Can a Primary Seat Belt Use Law Increase Use Rates?

A primary seat belt use law is much more enforceable than a secondary law. When combined with education and adjudication, an upgrade to primary enforcement will significantly raise belt use rates.

Enforcement

Allowing for primary enforcement procedures enhances the perceived importance of the seat belt law with both the public and the police. Ultimately, this leads to greater compliance. Primary enforcement sends a clear message that the State views seat belt use (and the seat belt law) as essential for the safe operation of a motor vehicle. Primary seat belt use laws enhance law enforcement in other ways. When police officers stop vehicles for traffic law violations, such as failure to use a seat belt, they often discover additional traffic or criminal violations that otherwise would have gone undetected. A minor traffic violation was the reason Timothy McVeigh, later convicted of the Oklahoma City bombing, was initially stopped by police.

Education

In order for primary seat belt use laws to bring compliance up significantly, enforcement must be highly visible and combined with extensive public education efforts. Those not in the buckle-up habit must be informed of the law and its consequences, persuaded of the value of seat belt use, and convinced that authorities are serious about enforcement.

Whenever possible, public education messages should support and call attention to the law and ongoing enforcement efforts. However, other messages can also be used to complement the program. For example, some messages may focus on costs:

Our children and young people are paying the price. Traffic-related injuries are the leading cause of death for children and young adults of every age from 4 through 33 years old. Research also shows that minority youth are at even greater risk because they are less likely to be buckled up.[6] And adult behavior affects children; properly belted adults are positive role models for children who will soon be making buckle-up decisions themselves.

Society is paying the price. Traffic crashes result in $150 billion in economic costs, including $17 billion in medical care and emergency services expenses, and $107 billion in lost productivity and property loss. Such costs are passed on to consumers so that every person in America shares the economic costs of motor vehicle crashes, on average $580 per person per year. Eighty-five percent of all medical costs of crash victims fall on society, not the individuals involved. Medicare, Medicaid and other taxpayer-funded sources pay 24 percent of those costs. When crash victims are unbuckled, their medical treatment costs are 50 percent higher.

Families are paying the price. Every 10 seconds someone is injured in a traffic crash. Every 13 minutes someone is killed.

Businesses are paying the price. Employers are hit especially hard. The Bureau of Labor Statistics reported that highway crashes continued as the leading cause of on-the-job fatalities in 1999, accounting for 22 percent of the total occupational fatalities that year.[7] NHTSA estimates that crashes on and off the job cost American businesses an estimated $55 billion through lost productivity and other costs; NHTSA further estimated that work-related crashes cost employers $22,000 per crash and $110,000 per injury.

Experience has demonstrated that there simply is no way to achieve high (above 85 percent) seat belt use rates without strongly enforced laws that are widely publicized. Some States across the country have demonstrated use rate gains of 10-20 percentage points following highly visible enforcement and publicity campaigns. Such campaigns, called special Traffic Enforcement Programs (sTEPs), have been implemented across the country with impressive results. For example, in Michigan, an increase in seat belt use resulted from a combination of enacting a new primary seat belt law and implementing a "Click It or Ticket" media and enforcement campaign, which raised Michigan's seat belt use from 70 percent in September 1999 to 84 percent in March 2000.

Adjudication

The third critical element of a primary seat belt use law is adjudication; a seat belt law must have "teeth" to be effective. The language of the law must be clear, and penalties must be strong enough to have a deterrent effect (see box on page 11 for "Other Key Provisions Every State Seat Belt Law Needs").

Support for Primary Seat Belt Use Laws

Support for upgrading to primary enforcement can be found throughout the community, both from traditional safety, law enforcement, and health organizations and from nontraditional groups in such fields as education and business (see box on page 11). This support will increase as Statewide usage increases, particularly after primary enforcement legislation has been enacted.

Other Key Provisions Every State Seat Belt Law Needs

In addition to being enforced on a primary basis, a strong seat belt use law should include the following:

Coverage of All Occupants in All Seating Positions—The driver should be responsible for seeing that everyone in the vehicle is properly buckled. Currently, some child passenger safety laws only cover children through age three. Most seat belt use laws only cover front seat occupants. Therefore, in these States, a child over three legally can ride in the back seat without being secured because the child is not covered by either the child passenger safety law or the (front seat-only) seat belt use law.

Coverage of All Vehicles—Seat belt use laws should apply to all passenger vehicle types–vans, light trucks, sport utility vehicles, and cars–in the State in which they are traveling.

Penalties—Fines for seat belt use law violations should be significant enough to deter noncompliance. Evidence suggests that fines greater than $25 lead to higher seat belt use rates. Penalty points on the driver's license are another way to deter noncompliance. In general, as the severity of the penalty increases, so will compliance.

Potential Supporters of Primary Enforcement

STATE GOVERNMENT OFFICIALS
- Highway safety office/Governor's Representative
- Insurance commissioner's office
- State police or highway patrol

LOCAL GOVERNMENT OFFICIALS
- Municipal police chiefs and police departments
- County sheriffs and sheriffs' offices
- City and county health agencies
- Childcare agencies

EDUCATION OFFICIALS, INCLUDING:
- Administrators and other school officials
- School boards
- Principals
- PTAs

BUSINESS LEADERS
- Chambers of commerce
- Leading local companies/major employers
- Insurance companies
- Sports teams
- Civic groups

MEDICAL AND SAFETY COMMUNITY
- Doctors, nurses and other health care professionals
- State associations representing health care professionals
- Emergency medical squads/fire and rescue departments
- State and local highway safety groups

Local Ordinances

If passing a Statewide primary enforcement seat belt use law is not possible, do not overlook the opportunity to enact a local ordinance. In several communities across the country, local primary seat belt use ordinances already have been adopted, and many other communities actively are pursuing them.

State Highway Safety Laws–Key Provisions of Seat Belt Use (as of December 31, 2001)

STATE	LAW	PENALTY		COVERAGE		VEHICLES EXEMPTED
		FINE	PTS	SEAT	AGE	
AL	Primary	$25		Front	6+	Designed for > 10 passengers, manufactured before 1965. Exemptions for medical reasons, rural mail carriers, and paper delivery
AK	Secondary	$15		All	16+	School bus
AZ	Secondary	$10		Front	5+	Designed for > 10 passengers, manufactured before 1972
AR	Secondary	$25		Front	15+	School, church, or public bus, manufactured before 1968
CA	Primary	$20		All	16+	None
CO	Secondary*	$15		Front*	16+	Passenger bus, school bus
CT	Primary	$37		Front	4+ (<16 all)	Truck or bus >15,000 lbs.
DE	Secondary	$20		Front	All	Postal Service Vehicles
DC	Primary	$50	2	All	16+	Seating > 8 people
FL	Secondary	$30		Front	6+; 6-17 in rear	School bus, public bus, truck > 5,000 lbs.
GA	Primary	$15		Front	4+; 4-17 in rear	Designed for > 10 passengers, pickup
HI	Primary	$20		Front	rear; under 18	Bus or school bus > 10,000 lbs.
ID	Secondary	$5		Front	4+	Weighing > 8,000 lbs.
IL	Secondary	$25		Front	6+	None
IN	Primary	$25		Front	4+; 4-11 in rear	Truck, tractor, RV
IA	Primary	$25		Front	6+	None
KS	Secondary	$10		Front	14+	Designed for >10 people, truck >12,000 lbs
KY	Secondary	$25		All	Over 40 in. tall	Designed for > 10 people
LA	Primary	$25		Front	13+	Manufactured before 1981; vehicles designed for > 10 people
ME	Secondary	$60		All	4+	Manufactured without seat belts
MD	Primary	$25		Front	16+	Historic Vehicle
MA	Secondary	$25		All	16+	Truck > 18,000 lbs., bus and taxi operators
MI	Primary	$25		Front	4+; 4-15 in rear	Taxi, bus, school bus
MN	Secondary	$25		Front	All; 3-10 in rear	Farm pickup truck
MS	Secondary	$25		Front	4+; 4-7 in rear	Farm vehicle, bus; exemptions for medical reasons and letter carriers
MO	Secondary	$10		Front	4+; 4-15 in rear	Designed for >10 people, truck >12,000 lbs
MT	Secondary	$20		All	4+	None
NE	Secondary	$25		Front	5+	Manufactured before 1973
NV	Secondary	$25		All	6+	Taxi, bus, school bus
NH	No adult law	$25		All	Under 18 only–Primary Law	School bus, vehicles for hire, manufactured before 1968
NJ	Primary	$42		Front	8+; <18 in rear seat	None
NM	Primary	$25	2	All	11+	Vehicle > 10,000 lbs.
NY	Primary	$50		Front	4+; <16 in rear seat	Bus, school bus, taxi, emergency vehicles
NC	Primary	$25		Front	16+	Designed for > 10 people
ND	Secondary+	$20		Front	18+	Designed for > 10 people
OH	Secondary	$25		Front	4+	None
OK	Primary	$20		Front	All	Farm vehicle, truck, truck-tractor, RV
OR	Primary	$75		All	16+	Newspaper/mail/meter/transit vehicles**
PA	Secondary	$10		Front	4+	Truck > 7,000 lbs.
RI	Secondary	$50		All	>12;<6 must ride in rear	None
SC	Secondary	$10		All	6+	School bus, public bus, vehicles with no belts in rear seating areas
SD	Secondary+	$20		Front	5+	Passenger bus, school bus
TN	Secondary	$10		Front	13+	Vehicle > 8,500 lbs.
TX	Primary	$50		Front	4+; 4-14 in rear	Designed for >10 people, truck >15,000 lbs
UT	Secondary#	$45		All	19+	None
VT	Secondary	$10		All	13+	Bus, taxi
VA	Secondary	$25		Front	16+	Designed for > 10 people, taxi
WA	Secondary	$71		All	All	Designed for > 10 people
WV	Secondary	$25		Front	9+; 9-17 in rear	Designed for > 10 people
WI	Secondary	$10		All	4+; 4-15 in rear	Taxi, farm truck
WY	Secondary	$25^		All	5+	Designed for > 11 people, bus
PR	Primary	$50		All	All passengers	None

*Primary enforcement for all seating positions if driver is under 17 years
+Primary enforcement for all seating positions if occupant is under 18 years (SD law effective 7/1/01; currently SB use required for >5yrs)
#Primary enforcement for all seating positions if occupant is under 19 years
^Driver fine is $25; passenger fine >12 yrs is $10
**Police/emergency vehicles exempted in some situations

SECTION III

The Effect of a Primary Seat Belt Use Law

Primary seat belt use laws, coupled with highly visible enforcement and public education, result in:

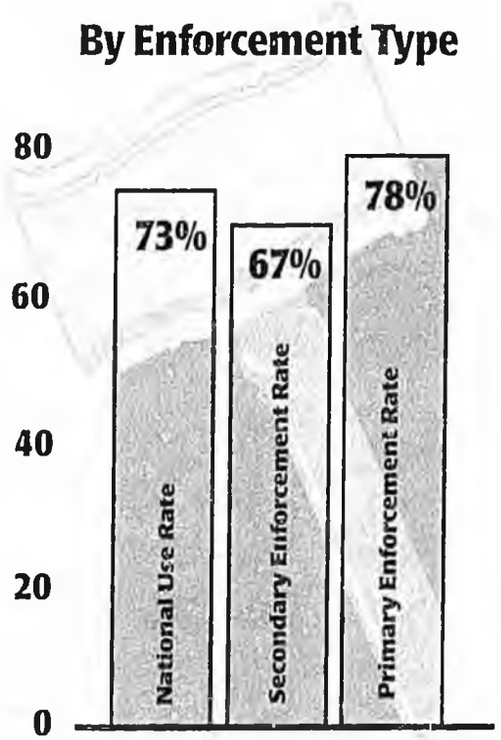
- *Higher use rates*
- *Economic savings*

Higher Use Rates

Seat belt use rates are higher in States with primary seat belt use laws. The average seat belt use rate in States with primary enforcement laws is 11 percentage points higher than in States without primary enforcement laws. With only a few exceptions, the States with primary seat belt use laws have the highest seat belt use rates.

Higher seat belt use rates also help reduce the risk of air bag-related injury. Seat belts and air bags together are very effective at reducing injury in moderate to severe crashes. However, riding unrestrained and coming into close proximity of the air bag just prior to a crash can be dangerous, especially for children. Well enforced, primary seat belt use laws will mean that more people will be buckled up and in position to receive the full safety benefit of both the seat belt and the air bag.

Seat Belt Use Rates in Primary and Secondary Enforcement States in 2001



Economic Savings

The chart on the following page illustrates the potential for lives saved, injuries prevented and dollars saved by upgrading the current secondary enforcement laws to primary enforcement. These are annual estimates in 1998 dollars and are based on an estimated 14 percentage point increase in seat belt use, a realistic expected increase based upon observational surveys after States have upgraded their secondary laws to primary laws.

Estimated Cost Savings Among Secondary Law States if Their Laws Were Upgraded to Primary Laws (as of 2/21/01)

Assuming a 14 Percentage Point Increase in Current Belt Use Rates

State	Increased Usage Rate	Fatalities Prevented	Injuries Prevented	Total Savings	Estimated Federal Budget Savings (Rounded)	Estimated State Budget Savings (Rounded)
Alaska	75%	5	73	$8,336,426	$843,600	$385,100
Arizona	85%	78	1,470	$113,263,426	$11,462,300	$5,232,800
Arkansas	71%	50	937	$63,264,383	$6,402,400	$2,922,800
Colorado	79%	52	1,061	$91,186,931	$9,228,100	$4,212,800
Delaware	78%	8	143	$12,983,123	$1,313,900	$599,800
Florida	73%	191	4,652	$344,485,541	$34,861,900	$15,915,200
Idaho	72%	22	305	$26,511,464	$2,683,000	$1,224,800
Illinois	80%	115	3,517	$256,644,253	$25,972,400	$11,857,000
Kansas	77%	49	993	$79,720,935	$8,067,800	$3,683,100
Kentucky	73%	66	1,241	$87,707,887	$8,876,000	$4,052,100
Maine	78%	15	355	$24,340,500	$2,463,300	$1,124,500
Massachusetts	66%	24	1,444	$84,937,455	$8,595,700	$3,924,100
Minnesota	86%	61	1,206	$104,362,796	$10,561,590	$4,821,600
Mississippi	68%	72	930	$72,936,155	$7,381,100	$3,369,700
Missouri	75%	95	2,064	$154,545,103	$15,640,000	$7,140,000
Montana	88%	26	282	$29,305,059	$2,965,700	$1,353,900
Nebraska	82%	27	652	$47,093,761	$4,765,900	$2,175,700
Nevada	94%	32	584	$58,260,928	$5,896,000	$2,691,700
New Hampshire	72%	9	227	$18,014,590	$1,823,100	$832,300
North Dakota	61%	9	173	$12,166,611	$1,231,300	$562,100
Ohio	79%	116	4,486	$257,256,783	$26,034,400	$11,885,300
Pennsylvania	84%	130	2,933	$235,275,519	$23,809,900	$10,869,700
Rhode Island	81%	6	225	$14,016,893	$1,418,500	$647,600
South Carolina	79%	85	1,385	$106,435,471	$10,771,300	$4,917,300
South Dakota	53%	8	165	$11,721,156	$1,186,200	$541,500
Tennessee	75%	109	2,004	$155,555,005	$15,742,200	$7,186,600
Utah	81%	31	672	$42,981,736	$4,349,800	$1,985,800
Vermont	84%	9	101	$11,086,941	$1,122,000	$512,200
Virginia	84%	80	1,848	$149,173,391	$15,096,300	$6,891,800
Washington	95%	72	1,856	$146,342,896	$14,309,900	$6,761,000
West Virginia	66%	27	576	$35,821,309	$3,625,100	$1,654,900
Wisconsin	79%	62	1,505	$108,925,823	$11,023,300	$5,032,400
Wyoming*	60%	13	196	$18,189,145	$1,840,700	$840,300
Total		**1,754**	**40,261**	**$2,982,849,395**	**$301,864,600**	**$137,807,500**

*Wyoming estimate is based on use by injured occupants, not a survey.

Source: NHTSA calculations based on Crash Cost software program, version 1, June 1994, modified for more recent data

SECTION IV

Successful Examples

Primary seat belt laws have a proven track record of dramatically increasing seat belt use in States, resulting in hundreds of lives saved, thousands of injuries prevented, and millions of dollars saved within these States. The following are some impressive examples of the effectiveness of primary enforcement laws in raising seat belt use:

California: On January 1, 1993, California upgraded its seat belt use law from secondary to primary enforcement. After adoption of the law, Statewide belt use went up 11 percentage points, from 71 percent in 1992 to 82 percent in 1993. For the past five years, California's seat belt use rate has been above 85 percent, and in 2001, the seat belt use rate was 91 percent.

Louisiana. In 1995, Louisiana upgraded its secondary belt law to a primary law. Since then, Louisiana has experienced significant increases in seat belt use; in 2001, the belt use rate was 68 percent.

Georgia: When Georgia upgraded its belt law in 1996, belt use rates climbed from 51 percent just prior to the upgrade to 68 percent the following year—a Statewide increase of 17 percentage points. Seat belt use has continued to climb in Georgia with a 79 percent use rate in 2001.

Maryland: On October 1, 1997, Maryland upgraded from secondary to primary enforcement. Maryland's seat belt use rate has increased 13 percentage points, from 70 percent (1996) to 83 percent (2001).

District of Columbia: On October 1, 1997, the District of Columbia, in addition to upgrading from secondary to primary enforcement, became the first jurisdiction to assess penalty points for seat belt violations. This combination proved to be very successful in increasing belt use: in 1996, the seat belt use rate was only 55 percent; just one year after the law was enacted, belt use skyrocketed to 78 percent—a 23 percentage point increase. In 2001, the belt use rate was 84 percent.

Oklahoma: When Oklahoma upgraded its belt law to primary enforcement in 1997, the usage rate increased from 48 percent (1996) to 68 percent in 2001, an increase of 20 percentage points.

Alabama: After the introduction of its primary enforcement seat belt use law, Alabama's seat belt usage rate rose dramatically from 58 percent in 1999 to 79 percent in 2001.

Michigan: In 1999, the seat belt use rate in Michigan was 70 percent. After Michigan upgraded its belt law to primary enforcement, the seat belt use rate in 2000 climbed to 84 percent—a 14 percentage point increase. Belt use was still high at 82 percent in 2001.

New Jersey: When New Jersey introduced its primary enforcement seat belt use law in 2000, its usage rate climbed from 63 percent in 1999 to 74 percent in 2000. In 2001, New Jersey's seat belt use rate rose to 79 percent.

Successes in Other Countries

Many other countries have seat belt use rates significantly higher than the United States. For example, use rates in Canada, Australia, New Zealand and many Western European countries exceed 90 percent. Seat belt use laws in these countries typically allow primary enforcement and cover occupants of light trucks and vans, in addition to automobiles. Fines for noncompliance are generally higher than in the United States, and some jurisdictions assess demerit points against driver licenses for seat belt violations.

SECTION V

Support for Seat Belt Use Laws

Public Opinion

In 2000, NHTSA conducted a survey[8] among a national sample of approximately 6,000 people age 16 and older to determine attitudes, knowledge, and experience with seat belt laws and their enforcement. The results were enormously positive:

- The vast majority of the public (87 percent) favored laws that require drivers and front-seat passengers to wear seat belts.
- Among persons who supported front seat belt laws, 78 percent also supported applying seat belt laws to back seat adult passengers, as well.
- About three-fifths (62 percent) supported fines for drivers who did not wear seat belts. Support for fines was greater among Hispanics (68 percent) compared to African Americans (62 percent) and whites (62 percent). Among those who supported fines, 45 percent favored fines of $100 or more for a repeat seat belt law violation.
- Respondents were asked how they would likely react to getting a ticket for a seat belt violation. The interviewers gave respondents two choices and asked which was more likely: that they would believe they deserved the ticket because they broke the law, or they would believe the ticket was undeserved because wearing a seat belt should be a personal choice. According to the data, 70 percent would be more likely to believe that they deserved the ticket. Hispanics (76 percent) and African Americans (73 percent) were more likely than whites (69 percent) to answer that they likely would feel that they deserved the ticket.
- Overall, 61 percent of the population believed that law enforcement officers should be allowed to stop a vehicle if they observe only a seat belt use violation (primary enforcement).
- Perhaps not surprisingly, support for primary enforcement was higher in primary enforcement States (70 percent). However, even in States with secondary enforcement, the majority (53 percent) favored primary enforcement.
- Overall support for primary enforcement was greatest among Hispanics (72 percent support), followed by African Americans (68 percent support) and whites (59 percent support).

These positive attitudes toward seat belt use suggest a strong receptivity to primary seat belt use laws.

Law Enforcement

In surveys of attitudes toward seat belt law enforcement methods, law enforcement officers consistently point out that secondary enforcement laws are difficult to enforce and that this difficulty deters them from issuing citations.

In a 1993 NHTSA survey of traffic and patrol officers in six California cities, officers favored California's change to primary enforcement. Most officers felt that it communicated to motorists both the need to use belts and the increased likelihood that an enforcement action would be taken.

In Louisiana, focus groups of five communities were conducted in October 1995, one month after Louisiana upgraded its law from secondary

to primary enforcement. The upgrade to primary enforcement was well received by local law enforcement officers. The large majority of officers indicated upgrading the seat belt use law to primary enforcement was a good change and sent the message that belt use was required. Follow-up focus groups (June 1996) indicated that law enforcement support for the primary belt law remained strong and that primary enforcement elevated the importance of the belt law violation in the eyes of the officer.

In focus groups (November 1996) conducted by NHTSA, law enforcement officers in five Georgia communities indicated that the primary belt law was well received by local police officers. The consensus among officers was that the change to primary enforcement had increased the importance of the law for both the motoring public and law enforcement.

SECTION VI

Responding to Objections to a Primary Seat Belt Use Law

Although primary enforcement has been shown to save lives, prevent injuries and save money, some still oppose it. If people do not know the facts, politically sensitive issues such as harassment and infringement of individual rights may become obstacles to primary enforcement in your State.

According to a 1999 study conducted by the National Black Caucus of State Legislators and the Air Bag & Seat Belt Safety Campaign, African Americans who live in States with a primary seat belt law overwhelmingly favor the law by more than a 3-to-1 margin. However, objections to primary seat belt use laws tend to focus on the impact these laws may have on differential enforcement (described below) and individual rights. If people do not know the facts, these politically sensitive issues may become obstacles to enacting—and retaining—primary enforcement laws.

Differential Enforcement of Traffic Laws

In 1970, Richard Austin made history by being the first African American to be elected to Statewide office in Michigan, despite his radical notion (at that time) that Michigan should require seat belt use. When Michigan finally enacted a seat belt use law in 1985, Austin was serving as Michigan's Secretary of State.[9] In 1999, Meharry Medical College, a historically black medical institution, also made history when it published a report stating that the relative lack of seat belt use among African Americans is a public health issue. Meharry's report further stated that 100 percent seat belt use among African Americans could save 1,300 lives and prevent 26,000 injuries each year, resulting in a cost savings of $2.6 billion.[10]

Within segments of the African American community, however, there is a perception that traffic law enforcement is used, sometimes in conjunction with criminal interdiction, in a manner which unfairly singles out vehicles driven or occupied by African Americans. Prominent civil rights organizations have also complained that traffic stops involve strategies which unfairly single out vehicles driven by African Americans. "Differential enforcement" is the term used when such unfair practices are used by law enforcement, though the terms "Driving While Black (or Brown)" and "racial profiling" have sometimes been used in the news media to bring attention to this issue.

This issue of differential enforcement is a serious matter and needs to be addressed. Whether targeting is real or perceived, it can undermine respect for traffic laws, leading to contempt for the legal process and for enforcement personnel themselves. This is unfortunate since the majority of law enforcement officers risk their lives every day to protect and defend the public. These claims, fears, and perceptions of harassment cause much concern among law enforcement organizations and executives because they too feel that differential enforcement of traffic laws based on race is unacceptable and must be eliminated.

The National Organization of Black Law Enforcement Executives (NOBLE), the Nation's leading organization of minority law enforcement executives, has focused attention on this issue. Yet NOBLE also recognizes the senseless tragedy of African Americans dying in crashes due to the lack of seat belt and child safety seat use. As a result, NOBLE has voiced support for law enforcement training, as well as educational outreach to the African American

community and passage of primary seat belt laws to increase seat belt and child safety seat use among African Americans.[11,12] ASPIRA, a national organization dedicated to the education and leadership development of Hispanic youth, passed a resolution supporting primary enforcement of State seat belt and child safety seat use laws and efforts to promote compliance with such laws.[13] The U.S. Department of Justice has also been actively involved with minority and civil rights groups on this issue.

Concern About Harassment in States with Primary Seat Belt Laws: What Does the Research Show?

Occupant protection laws and their enforcement constitute a very important component of traffic safety efforts. Forty-nine States (plus the District of Columbia and Puerto Rico) have seat belt use laws and all 50 States (plus the District of Columbia and Puerto Rico) have child passenger safety laws. These laws are responsible for most of the increase that has occurred in seat belt and child safety seat use.

Dramatic increases in seat belt usage, often following years of little or no increase, have resulted in major public health and safety benefits among all racial and ethnic groups. However, those individuals and organizations that oppose upgrades to primary seat belt laws often claim that such upgrades will lead to an increase in the harassment of minority groups. They cite personal experiences, court cases, and incidents that have been reported in the news media as evidence of such potential for harassment. But, these opponents of primary enforcement for seat belt use seldom provide any evidence that primary laws have resulted in any systematic changes in enforcement activity that could be interpreted as harassment of minority groups.

Clearly, the fear of primary laws is very real in minority communities and has been well documented. There is evidence from at least three States (California, Louisiana, and Georgia) that, when these States upgraded to primary laws, fear of harassment among minority groups increased—as did their seat belt use rate. In fact, seat belt use generally increased to a greater extent among minorities than it did among whites after such upgrades. The disproportionate increases in seat belt use appear to result from the minority communities' greater sensitivity to primary laws and their enforcement. However, in-depth studies conducted in various communities found no evidence to show any shift in enforcement patterns which could be interpreted as harassment. In fact, increases in citations issued for seat belt violations were usually proportionately greater among whites than among minorities.

Specifically, studies in Louisiana and Georgia found that, while minority groups thought their chances of getting a seat belt ticket were higher than whites, analysis of citation data in test locations revealed no differences in ticketing by race that would suggest disproportionate increases in enforcement activity among minority groups. Younger drivers, males, and those who drove more than 15,000 miles a year did receive proportionately more citations, as would be expected based on usage rates and exposure.[14,15,16]

Results of an evaluation of Maryland, Oklahoma, and the District of Columbia's change to primary enforcement published in January 2001 also support these findings.[17] As stated in the results section of the report: "Non whites more than whites reported feeling the threat of receiving a ticket for not wearing a seat belt, even though there was no significant relationship between race and those who actually received a seat belt ticket." The research also found that "...citation data that identified race confirmed there was either no difference in non-white versus white ticketing, comparing secondary to primary enforcement, or a greater increase in ticketing went to whites following the change to a primary enforcement law." And according to the previously cited study conduct-

ed by the National Black Caucus of State Legislators and the Air Bag & Seat Belt Safety Campaign, African Americans who live in States with a primary seat belt law overwhelmingly favor the law by more than a 3-to-1 margin. (74 percent favor/22 percent oppose).[18]

Support from Minority Leaders for Primary Enforcement

The Congressional Black Caucus has stated that increasing seat belt use among African Americans is an "urgent national health priority."[19] The National Black Caucus of State Legislators, the National Conference of Black Mayors, and the Congress of National Black Churches support strong laws that increase seat belt use and include safeguards for uniform enforcement. Many minority group legislators have supported primary law upgrades in various States because of the enormous public health and safety gains that can be made. Some of these legislators have publicly testified that, following their upgrades to primary seat belt laws, they have seen neither any backlash in their communities nor any evidence of differential enforcement of the new laws.

In Louisiana, for example, where seat belt use rose from 50 percent to 86 percent in the two years following a primary law upgrade, legislator Danny R. Mitchell described his State's experience in a letter to the Michigan Legislature (which was considering similar legislation) as follows: "As an African-American legislator from Louisiana, I participated . . . in the debate over passage of a primary seat belt law for our State. In fact, I was one of the ten sponsors of this bill . . . We have surveyed the offices of several of my colleagues in the Louisiana Legislature in addition to the major police departments in the State to determine if there have been any complaints of harassment associated with enforcement of this law. I am pleased to relate to you that the record is clear on this question, there have been no reports or complaints of harassment."

In Maryland, Delegate Joanne Benson, an African American, stated that: "This is a serious public health issue. We know that three out of four kids killed in crashes are riding unrestrained. That is why I led the effort in Maryland's Assembly to upgrade our State's safety belt law from secondary to primary enforcement. There were concerns that primary enforcement—which really amounts to standard enforcement like every other law—could lead to police harassment. But since the law has passed, we've found no evidence of harassment. Safety belts save children, no matter what color they are." As a result of the efforts of Delegate Benson and others who helped enact Maryland's primary law, seat belt use increased from 70 percent to 83 percent within the first year after enactment.

Motor Vehicle Deaths and Injuries Affect Minorities

Low seat belt use presents a major public health threat to minority communities. Motor vehicle crashes are the leading cause of death for African Americans from birth through 14 years of age. Crashes are the second leading cause of death for African Americans between 15 and 24 years of age.[20] Thousands of African Americans and Hispanics, particularly young males, are being killed and seriously injured because they do not wear seat belts. Stronger belt laws can make a major difference. In States that have upgraded to primary laws, seat belt use among minority groups has not only risen to a greater extent than among whites, it has risen almost immediately after the law was upgraded.

Observational seat belt surveys from 1994 through 2000 show that the seat belt use rate among African Americans has been 5 to 12 percentage points lower than that for whites.[21] In 2000, the national seat belt use rate among African Americans was only 69 percent. A study conducted by Johns Hopkins University and the Insurance Institute for Highway Safety found that African American male teenagers are nearly twice as likely to die in a motor vehicle crash as male teens who are white. The risk to black children

ages five to 12 dying in a crash is almost three times as great as that of white children.[22] As previously noted, Meharry Medical College reported that 100 percent seat belt use among African Americans could save 1,300 lives and prevent 26,000 injuries each *year*.

Because so many African Americans are dying in crashes from the lack of seat belt use, a Blue Ribbon Panel to Increase Seat Belt Use Among African Americans was formed in June 2000 to address this issue. This panel was formed as a direct result of Meharry's groundbreaking medical study and consisted of distinguished members from the medical, academic, legal, business, athletic, law enforcement, and civil rights communities. The panel's goal was to identify strategies to increase belt use among minorities; recommendations from the panel were released in December 2000. Among the recommendations were stronger seat belt laws to encourage more African Americans to buckle up.[23]

Lack of seat belt use also affects Hispanics. Motor vehicle crashes are the leading cause of death for Hispanics from 1-44 years of age, and are the third leading cause of death for Hispanics of all ages surpassed only by heart disease and cancer.[24] A medical study in 2000 showed that Hispanic drivers have lower seat belt use rates than non-Hispanic whites, with correspondingly higher fatality rates in traffic crashes.[25] Another recent medical study examined motor vehicle fatality exposure rates and found that, although black and Hispanic male teenagers travel fewer vehicle miles than their white counterparts, they are nearly twice as likely to die in a motor vehicle crash.[26] Youth of any racial or ethnic group have a much higher risk of being involved in a crash than do adult members of that group. Unfortunately, they also have much lower seat belt use rates.

Encourage Law Enforcement to Speak Out

In order to address differential enforcement, State and local law enforcement officials are encouraged to review and reaffirm their departmental policies and training programs to ensure that this practice does not occur. They should also take special steps to let the public know that the harassment issue is one that they take very seriously and that they have policies and procedures in place to address it. The potential for harassment is an ongoing concern. It is not limited to, or created by, primary seat belt laws. Assurances from State and local law enforcement leaders across the nation that seat belt use laws will be enforced uniformly in all segments of the population can help alleviate concerns.

South Carolina's "Click It or Ticket" Campaign in November 2000 is an example of how effective seat belt enforcement strategies can address concerns of differential enforcement. Before this campaign was implemented, a minority spokesperson was selected to contact key groups and leaders in South Carolina to introduce the campaign. Colonel Anna Amos of the State Transport Police solicited support from the Coalition of Black Church Leaders, the Legislative Black Caucus, and the South Carolina Chapter of the National Association for the Advancement of Colored People (NAACP). When Colonel Amos addressed the South Carolina NAACP at their State Board Meeting, all Chapter Presidents from around the State were in attendance. Colonel Amos gave an overview of the campaign, entertained questions and concerns, and solicited membership support for "Click It or Ticket". At the end of the session, President Gallman's motion that the NAACP endorse and support the campaign was moved and seconded. The motion was unanimously passed.

To address concerns at the community level, regional law enforcement pre-meetings were held with key leaders in the African American and Hispanic communities to discuss the campaign and to assess community reaction to the "Click It or Ticket" strategy. Also, officers visited more than 20 predominately black schools to present the seat belt safety message during school assemblies and classroom presentations. During these visits,

officers also distributed literature about the "Click It or Ticket" Campaign and answered questions.

For the enforcement phase of the campaign, checkpoint sites were selected in high crash locations. These sites were reviewed by a minority panel to ensure fair, unbiased selection, thereby preventing any allegations of differential enforcement. Members of the Legislative Black Caucus and the Coalition of Black Church Leaders were invited to monitor checkpoint activity. A special mandatory four-hour training video on differential enforcement and conducting professional stops was presented to all members of the Highway Patrol. A hotline was established for motorists to report any harassment or suspected racial profiling. It was encouraging to find that the hotline did not receive a single complaint during this very intensive enforcement effort.

These efforts in South Carolina paid off—overall seat belt use rates increased from 66 to 74 percent and non-white use rates increased from 56 percent to 70 percent, an astounding 14 percentage point increase. A sampling of seat belt use in three rural counties (during the enforcement phase) noted usage rates as high as 83 percent. Most importantly, there was a 30 percent decrease in fatalities (31 deaths in 2000 compared to 44 fatalities during the same period in 1999).

Individual Rights

The argument of individual rights is used in opposition to many traffic safety laws, but particularly in opposition to seat belt laws. There is little question that all traffic laws impose some degree of control on individuals because they require actions that some people do not take voluntarily. But driving is an important privilege; it is not a right.

The legitimacy of most traffic laws (for example, driving on the right side of the highway, driving with lights on, signaling prior to turns) is often accepted because it is quite apparent that failure to obey such laws could result in serious harm to oneself and to others. Opponents of seat belt use laws frequently claim that a person has the "right" not to use a seat belt because the only one who is likely to be injured as a result is oneself. In fact, this is not true. Unbelted occupants frequently injure other occupants in a crash; unbelted drivers have much less opportunity to control their vehicle in a crash; children riding with unbelted adults are much less likely to be buckled up as compared to children riding with belted adults; and the cost of increased deaths and injuries associated with failure to use a seat belt is borne by all of us.

Who Pays the Cost?

When a person is injured in a traffic crash, society often absorbs the costs. In a Massachusetts case (Simon V. Sargent) that was affirmed by the United States Supreme Court in November 1972, the high court wrote, " . . . From the moment of injury, society picks the person up off the highway; delivers him to a municipal hospital and municipal doctors; provides him with unemployment compensation if, after recovery, he cannot replace his lost job; and, if the injury causes disability, may assume the responsibility for his and his family's continued subsistence. We do not understand a state of mind that permits a plaintiff to think that only he himself is concerned."

In fact, eighty-five percent of all medical costs for crash victims fall on society, not on the individuals involved. When crash victims are not buckled, their costs for medical treatment are on average 55 percent higher than for those who wear seat belts. Tax dollars pay for an estimated 24 percent of the medical cost of people injured in motor vehicles. Two-thirds come from Medicaid and one third from Medicare.

Employers also pay a high price for traffic deaths and injuries. It is estimated that employer medical spending on crash injuries is nearly $9 billion each year, and another $9 billion is spent on sick leave and life and disability insurance for crash victims. Off-the-job crash injuries alone cost employers over $14 billion a year.[27]

SECTION VII

Making a Case for Primary Seat Belt Use Laws†

Making a case for a primary seat belt use law requires a keen understanding of the legislative process in your State. Consider the following insights gleaned from a study of six States that passed primary laws:

- Clarify the overall legislative objective–stay focused on the passage of a primary law. Understand the need for compromise on the details, e.g., exemptions and fines.
- Understand the unique complexity of the political situation in your State–learn who the players are and what leverage is available.
- Identify and respond to opposition arguments–identify opportunities for persuasive compromise and vote-changing leverage, e.g., a sunset provision, language to recognize harassment concerns.
- Identify barriers not directly related to overt opposition, e.g., a committee chair who isn't a strong supporter of traffic safety or the Governor's priorities.
- Look for emerging opportunities and threats to passage–trading support for other pending legislation, making legislative compromises, e.g., low fines.
- Identify opportunities for organizations and individuals to play effective roles–use representatives of a traffic safety coalition to testify, have individuals speak with key legislators about their concerns.
- Capitalize on dramatic incidents that affect political will–provide key legislators with statistics and the names of individuals killed in crashes in their home district, identify legislators who have been in a motor vehicle crash.

What Else Can Be Done?

Having a strong, well-written seat belt law is crucial to saving lives. In 1997, the National Committee on Uniform Traffic Laws and Ordinances (NCUTLO) published a model primary seat belt law for States to consider when upgrading their seat belt legislation (see Appendix B). Using this model law as a framework for seat belt legislation can be a tremendous help, as this sample legislation has been thoroughly researched and reviewed by traffic safety experts. NCUTLO is a private, non-profit membership organization dedicated to providing uniformity of traffic laws and regulations through the timely dissemination of information and model legislation on traffic safety issues. More information about NCUTLO is available on their website at http://www.ncutlo.org.

Becoming a partner in NHTSA's nationwide *Buckle Up America* Campaign can also give organizations and individuals the materials needed to help publicize the importance of primary seat belt laws. NHTSA has worked with literally hundreds of partners nationwide by providing educational resources, research data, and technical support regarding seat belt laws. For more information about the *Buckle Up America* Campaign, please visit NHTSA's web site at http://www.nhtsa.dot.gov.

† NHTSA has published two excellent resources which provide detailed information about primary seat belt laws. These publications are *Implementing a Standard Enforcement Seat Belt Law in Your State: A How-to Guide* and *Legislative History of Recent Primary Safety Belt Laws*. Both of these publications may be obtained by contacting NHTSA at the address, phone number, or web site published on page 34.

Seat belt use prevents deaths and injuries and saves money. We know from experience and scientific studies that upgrading to primary enforcement increases seat belt use by an estimated 15 percentage points almost immediately.

APPENDIX A

The Facts: It's Time to Buckle Up

Saving Lives

Motor vehicle crashes are the leading cause of death for persons of every age from 4 through 33 years of age.[28] On average, every 13 minutes, someone in America dies in a traffic crash; every 10 seconds, someone in America is injured.

Seat belts are the most effective safety devices in vehicles today, estimated to save over 11,000 lives each year.

Research has found that lap/shoulder safety belts, when used, reduce the risk of fatal injury to front-seat passenger car occupants by 45 percent and the risk of moderate-to-critical injury by 50 percent. For light truck occupants, safety belts reduce the risk of fatal injury by 60 percent and moderate-to-critical injury by 65 percent.

In fatal crashes in 2000, 75 percent of passenger car occupants who were totally ejected from the vehicle were killed. Safety belts are effective in preventing total ejections: only 1 percent of the occupants reported to have been using restraints were totally ejected, compared with 22 percent of the unrestrained occupants.

Protecting Kids

In the United States, an average of 6 children 0-14 years old were killed and 797 were injured every day in motor vehicle crashes during 2000.

Research on the effectiveness of child safety seats has found them to reduce fatal injury by 71 percent for infants (less than 1 year old) and by 54 percent for toddlers (1-4 years old) in passenger cars. For infants and toddlers in light trucks, the corresponding reductions are 58 percent and 59 percent, respectively.

In 2000, there were 529 passenger vehicle occupant fatalities among children under 5 years of age. Of these 529 fatalities, an estimated 251 (or 47 percent) were totally unrestrained.

Among children under 5 years old, an estimated 316 lives were saved in 2000 by child restraint use. Of these 316 lives saved, 282 were associated with the use of child safety seats and 33 with the use of adult belts. At 100 percent child safety seat use for children under 5, an estimated 458 lives (that is, an additional 143) could have been saved in 2000.

Reaching Young People

In 2000, the national seat belt use rate among 16 to 24 year olds was only 69 percent.[29] Data suggest that education alone isn't doing the job with young people in this age group. They simply don't think about being killed or injured. Yet they are the nation's highest risk drivers, with more impaired driving, more speeding, and more crashes. Neither education nor fear of injury or death is strong enough to motivate this tough-to-reach group. Rather, stronger seat belt laws and high visibility law enforcement are proven methods to get them to buckle up.

The Facts: The Economic Cost of Non-Belt Use

The Cost to Society

Motor vehicle crashes affect both the individual crash victims and society as a whole in numerous ways. The cost of medical care, for example, is borne by the individual through payments for uninsured expenses, and by society through higher insurance premiums and through the diversion of medical resources away from other needs, such as disease control or medical research. Significant costs also are associated with the productivity that is lost when an individual's life is claimed at an early age or as a result of an injured person's disability. Those dependent on the victim suffer the immediate economic hardship from foregone income, but society also suffers through efforts to support the victim or victim's dependents and, eventually, through foregone contributions to the nation's productivity.

In 1996, NHTSA published a report[10] that examined these and other costs resulting from motor vehicle crashes during 1994. The purpose of the report was to place into perspective the tragic losses resulting from these crashes, and to provide information to government and private sector officials for use in structuring programs to combat these needless losses. The report found the following:

- The cost of motor vehicle crashes that occurred in 1994 was $150.5 billion, the equivalent of $580 for every person living in the United States.
- Each fatality resulted in lifetime economic costs to society of over $830,000. Over 85 percent of this cost was due to lost workplace and household productivity.
- The average cost for each critically injured survivor was $706,000. This figure is almost as high as the cost for a fatality.
- Present and future medical costs due to injuries occurring in 1994 were $17 billion, representing 11 percent of total costs. However, medical costs accounted for 22 percent of non-fatal injury crash costs.
- Lost market productivity totalled $42.4 billion, accounting for 28 percent of total costs, and lost household productivity totalled $12.3 billion, representing 8 percent of total costs.
- Because of their high incidence, crashes of vehicles that sustained only property damage were the most costly type of occurrence, totalling $38.9 billion and accounting for 26 percent of total motor vehicle crash costs.
- Property damage in all crashes (fatal and injury) as well as property-damage-only crashes totalled $52.1 billion and accounted for 35 percent of all costs, more than any other cost category.
- Motor vehicle crash costs funded through public revenues cost taxpayers $13.8 billion in 1994, the equivalent of $144 in added taxes for each household in the United States.

The Cost to Employers

- On-the-job crashes cost employers almost $22,000 per crash and $110,000 per injury.
- In one year, off-the-job crash injuries cost employers over $14 billion.
- Employer health care (medical) spending on crash injuries is nearly $9 billion every year. Another $9 billion is spent on sick leave and life and disability insurance for crash victims.

Seat Belt Use Can Reduce These Costs[11]

- Hospital charges for an unbelted driver admitted as an inpatient exceed the inpatient hospital charges of a belted driver by $5,000.
- NHTSA estimates that a national seat belt use rate of 90 percent would save Medicare and Medicaid $356 million per year.
- Increasing the national seat belt use rate to 90 percent would produce an economic savings of about $8.8 billion annually.

Point-Counterpoint

Question: *Doesn't the State have more important things to do than to devote attention and resources to increasing seat belt use?*

Answer: Traffic crashes are a leading threat to public health. Increasing seat belt use is still the single most effective and immediate way we can save lives and reduce injuries on America's roadways. Seat belts are estimated to save over 11,000 lives in America each year. And those who don't buckle up are costing all of us in lost productivity and money.

Question: *Haven't public education campaigns done a good job of teaching the younger generation about seat belt safety? Don't we teach teenagers about seat belts and traffic crashes in driver education classes?*

Answer: The facts show that education alone does not convince most young people to buckle up. Seat belt use declines from age five to about 25. For those at age 18, seat belt use is far below the national average. Why? Young people—especially young men ages 16-25—simply do not think about being injured or killed. Yet they are the nation's highest risk drivers, with more impaired driving, more speeding and more crashes. For this tough-to-reach group, stronger belt laws, enforcement and the fear of losing their driver license work when neither education nor fear of death or injury does the job.

Question: *Do we really need to make not wearing a seat belt a primary offense? Isn't a secondary law sufficient for unbuckled drivers and passengers?*

Answer: Although most States have a primary law that allows law enforcement officers to stop and ticket a violator for having a broken taillight or for having an expired license tag, not all States have a primary seat belt use law. Experience has shown that upgrading to a primary enforcement seat belt law results on average in a 15 percentage point increase in seat belt use Statewide—an indicator that secondary laws alone are not sufficient.

Myths and Facts

Myth: *"I'm better off not wearing a seat belt because, in case of fire or submersion in water, I won't be able to escape."*

Fact: Most crash fatalities result from the force of impact or from being thrown from the vehicle, not from being trapped. All studies show you are much more likely to survive a crash if you are buckled in. Ejected occupants are four times as likely to be killed as those who remain inside.

Myth: *"I don't need to wear a seat belt. My car has an air bag."*

Fact: Air bags are supplemental restraints and are designed to be used with seat belts. They help protect adults in a frontal crash, but they don't provide protection in side or rear impact crashes or in rollovers. Seat belts are needed for protection in all types of crashes and work well with air bags to provide optimum safety. In fact, seat belts help prevent air bag injuries by keeping occupants the proper distance away from deploying air bags.

Myth: *"I have a right to choose not to wear a seat belt because, if I get hurt, the only one I'm hurting is myself."*

Fact: When someone is injured or dies in a traffic crash, society pays many of the costs, including emergency services, uninsured medical care, tax-supported rehabilitation programs, higher insurance costs, and survivor payments. In addition, a belted driver has a better chance of maintaining control of the vehicle in the event of a crash, protecting passengers and others on the road.

Child Passenger Safety: Closing the Gaps

Motor vehicle crashes are the leading cause of death for children of every age from 4 to 14 years old (based on 1998 figures, which are the latest mortality data currently available from the National Center for Health Statistics).

In the United States, an average of 6 children 0-14 years old were killed and 797 were injured every day in motor vehicle crashes during 2000.

In 2000, there were 529 passenger vehicle occupant fatalities among children under 5 years of age. Of these 529 fatalities, an estimated 251 (or 47 percent) were totally unrestrained.

Among children under 5 years old, an estimated 316 lives were saved in 2000 by child restraint use. Of these 316 lives saved, 282 were associated with the use of child safety seats and 33 with the use of adult belts. At 100 percent child safety seat use for children under 5, an estimated 458 lives (that is, an additional 143) could have been saved in 2000.

Despite widespread public education campaigns on the use of proper occupant restraints, more than 30 percent of children 5-15 years of age continue to ride unbuckled.

Although all 50 States and the District of Columbia have child safety seat laws (and all employ primary enforcement), loopholes or gaps exist in many States' laws, leaving millions of children unprotected. The laws vary from State to State with some laws covering only young children, some covering only the front seat, and some exempting pickup trucks and vans. Also, many States fail to address the issue of children riding as passengers in the cargo area of pickup trucks. More than 100 children and teenagers die each year as a result of riding in cargo areas of pickup trucks. Other States fail to make drivers responsible for children's compliance with the law. And some laws apply only to State residents.

Also, recent studies have called attention to the need for belt positioning booster seats for children who have outgrown their child safety seats. If placed in adult belts, these children can suffer serious internal injuries, risk slipping out of the seat belt, and be ejected from a vehicle during a crash. All childern who have outgrown child safety seats should be properly restrained in booster seats until they are at least 8 years old, unless they are 4 feet, 9 inches tall. NHTSA surveys show that less than seven percent of children in this weight and age group are using booster seats. In November 2000, Congress enacted the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act. This legislation requires NHTSA to develop a five-year strategic plan to reduce deaths and injuries caused by failure to use the appropriate booster seat in the 4 to 8 year old age group by 25 percent.

Children 12 and under should always ride properly restrained in the rear seat. Never place a rear-facing infant or child safety seat in front of an air bag.

To achieve reductions in injuries and fatalities among America's children, child passenger safety laws should be strengthened to close these and other gaps. All such laws should include provisions that:

Require all children up to age 16 (or the State's driving age) to be properly restrained in all seating positions;

Require all children who have outgrown child safety seats be restrained in booster seats until they are at least 8 years old, unless they are 4 feet, 9 inches tall;

Make the driver responsible for ensuring that children are placed in age- and size-appropriate restraints;

Ban passengers from the cargo area of pick-up and other light trucks;

Include out-of-State vehicles drivers, and children;

Assess a reasonable fine for noncompliance and earmark a portion of the revenues to help support State child passenger safety programs;

Eliminate exemptions and medical waivers as today's child restraint systems can accommodate children with almost any type of physical impairment; and

Require that children 12 years old and under be secured by an age-appropriate child restraint system in the rear seat of the vehicle and eliminate exemptions related to "exceeding the number of available belts or restraints in the vehicle."

APPENDIX B

Model Law

Standard (Primary) Safety Belt Model Law
National Committee on Uniform Traffic Laws and Ordinances
June 16, 1997
Reprinted with permission

Purpose: The purpose of this legislation is to reduce injuries and fatalities on the streets, roads and highways by requiring all drivers and all passengers to wear safety belts meeting applicable federal motor vehicle safety standards while riding in motor vehicles and by authorizing primary enforcement.

Section 1: Title

This act may be cited as the [State's] Safety Belt Use Act.

Section 2: Definitions

As used in this act:

(a) "Motor vehicle" means any motor vehicle having a gross vehicle weight of 10,000 pounds or less that is required to be equipped with safety belts by Federal Motor Vehicle Safety Primary No. 208. Passenger cars are required to have belts if built after December 31, 1967. Light trucks and multi-purpose vehicles are required to have safety belts if built after December 31, 1971.

(b) "Driver" means a person who drives or is in actual physical control of a motor vehicle.

(c) "Safety belt" means any strap, webbing, or similar device designed to secure a person in a motor vehicle including all necessary buckles and other fasteners, and all hardware designed for installing such safety belt assembly in a motor vehicle.

Section 3: Application

This act shall apply to drivers and all occupants of motor vehicles on the streets, roads, and highways of this State.

Section 4: Operation of motor vehicles with safety belts.

(a) Each driver of a motor vehicle in this State shall have a safety belt meeting applicable federal motor vehicle safety standards properly fastened about his or her body at all times when operating a motor vehicle.

[(b) Alternate 1 - The driver of a motor vehicle in this State shall not operate a motor vehicle unless the driver secures or causes to be secured in a properly adjusted and fastened safety belt or child restraint system meeting applicable federal motor vehicle safety standards all passengers and secures any passenger 12 or younger in the rear seat, unless all available rear seats are in use by other passengers 12 or younger.]

[(b) Alternate 2 - The driver of a motor vehicle in this State shall not operate a motor vehicle unless every occupant is secured in a properly adjusted and fastened safety belt or child restraint system meeting applicable federal motor vehicle safety standards and consistent with the [State's] child restraint use law.]

(c) Every occupant of a motor vehicle in this State shall have a safety belt meeting applicable federal motor vehicle safety standards properly fastened about his or her body at all times when the vehicle is in operation.

Section 5: Exemptions

(a) The provisions of sections (4) (c) shall not apply to children covered by [cite to the State's child restraint use act or law].

(b) The provisions of section (4) shall not apply to persons with a physically disabling condition whose physical disability would prevent appropriate restraint in safety belts, provided, however, such condition is duly certified by a physician who shall state the nature of the condition, as well as the reason such restraint is inappropriate.

(c) The provisions of this law shall not apply to passenger cars built prior to December 31, 1967 and possessing no safety belts.

(d) The provisions of this law shall not apply to passenger vehicles which are not required to be equipped with safety belts under federal law.

Section 6: Penalties

A person who violates section (4) (a), (b), or (c) of this act shall be punished by a fine of not less than $25.00 nor more than $50.00, [and court costs].

Drafters' Notes:
On the Purpose:

In the absence of limitations on enforcement, all laws authorize standard ("primary") enforcement. Consequently, no special language is needed to authorize primary enforcement of safety belt laws.

Secondary safety belt laws uniquely restrict enforcement by specifying that officers may not issue a citation solely for a belt infraction, but also must have another legal reason to stop the vehicle.

This model law is a primary law. Nevertheless, the drafters strongly recommend use of the term "standard safety belt use law" in describing this or any other safety belt law which does not restrict enforcement because the absence of a secondary provision limiting enforcement merely establishes an enforcement standard comparable to other traffic laws.

This model is intentionally silent on the admissibility in civil lawsuits of evidence of noncompliance with safety belt usage requirements.

The drafting committee notes that a number of proposals have been made (and some enacted) which would alter State tort law as applied to lawsuits arising from traffic crashes where potential plaintiffs were not wearing a safety belt. Some of these proposals would require that such noncompliance always be admissible evidence, while others would stipulate that noncompliance with a safety belt law could never be admitted into evidence. The drafting committee believes that no such provision(s) should be included in any safety belt law, and any such provisions now enacted should be repealed, in order to allow the application of traditional State tort law to determine civil lawsuit evidentiary questions.

On Section 4(b)

In the event of a crash, the rear seat is the safer seating position. The drafters recommend language to provide maximum protection to children 12 and under (4(b) Alternate 1). This issue is particularly important in light of injuries and fatalities that have occurred when infants and young children have gotten in the path of an air bag early in its inflation. The risk is greatest for infants in rear-facing child restraints and unbelted children traveling in the front seats of vehicles with passenger side air bags.

On Section 5

Taxicab exemptions are common. The following additional Section 5 (e) is offered to exempt drivers from responsibility for adult passengers but not for underage passengers. [(e) The provisions of Section (4) (b) shall not apply to taxicab drivers [with regard to passengers age 18 or older]."

On Section 6:

License sanctions (e.g., "points") have been shown to be among the most effective methods of increasing compliance with traffic laws. Survey research has demonstrated that persistent safety belt law violators are unwilling to use safety belts even when high fines are imposed. They report that license sanctions would, however, increase their compliance. The following is offered for those legislators wishing to consider imposition of points or other license sanctions for violators of the Safety Belt Law.

For States with point systems:

"Section 6: (b) A person who violates Section 4 (a) or (b) of this act shall be assessed 2 points."

For States that do not have point systems:

"Section 6: (b) Violation of Section 4 (a) or (b) shall be considered a minor moving offense for the purpose of driver license records."

States may choose to raise the upper limit of the range of fines, but should not consider reducing the lower limit of the range.

APPENDIX C

Resources

Federal Resources

National Highway Traffic Safety Administration
400 Seventh Street, SW
Washington, DC 20590
Phone 888/327-4236 (Auto Safety Hotline)
Web site http://www.nhtsa.dot.gov

Regional Administrators

REGION I (CT, ME, MA, NH, RI, VT)
Volpe National Transportation Systems Center
55 Broadway-Kendall Square, Code 903
Cambridge, MA 02142
Phone 617/494-3427
Fax 617/494-3646

REGION II (NY, NJ, PR, VI)
222 Mamaroneck Avenue, Suite 204
White Plains, NY 10605
Phone 914/682-6162
Fax 914/682-6239

REGION III (DE, DC, MD, PA, VA, WV)
10 South Howard Street
Suite 6700
Baltimore, MD 21201
Phone 410/962-0090
Fax 410/962-2770

REGION IV (AL, FL, GA, KY, MS, NC, SC, TN)
Atlanta Federal Center
61 Forsyth Street, SW, Suite 17T30
Atlanta, GA 30303
Phone 404/562-3739
Fax 404/562-3763

REGION V (IL, IN, MI, MN, OH, WI)
19900 Governors Drive Suite 201
Olympia Fields, IL 60461
Phone 708/503-8822
Fax 708/503-8991

REGION VI (AR, LA, NM, OK, TX, INDIAN NATIONS)
819 Taylor Street, Room 8A38
Fort Worth, TX 76102-6177
Phone 817/978-3653
Fax 817/978-8339

REGION VII (IA, KS, MO, NE)
901 Locust Street, Room 466
Kansas City, MO 64106
Phone 816/329-3900
Fax 816/329-3910

REGION VIII (CO, MT, ND, SD, UT, WY)
555 Zang Street, Room 430
Lakewood, CO 80228
Phone 303/969-6917
Fax 303/969-6294

REGION IX (AZ, CA, HI, NV, AMERICAN SAMOA, GUAM, NORTHERN MARIANA ISLANDS)
201 Mission Street, Suite 2230
San Francisco, CA 94105
Phone 415/744-3089
Fax 415/744-2532

REGION X (AK, ID, OR, WA)
3140 Jackson Federal Building
915 Second Avenue
Seattle, WA 98174
Phone 206/220-7640
Fax 206/220-7651

Another Federal agency that is a good source of information is:

National Transportation Safety Board
490 L'Enfant Plaza, SW
Washington, DC 20594
Phone 202/314-6000
Web site http://www.ntsb.gov

State Resources

National Association of Governors' Highway Safety Representatives
750 First Street, NE, Suite 720
Washington, DC 20002
Phone 202/789-0942
Fax 202/789-0946
Web: http://www.naghsr.org

State Highway Safety Representatives and Coordinators

Alabama
Law Enforcement/Traffic Safety Division
Department of Economic & Community Affairs
P.O. Box 5690, 401 Adams Avenue, Suite 468
Montgomery, AL 36103-5690
PHONE: 334-242-5843
FAX: 334-242-0712
E-MAIL: jfry@adeca.state.al.us
WEBSITE: www.adeca.state.al.us

Alaska
Highway Safety Office
Department of Transportation & Public Facilities
3132 Channel Drive
Juneau, AK 99801-7898
PHONE: 907-465-4371
FAX: 907-463-4030
E-MAIL: mary_moran@dot.state.ak.us
WEBSITE: highwaysafetyoffice@dot.state.ak.us

Arizona
Governor's Office of Highway Safety
3030 N. Central Avenue, Suite 1550
Phœnix, AZ 85012
PHONE: 602-255-3216
FAX: 602-255-1265
E-MAIL: gohs1@qwest.net
WEBSITE: www.azgohs.state.az.us

Arkansas
Highway Safety Program
Highway & Transportation Department
P.O. Box 2261, 11300 Baseline Road
Little Rock, AR 72203
PHONE: 501-569-2648
FAX: 501-569-2651
E-MAIL: mike.selig@ahtd.state.ar.us
WEBSITE: www.ahtd.state.ar.us

California
Office of Traffic Safety
Business, Transportation & Housing Agency
7000 Franklin Boulevard, Suite 440
Sacramento, CA 95823
PHONE: 916-262-0997
FAX: 916-262-2960
E-MAIL: cmurphy@ots.ca.gov
WEBSITE: www.ots.ca.gov

Colorado
Traffic & Safety Engineering Branch
Department of Transportation
1325 S. Colorado Boulevard, Suite B-700
Denver, CO 80222
PHONE: 303-757-9879
FAX: 303-757-9439
E-MAIL: gabriela.vidal@dot.state.co.us
WEBSITE: www.dot.state.co.us

Connecticut
Division of Highway Safety
Department of Transportation
2800 Berlin Turnpike, P.O. Box 317546
Newington, CT 06131-7546
PHONE: 860-594-2363
FAX: 860-594-2374
E-MAIL: sue.maloney@po.state.ct.us
WEBSITE: www.dot.state.ct.us

Delaware
Office of Highway Safety
P.O. Box 1321
Dover, DE 19903-1321
PHONE: 302-744-2745
FAX: 302-739-5995
E-MAIL: troberts@state.de.us
WEBSITE: www.state.de.us/highway

District of Columbia
Transportation Safety Branch
Department of Public Works
Frank D. Reeves Center
2000 14th Street, NW- 7th Floor
Washington, DC 20009
PHONE: 202-671-0492
FAX: 202-671-0617
E-MAIL: anya_lewis@hotmail.com
WEBSITE: dpw.dc.gov/main.shtml

Florida
Department of Transportation
Safety Office
605 Suwannee Street, MS 17
Tallahassee, FL 32399-0450
PHONE: 850-488-5455
FAX: 850-922-2935
E-MAIL: carla.sims@dot.state.fl.us
WEBSITE: www11.myflorida.com/safety/default.htm

Georgia
Governor's Office of Highway Safety
One Park Tower
34 Peachtree Street, Suite 1600
Atlanta, GA 30303
PHONE: 404-656-6996
FAX: 404-651-9107
E-MAIL: ymcbride@gohs.state.ga.us
WEBSITE: www.gohs.state.ga.us

Hawaii
Public Affairs
Department of Transportation
869 Punchbowl Street #506
Honolulu, HI 96813
PHONE: 808-587-2160
FAX: 808-587-2313
E-MAIL: marilyn_kali@exec.state.hi.us
WEBSITE: www.state.hi.us/dot

Idaho
Office of Highway Safety
Idaho Transportation Department
P.O. Box 7129, 3311 West State Street
Boise, ID 83707-1129
PHONE: 208-334-8101
FAX: 208-334-4430
E-MAIL: jmoore@itd.state.id.us
WEBSITE: www2.state.id.us/itd/index.htm

Illinois
Bureau of Safety Programs
Department of Transportation
P.O. Box 19245, 3215 Executive Park Dr.
Springfield, IL 62794-9245
PHONE: 217-782-4974
FAX: 217-782-9159
E-MAIL: carmitchelbd@nt.dot.state.il.us
WEBSITE: www.dot.state.il.us

Indiana
Governor's Council on Impaired & Dangerous Driving
One North Capitol Avenue, Suite 1000
Indianapolis, IN 46204-2038
PHONE: 317-232-4220
FAX: 317-233-5150
E-MAIL: jmccory@cji.state.in.us
WEBSITE: www.state.in.us

Iowa
Governor's Traffic Safety Bureau
Department of Public Safety
215 East 7th Street
Des Moines, IA 50319-0248
PHONE: 515-281-3907
FAX: 515-281-6190
E-MAIL: laskl@dps.state.ia.us
WEBSITE: www.state.ia.us/government/dps/gtsb

Kansas
Bureau of Traffic Safety
Department of Transportation
Thacher Building, 3rd Floor
217 S.E. 4th
Topeka, KS 66603-3504
PHONE: 785-296-3756
FAX: 785-291-3010
E-MAIL: rosalie@ksdot.org
WEBSITE: www.ink.org/public/kdot

Kentucky
Governor's Highway Safety Program
Bush Building, Suite 103, 403 Wapping Street
Frankfort, KY 40601
PHONE: 502-564-6700
FAX: 502-564-6779
E-MAIL: tony.young@mail.state.ky.us
WEBSITE: www.state.ky.us/agencies/ksp/ksphome.htm

Louisiana
Department of Public Safety
P.O. Box 66336
Baton Rouge, LA 70896
PHONE: 225-925-6991
FAX: 225-922-0083
E-MAIL: lchampag@dps.state.la.us
WEBSITE: www.dps.state.la.us

Maine
Bureau of Highway Safety
Department of Public Safety
164 State House Station
Augusta, ME 04333-0164
PHONE: 207-624-8756
FAX: 207-624-8768
E-MAIL: richard.e.perkins@state.me.us
WEBSITE: www.state.me.us

Maryland
Office of Traffic & Safety
Maryland Highway Safety Office
7491 Connelley Drive
Hanover, MD 21076
PHONE: 410-787-5824
FAX: 410-787-4020
E-MAIL: sbates@sha.state.md.us
WEBSITE: www.sha.state.md.us

Massachusetts
Governor's Highway Safety Bureau
10 Park Plaza, Suite 5220
Boston, MA 02116-3933
PHONE: 617-973-8911
FAX: 617-973-8917
E-MAIL: nancy.luther@hsb.state.ma.us
WEBSITE: www.massgl.sb.com

Michigan
Office of Highway Safety Planning
4000 Collins Road, P.O. Box 30633
Lansing, MI 48909-8133
PHONE: 517-333-5319
FAX: 517-333-5756
E-MAIL: lansillm@michigan.gov
WEBSITE: www.ohsp.state.mi.us

Minnesota
Office of Traffic Safety
Department of Public Safety
Town Square, Suite 150
444 Cedar Street
St. Paul, MN 55101-2150
PHONE: 651-296-9507
FAX: 651-297-4844
E-MAIL: kathryn.swanson@state.mn.us
WEBSITE: www.dps.state.mn.us

Mississippi
Office of Highway Safety
Division of Public Safety Planning
3750 I-55 North Frontage Road
Jackson, MS 39211
PHONE: 601-987-4990
FAX: 601-987-4154
EMAIL: kproctor@dps.state.ms.us
WEBSITE: www.dps.state.ms.us

Missouri
Division of Highway Safety
1719 Southridge Drive, P.O. Box 104808
Jefferson City, MO 65110-4808
PHONE: 573-751-4161
FAX: 573-634-5977
E-MAIL: bwhitfie@mdhs.state.mo.us
WEBSITE: www.mdhs.state.mo.us

Montana
Transportation Safety Bureau
Department of Transportation
2701 Prospect Avenue
Helena, MT 59620-1001
PHONE: 406-444-7301
FAX: 406-444-7671
EMAIL: agoke@state.mt.us
WEBSITE: www.mdt.state.mt.us

Nebraska
Office of Highway Safety
Department of Motor Vehicles
P.O. Box 94612, 301 Centennial Mall South
Lincoln, NE 68509-4612
PHONE: 402-471-2515
FAX: 402-471-3865
E-MAIL: fredz@mail.state.ne.us
WEBSITE: www.nol.org/home

Nevada
Highway Safety Coordinator
Department of Public Safety/Office of Traffic Safety
555 Wright Way
Carson City, NV 89711-0900
PHONE: 775-687-3243
FAX: 775-687-5328
E-MAIL: cabbott@dps.state.nv.us
WEBSITE: www.ots.state.nv.us

New Hampshire
Highway Safety Agency
Pine Inn Plaza
117 Manchester Street
Concord, NH 03301
PHONE: 603-271-2131
FAX: 603-271-3790
E-MAIL: hwysafety@nhhsa.state.nh.us
WEBSITE: www.webster.state.nh.us/hsafety1

New Jersey
Division of Highway Traffic Safety
Department of Law & Public Safety
P.O. Box 048
Trenton, NJ 08625-0048
PHONE: 609-633-9300
FAX: 609-633-9020
WEBSITE: www.njsaferoads.com

New Mexico
Traffic Safety Bureau
State Highway & Transportation Department
604 West San Mateo
Santa Fe, NM 87504
PHONE: 505-827-0428
FAX: 505-827-0431
E-MAIL: virginia.jaramillo@nmshtd.state.nm.us
WEBSITE: www.nmshtd.state.nm.us

New York
Governor's Traffic Safety Committee
New York State Department of Motor Vehicles
6 Empire State Plaza, Room 414
Albany, NY 12228
PHONE: 518-474-5111
FAX: 518-473-6946
E-MAIL: kcarp@dmv.state.ny.us
WEBSITE: www.nysgtsc.state.ny.us

North Carolina
Governor's Highway Safety Program
215 East Lane Street
Raleigh, NC 27601
PHONE: 919-733-3083
FAX: 919-733-0604
E-MAIL: dnail@dot.state.nc.us
WEBSITE: www.ncdot.org

North Dakota
Drivers License & Traffic Safety Division
North Dakota Department of Transportation
608 E. Boulevard Avenue
Bismarck, ND 58505-0700
PHONE: 701-328-4865
FAX: 701-328-2435
E-MAIL: mlembke@state.nd.us
WEBSITE: www.discovernd.com/dot

Ohio
Governor's Highway Safety Office
Department of Public Safety
1970 W. Broad Street, P.O. Box 182081
Columbus, OH 43218-2081
PHONE: 614-466-3250
FAX: 614-728-8330
E-MAIL: llaing@dps.state.oh.us
WEBSITE: www.state.oh.us/odps/oghsr/default.html

Oklahoma
Highway Safety Office
3223 N. Lincoln
Oklahoma City, OK 73105
PHONE: 405-523-1580
FAX: 405-523-1586
E-MAIL: jmcdonal@dps.state.ok.us
WEBSITE: www.dps.state.ok.us
www.buckleupoklahoma.com

Oregon
Transportation Safety Division
Oregon Department of Transportation
235 Union Street, NE
Salem, OR 97301-1054
PHONE: 503-986-4192
FAX: 503-986-4341
E-MAIL: troy.e.costales@odot.state.or.us
WEBSITE: www.odot.state.or.us/transafety

Pennsylvania
Bureau of Highway Safety & Traffic Engineering
P.O. Box 2047
Harrisburg, PA 17105-2047
PHONE: 717-787-7350
FAX: 717-783-8012
E-MAIL: bryertb@dot.state.pa.us
WEBSITE: www.dot.state.pa.us

Puerto Rico
Puerto Rico Traffic Safety Commission
Box 41289, Minillas Station
Santurce, PR 00940
PHONE: 787-721-4142 ext. 2211
FAX: 787-723-8040
E-MAIL:
WEBSITE: www.dtop.gov.pr/frindex.htm

Rhode Island
Department of Transportation
2 Capitol Hill
Providence, RI 02903-1124
PHONE: 401-222-2481
FAX: 401-222-2086
E-MAIL: wda@dot.state.ri.us
WEBSITE: www.dot.state.ri.us

South Carolina
Office of Highway Safety
Department of Public Safety
500 Broad River Road
Columbia, SC 29212-3540
PHONE: 803-896-9963
FAX: 803-896-9978
E-MAIL: maxyoung@scdps.net
WEBSITE: www.scdps.org/ohs/

South Dakota
Office of Highway Safety
Department of Commerce & Regulation
118 West Capital
Pierre, SD 57501
PHONE: 605-773-4493
FAX: 605-773-6893
E-MAIL: roy.meyer@state.sd.us
WEBSITE: www.state.sd.us/hwysafety

Tennessee
Governor's Highway Safety Office
Department of Transportation
500 Deaderick Street, Suite 800
Andrew Jackson Building
Nashville, TN 37243-0341
PHONE: 615-741-7590
FAX: 615-253-5523
E-MAIL: avictorine@mail.state.tn.us
WEBSITE: www.state.tn.us

Texas
Traffic Operations Division
Department of Transportation
125 East 11th Street
Austin, TX 78701-2483
PHONE: 512-416-3167
FAX: 512-416-3349
E-MAIL: sbryant@dot.state.tx.us
WEBSITE: www.dot.state.tx.us

Utah
Office of Highway Safety
Department of Public Safety
5263 South, 300 West, Suite 202
Salt Lake City, UT 84107
PHONE: 801-293-2481
FAX: 801-293-2498
E-MAIL: dbeach@dps.state.ut.us
WEBSITE: www.dps.state.ut.us

Vermont
Governor's Highway Safety Program
Department of Public Safety
5 Park Row
Waterbury, VT 05676
PHONE: 802-241-5501
FAX: 802-241-5558
E-MAIL: jejohnso@dps.state.vt.us
WEBSITE: http://170.222.24.9/cjs/ghsp.htm

Virginia
Transportation Safety Services
Department of Motor Vehicles
P.O. Box 27412, 2300 West Broad Street
Richmond, VA 23269
PHONE: 804-367-8140
FAX: 804-367-6631
E-MAIL: dmvvmb@dmv.state.va.us
WEBSITE: www.dmv.state.va.us

Washington
Washington Traffic Safety Commission
P.O. Box 40944, 1000 S. Cherry Street
Olympia, WA 98504-0944
PHONE: 360-753-6197
FAX: 360-586-6489
E-MAIL: slind@wtsc.wa.gov
WEBSITE: www.wa.gov/wtsc

West Virginia
Driver Services
Division of Motor Vehicles
1800 Kanawha Boulevard East
Capitol Complex, Building 3, Room 118
Charleston, WV 25317
PHONE: 304-558-1515
FAX: 304-558-0037
E-MAIL: dbolyard@dot.state.wv.us
WEBSITE: www.wvdot.com

Wisconsin
Bureau of Transportation Safety
Department of Transportation
P.O. Box 7936, 4802 Sheboygan Avenue, Room 933
Madison, WI 53707
PHONE: 608-266-0402
FAX: 608-267-0441
E-MAIL: john.evans@dot.state.wi.us
WEBSITE: www.dot.state.wi.us

Wyoming
Highway Safety Program Supervisor
Wyoming Transportation Department
P.O. Box 1708
Cheyenne, WY 82003-1708
PHONE: 307-777-4257
FAX: 307-777-4250
E-MAIL: tfanle@missc.state.wy.us
WEBSITE: wydotweb.state.wy.us

American Samoa
Department of Public Safety
P.O. Box 1086
Pago Pago, AS 96799
PHONE: 011-684-633-1111
FAX: 011-684-633-7296
E-MAIL:
WEBSITE: www.samoanet.com/asg/asgdps97.html

Guam
Office of Highway Safety
Department of Public Works, Gov't of Guam
542 N. Marine Drive
Tamuning, GU 96911
PHONE: 671-647-5059
FAX: 671-646-3733
E-MAIL:
WEBSITE: www.gov.gu

Northern Mariana Islands
Office of Highway Safety
Department of Public Safety
P.O. Box 791 C.K.
Saipan, MP 96950
PHONE: 670-664-9120
FAX: 670-664-9141
E-MAIL: ckn288@aol.com
WEBSITE: www.dps.gov.mp

Virgin Islands
Governor's Representative
Office of Highway Safety
Lagoon St. Complex, Fredericksted
St. Croix, VI 00840
PHONE: 340-776-5820
FAX: 340-774-9208
E-MAIL: wylliell@hotmail.com
WEBSITE: www.gov.vi/

Indian Nations
Indian Highway Safety Program
Bureau of Indian Affairs
Department of the Interior
505 Marquette, NW- Suite 1425
Albuquerque, NM 87102-2181
PHONE: 505-248-5054
FAX: 505-248-5064
E-MAIL: patriciajacobs@bia.gov

Private Sector

National Safety Council
Web site http://www.nsc.org

Main office:
1121 Spring Lake Drive
Itasca, IL 60143-3201
Phone 708/285-1121

Washington, D.C. office:
1025 Conn. Ave., NW, Suite 1200
Washington, DC 20036-5405
Phone 202/293-2270
Fax 202/293-0032

In addition, two special National Safety Council projects may be of interest:

National Safety Belt Coalition
1025 Conn. Ave., NW, Suite 1200,
Washington, DC 20036-5405
Phone 202/296-6263
Fax 202/293-0032
Web site http://www.nsc.org/traf/sbc.htm
E-mail: guzzeltc@nsc.org or buckle1up@aol.com.

Air Bag & Seat Belt Safety Campaign
1025 Conn. Ave., NW, Suite 1200,
Washington, DC 20036-5405
Phone 202/625-2570
Fax 202/822-1399
Web site http//www.nsc.org/airbag.htm
E-mail: airbag@nsc.org.

Other private sector organizations

American Automobile Association
1000 AAA Drive
Heathrow, Florida 32746-5063
407/444-7000
Web site http://www.aaa.com

American Coalition for Traffic Safety
1110 N. Glebe Road, Suite 1020
Arlington, VA 22201
Phone: 703/243-7501

Insurance Institute for Highway Safety
1005 North Glebe Road, Suite 800
Arlington, Virginia 22201
703/247-1500
Web site http://www.hwysafety.org

International Association of Chiefs of Police
515 North Washington Street
Alexandria, Virginia 22314
703/836-6767
Web site http://www.theiacp.org

National Committee on Uniform Traffic Laws and Ordinances
107 S. West Street, Suite 110
Alexandria, VA 22314
Phone 800/807-5290
Fax 540/465-5383
Web site http://www.ncutlo.org

National SAFE KIDS Campaign
1301 Pennsylvania Avenue, NW, Suite 1000
Washington, DC 20004
Phone 202/662-0600
Web site http://www.safekids.org

National Sheriffs' Association
1450 Duke Street
Alexandria, VA 22314
Phone: 703/836-7827
Fax: 703/683-6541
Web site: www.sheriffs.org

Network of Employers for Traffic Safety (NETS)
1900 L Street NW, Suite 705
Washington, DC 20036
Phone 202/452-6005
Fax 202/223-7012
Web site http://www.trafficsafety.org

Transportation Research Board
2101 Constitution Avenue NW
Washington, DC 20418
Phone 202/334-2934
Web site http://www.nas.edu/trb/

References

[1] Fatality Analysis Reporting System (FARS) data for 2000.

[2] *Traffic Safety Facts 2000*, National Highway Traffic Safety Administration, DOT HS 809 329, Overview (based on 1998 data).

[3] *Traffic Safety Facts 2000*, National Highway Traffic Safety Administration, DOT HS 809 327, Occupant Protection.

[4] Observed Shoulder Belt Use from the June 2001 MiniNOPUS, National Highway Traffic Safety Administration, DOT HS 809 319, August 2001.

[5] Observed Shoulder Belt Use from the June 2001 MiniNOPUS, National Highway Traffic Safety Administration, DOT HS 809 319, August 2001.

[6] *Annals of Emergency Medicine*, December 2000; 36(6):589-596.

[7] U.S. Department of Labor, Bureau of Labor Statistics, 1999 data.

[8] 2000 Motor Vehicle Occupant Safety Survey, National Highway Traffic Safety Administration, published 2001.

[9] *2001 Seat Belt Summit*, published by the Automotive Coalition for Traffic Safety, Inc., January 2001.

[10] *Achieving a Credible Health and Safety Approach to Increasing Seat Belt Use Among African Americans*, Department of Occupational and Preventive Medicine, Meharry Medical College May 1999.

[11] *Achieving Increased Seat Belt Use in Diverse Communities: The Law Enforcement Role*, Report of the 2001 National Summit, January, 2001.

[12] "Resolution to Support the Blue Ribbon Panel to Increase Seat Belt Use Among African Americans," and "Resolution on Child Restraints," accessed from NOBLE web site http://www.noblenatl.org/legislative_concerns.htm on October 18, 2001.

[13] Information accessed from ASPIRA web site at http://www.aspira.org/nhtsa_web.html on October 22, 2001.

[14] Ulmer, R.G., Preusser, C.W., Preusser, D.F. *Evaluation of Georgia's Safety Belt Law Change to Primary Enforcement*. National Highway Traffic Safety Administration, In progress.

[15] Preusser, D.F., Preusser, C.W. *Evaluation of Louisiana's Safety Belt Law Change to Primary Enforcement*. National Highway Traffic Safety Administration, DOT HS 808 620, 1997.

[16] Ulmer, R.G., Preusser, C.W., Preusser, D.F. *Evaluation of California's Safety Belt Law Change to Primary Enforcement*. National Highway Traffic Safety Administration, DOT HS 808 205, 1994.

[17] *Evaluation of Maryland, Oklahoma, and the District of Columbia's Seat Belt Law Change to Primary Enforcement, Final Report*. National Highway Traffic Safety Administration, DOT HS 809 213, March 2001.

[18] Information accessed from Air Bag & Seat Belt Safety Campaign web site at http://www.nsc.org/partners/primary.htm on October 19, 2001.

[19] Information accessed from Air Bag & Seat Belt Safety Campaign web site at http://www.nsc.org/partners/primary.htm on October 19, 2001.

[20] Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, 1998.

[21] National Occupant Protection Use Survey (NOPUS) 2000 Controlled Intersection Study, July 2001, DOT HS 809 318.

[22] Information accessed from Air Bag & Seat Belt Safety Campaign web site at http://www.nsc.org/partners/primary.htm on October 19, 2001.

[23] *Blue Ribbon Panel to Increase Seat Belt Use Among African Americans: A Report to the Nation*, December 2000, p. 11, DOT HS 809 285.

[24] Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, 1998.

[25] *Annals of Emergency Medicine*, December 2000; 36(6):589-596.

[26] Archives Of Pediatric & Adolescent Medicine, 1998;152: 1209-1212.

[27] What Do Traffic Crashes Cost? National Highway Traffic Safety Administration, DOT HS 808 478, December 1996.

[28] Traffic Safety Facts 2000, Overview, The National Highway Traffic Safety Administration, DOT HS 809 329.

[29] National Occupant Protection Use Survey-2000, Controlled Intersection Study, The National Highway Traffic Safety Administration, DOT HS 809 318, August 2001.

[30] The Economic Costs of Motor Vehicle Crashes, 1994; published on the NHTSA web site at http://www.nhtsa.dot.gov.

[31] *The Presidential Initiative for Increasing Seat Belt Use Nationwide*, National Highway Traffic Safety Administration, DOT HS 808 576, April 1997; statistics given reflect data from 1996.

People Saving People
www.nhtsa.dot.gov

DOT HS 808 846
(revised) April 2002

State Of Alaska
Legislative Affairs Agency
Kenai LIO
145 Main St Lp Ste 217
Kenai, AK 99611
907-283-2030

Date: 2-17-04

Please accept the enclosed original(s) of written testimony for the House Transportation teleconference hearing that was scheduled on 2-17-04.

A copy of this testimony was transmitted to your committee via fax on 2-17-04.

Thank you,

Kathleen Evenson

Kenai Peninsula SAFE KIDS for the Central Peninsula Area
Central Peninsula General Hospital
250 Hospital Place
Soldotna, Alaska 99669
safekids@cpgh.org

February 16, 2004

The Honorable Cheryll Heinze
Alaska State Legislature
Mail Stop 3101
State Capital
Juneau, Alaska 99801-1182

Dear Representative Heinze:

One behalf of Kenai Peninsula SAFE KIDS for the Central Peninsula Area, I would like to express our support for HB 392, the proposed repeal of AS 28.05.095f: (e) to make failure to wear a safety belt a primary offense.

We are in agreement with your sponsor statement. As stated, motor vehicle crashes is a leading cause of death and injury in the state of Alaska, with the use of seat belts and child safety devices many of these deaths could have been prevented. This legislation is needed for all the reasons you mentioned. Plus, people often do not realize that when one person in the vehicle is not restrained, they are not only putting themselves at risk but without a seat belt on they are a deadly missile to others in the vehicle.

Strong occupant protection laws that are consistently enforced are one of the best ways to prevent injuries and save lives. HB 392, if enacted into law, would bring Alaskans a step closer to closing the gap in Alaska's occupant protection law.

Kenai Peninsula SAFE KIDS for the Central Peninsula Area appreciates you taking this step to help reduce unintentional deaths and injuries with legislation.

Sincerely,

Jane B. Fellman

Jane B. Fellman RN
Coordinator
Kenai Peninsula SAFE KIDS for theCentral Peninsula Area

Alaska State Legislature

Please enter into the record my testimony to the TRANSPORTATION
committee name

Committee on HB 392
bill # / subject

Date, FEBRUARY 15, 2004

Transportation Chair Representative Holm,
Transportation Members: Masek, Kohring,
Ogg, Stepovich, Kapsner, and Kookesh:

I am opposed to repealing AS 28.05.095 (e) from the Alaska Statutes

There is no need to repeal section (e), if it's repealed, Police Officers & Alaska State Troopers will randomly be stopping vehicles without having any valid reasons for pulling over vehicles. There are older cars/trucks/vans driving on our roads with lap seat belt for backseat passengers. To allow officers to pull over a vehicle, simply because the officer can't see somebody wearing a seatbelt is completely unreasonable. This repeal will cost Alaska a huge increase in overtime pay, because officers will not be taking care of their duties. Officers will waste countless hours chasing down SUSPECTED seatbelt violators. This would become a huge waste of tax dollars.

I urge all of our legislative representatives to Please VOTE NO ON HB 392

AS 28.05.095. Use of Seat Belts and Child Safety Devices Required.

(e) Notwithstanding any other provision of law, a peace officer may not stop or detain a motor vehicle to determine compliance with (a) of this section, or issue a citation for a violation of (a) of this section, unless the peace officer has probable cause to stop or detain the motor vehicle other than for a violation of (a) of this section.

Signed: LAURIE CHURCHILL
Testifier

SELF
Representing (optional)

PO BOX 7043 NIKISKI, AK 99635 MY NEW EMAIL ACCOUNT: ak501c3@yahoo.com
Address

907-776-3499
Phone number

Alaska State Legislature

Please enter into the record my testimony to the House Transportation committee name 465-~~3466~~ 2937

Committee on HB 392 bill # / subject, dated 2-17-04 public hearing date

Signed: Janie B Tellman RN, coordinator Kenai Peninsula Safe Kids
Testifier

Representing (optional)

Address

Phone number

Kenai Peninsula SAFE KIDS for the Central Peninsula Area
Central Peninsula General Hospital
250 Hospital Place
Soldotna, Alaska 99669
safekids@cpgh.org

February 16, 2004

The Honorable Cheryll Heinze
Alaska State Legislature
Mail Stop 3101
State Capital
Juneau, Alaska 99801-1182

Dear Representative Heinze:

One behalf of Kenai Peninsula SAFE KIDS for the Central Peninsula Area, I would like to express our support for HB 392, the proposed repeal of AS 28.05.095f: (e) to make failure to wear a safety belt a primary offense.

We are in agreement with your sponsor statement. As stated, motor vehicle crashes is a leading cause of death and injury in the state of Alaska, with the use of seat belts and child safety devices many of these deaths could have been prevented. This legislation is needed for all the reasons you mentioned. Plus, people often do not realize that when one person in the vehicle is not restrained, they are not only putting themselves at risk but without a seat belt on they are a deadly missile to others in the vehicle.

Strong occupant protection laws that are consistently enforced are one of the best ways to prevent injuries and save lives. HB 392, if enacted into law, would bring Alaskans a step closer to closing the gap in Alaska's occupant protection law.

Kenai Peninsula SAFE KIDS for the Central Peninsula Area appreciates you taking this step to help reduce unintentional deaths and injuries with legislation.

Sincerely,

Jane B. Fellman

Jane B. Fellman RN
Coordinator
Kenai Peninsula SAFE KIDS for theCentral Peninsula Area

Dear Jim,

Considering the potential for saving lives on Alaska's highways and the further bonus of reducing insurance costs, the Fairbanks Chapter of MADD supports House Bill 392 Primary seat belt laws definitely increase seat belt use. Take a look at the following graph.

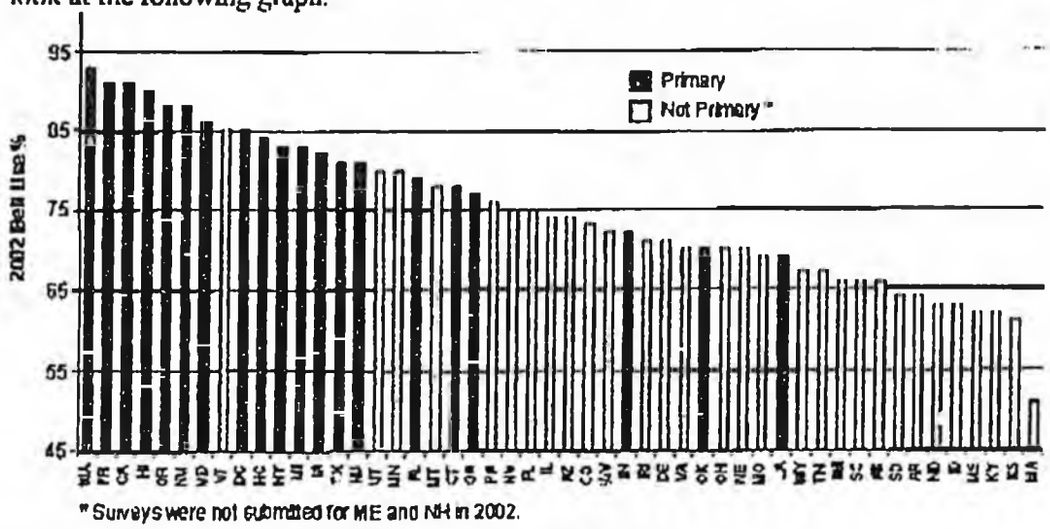


FIGURE 1. Belt use rates in 2002 (Data Source: NHTSA)

Sincerely,

Al Near
vice-president
MADD Fairbanks Chapter

The stated argument for a primary seatbelt law is that we, as a society, bear the cost of those who fail (of their own accord) to wear a seatbelt. This cost is said to come in the form of higher insurance costs and subsidized medical treatment. The reasoning follows that the individual does not have the right to engage in foolish or dangerous behavior which may result in a financial burden to society and so society has the right to pass laws and sanctions against that foolish action.

This argument fails the test of consistency and logic. To be consistent and logical with this reasoning we would need to extend this "right of society" to apply to all similar situations. Why are seatbelts so special in the "dangerous act = society cost" equation. If society's pocket book must be protected from dangerous or foolish actions of individuals then we have much work to do i.e. mountain biking, mountain climbing, sky diving, scuba diving, recreational ATV use, bungee jumping, rock climbing, white water kayaking, hiking around wild animals, gun ownership, power tools not used for business, burning piles in back yards, horseback riding (or at least rodeo), skiing, smoking, snow machining, skateboarding, drinking, over eating and the list goes on, must be prohibited. We will save the lives of those involved and save society the associated costs.

All of the activities mentioned have the potential to land you in the hospital at society's expense and what they all have in common is the totally voluntary nature of each one. Again I ask, why are seatbelts special among this group of activities? And, does it follow that we have the right to outlaw each of the activities listed and any others deemed both voluntary and dangerous? I think not, but mostly I *hope* not!

Subject: (H) TRA hearing 2/17/04
Date: Fri, 13 Feb 2004 10:56:15 -0900
From: Lee Ann Lucas <lee_lucas@dps.state.ak.us>
To: Barbara C Cotting <barbara_cotting@legis.state.ak.us>

Good morning Barbara -

Just following up with a contact # for Lt. Allen Storey to participate in the hearing on Tuesday. His cell phone # is 907/748-2346; he will check in with me on Monday and if there is a ground # from his location I will let you know. Also, if there are any new CS's or amendments on HB 392;HB 387; or HB 438 prior to the hearing - would appreciate having a copy to review and transmit to Lt. Storey. My fax # is 465-4062.

Any questions, let me know..

Lee Ann Lucas

Subject: NCSL's Capitol to Capitol - Volume 11, Issue 6
Date: Fri, 13 Feb 2004 14:17:41 -0500
From: "Nick Steidel" <nick.steidel@ncsl.org>
To: <Undisclosed-Recipient:;>

Capitol to Capitol
Volume 11, Issue 6

STATES NET FIRST ADVOCACY VICTORY FOR 2004

On February 8, the United States and Australia concluded negotiations on a free trade agreement (FTA). Excluded from the agreement was an "investor-state" provision. NCSL sought this exclusion because prior FTAs have produced flawed chapters allowing foreign investors greater substantive rights than those enjoyed by domestic investors. This has resulted in weakened protection of state sovereignty, state laws and federalism. **NCSL thanks all of those who communicated their concerns to the U.S. trade representative.** The U.S.-Australia FTA must now secure congressional approval. (NCSL staff contact: Jeremy Meadows)

FLOOR VOTE GIVES STATES SECOND VICTORY OF THE YEAR

On February 11, the U.S. Senate tabled a floor amendment that would have sanctioned any state not enacting primary safety belt enforcement laws. The amendment was offered by Senators John Warner (R-Virginia) and Hillary Clinton (D-New York) on S. 1072, legislation reauthorizing TEA-21, and was defeated 56-42. The sanction of up to 4 percent of a state's federal highway funds could have cost states billions of dollars. The use of sanctions and fiscal penalties have regularly surfaced on highway safety issues. NCSL supports the use of incentives rather than sanctions to accomplish federal transportation safety goals. The Senate was expected to narrowly pass this amendment but strong opposition from NCSL and other groups helped turn the vote around. **NCSL thanks all of those responding to action alerts on this issue.** (NCSL staff contact: Cheve Calvo)

STATES PRESS CONCERNS WITH NO CHILD LEFT BEHIND ACT

The number of states addressing concerns they have with various aspects of the No Child Left Behind Act (NCLB) continues to rise. No fewer than nine states (Arizona, Connecticut, Idaho, Indiana, New Mexico, Tennessee, Virginia, Washington and Wisconsin) have legislation introduced requesting changes to or waivers from No Child Left Behind Act provisions and/or urging additional funding for mandated activities. Vermont has enacted legislation prohibiting the expenditure of state/local funds for costs not paid for under NCLB. Maine and New Hampshire have introduced similar legislation. Arizona, Hawaii, New Mexico, Utah have seen legislation introduced that would have the state opt out of NCLB. And, a growing list of states (Hawaii, Indiana, Maine, Massachusetts, Minnesota, North Dakota, Ohio, Vermont and Virginia) have conducted or are conducting studies attempting to assess the "real" costs of implementing NCLB. Despite numerous entreaties from NCSL, both Congress and the administration have been unresponsive to calls for legislative or regulatory changes. That changed on February 10 when Senator Ted Kennedy (D-Massachusetts), one of NCLB's four chief sponsors, announced he would seek legislative changes unless the administration ceased issuing regulations and

HB 392 Testimony
Alaska Department of Health and Social Services
Martha Moore, Trauma Registry Coordinator
2/4/04

The Department supports HB 392.

There were about 43,000 (42,931) Alaskans involved in a car, truck or bus crash in 2001 according to the Department of Transportation's Traffic Accidents Report. (In about ¾ of these crashes we know seatbelt usage.) The unbelted occupants were 19 times more likely to die than those restrained in safety belts, and 12 times more likely to sustain a major injury. Eighty-four percent (84%) of the belted occupants in crashes walked away uninjured, compared with only 60% of the unbelted occupants.

A very revealing statistic from the 1998 Traffic Accident Report, which is the most recent published report that talks about ejections from the vehicle during a crash, is that there were 20 crash victims who were ejected from the vehicle that year, and 19 of them died.

The Alaska Trauma Registry records all hospitalized injuries. In the last decade there were about 3,500 (3315) Alaskans were admitted to a hospital due to a car crash injury. Over half of these victims were not restrained at the time of the crash and they were almost twice as likely to sustain a serious head injury and one and a half times more likely to be discharged with a permanent disability, than the restrained crash victims.

Among the 1,765 patients who were not restrained:

- there were 90 fatalities
- 606 traumatic brain injuries
- 274 permanent disabilities
- 148 were discharged from the hospital to a rehabilitation or skilled nursing facility.

The trauma registry also records hospital costs associated with injury. The data show that the cost of hospitalization alone for an unbelted person injured in a motor vehicle crash is on average about $22,000 per patient, compared with $17,000 for someone who used a seat belt and harness. The trauma registry also shows that about 22% of the unbelted victims were uninsured and 31% billed a government program for their hospital care (including 172 billing Medicaid). So for over 50%, the cost of hospitalization is passed directly on to the public.

****

By enacting primary safety belt enforcement legislation, we could expect to see the safety belt wear rate to increase just as it has in other states. For every two percentage points that the wear rate increases, the National Highway Traffic Safety Administration tells us we can expect one-two lives saved. So for example if usage rate increased 10 percentage points in the first year, we could expect to see about 7 lives saved, the prevention of 72 major injuries, 50 minor injuries, and a savings of $14,000,000 in economic costs, for medical care, funerals, rehabilitation, and lost productivity.

Fatal Crashes - Seatbelt Use (data from FARS)

2002	No Injury (0)	Possible Injury (C)	Nonincapacitating Evident Injury (B)	Incapacitating Injury (A)	Fatal Injury (K)	Unknown	Total
Non Used - Vehicle Occupant; N/A	11	2	11	8	37*	0	69
Shoulder Belt	0	0	0	0	0	0	0
Lap Belt	0	0	2	2	0	0	4
Lap and Shoulder Belt	23	1	29	11	24	0	88
Child Safety Seat	0	0	0	0	0	2	2
Motorcycle Helmet	0	0	0	0	5	0	5
Restraint Used - Type Unknown	0	0	1	2	3	0	6
Child Safety Seat Used Improperly	0	0	0	0	0	0	0
Unknown	10	0	2	5	3	6	26
Total	44	3	45	28	72	8	200

*51% of the fatalities do not use safety equipment

2001	No Injury (0)	Possible Injury (C)	Nonincapacitating Evident Injury (B)	Incapacitating Injury (A)	Fatal Injury (K)	Unknown	Total
Non Used - Vehicle Occupant; N/A	10	4	9	18	47*	0	88
Shoulder Belt	0	0	0	0	1	0	1
Lap Belt	2	4	1	2	2	0	11
Lap and Shoulder Belt	21	6	18	14	25	2	86
Child Safety Seat	1	0	0	0	0	0	1
Motorcycle Helmet	0	0	0	2	3	0	5
Restraint Used - Type Unknown	0	0	0	1	0	0	1
Child Safety Seat Used Improperly	0	0	0	0	0	0	0
Unknown	5	1	0	3	3	2	14
Total	39	15	28	40	81	4	207

*58% of the fatalities do not use safety equipment

2000	No Injury (0)	Possible Injury (C)	Nonincapacitating Evident Injury (B)	Incapacitating Injury (A)	Fatal Injury (K)	Unknown	Total
Non Used - Vehicle Occupant; N/A	11	3	14	12	49*	0	89
Shoulder Belt	0	0	1	0	1	0	2
Lap Belt	5	1	1	1	1	0	9
Lap and Shoulder Belt	24	6	17	15	26	0	88
Child Safety Seat	5	2	5	1	1	2	16
Motorcycle Helmet	0	0	0	0	9	0	9
Restraint Used - Type Unknown	0	0	1	0	1	0	2
Child Safety Seat Used Improperly	0	0	0	0	1	0	1
Unknown	8	0	0	2	2	0	12
Total	53	12	39	31	91	2	228

*60% of the fatalities do not use safety equipment

2000-2002	No Injury (0)	Possible Injury (C)	Nonincapacitating Evident Injury (B)	Incapacitating Injury (A)	Fatal Injury (K)	Unknown	Total
Non Used - Vehicle Occupant; N/A	32	9	34	38	133*	0	246
Shoulder Belt	0	0	1	0	2	0	3
Lap Belt	7	5	4	5	3	0	24
Lap and Shoulder Belt	68	13	64	40	75	2	262
Child Safety Seat	6	2	5	1	1	4	19
Motorcycle Helmet	0	0	0	2	17	0	19
Restraint Used - Type Unknown	0	0	2	3	4	0	9
Child Safety Seat Used Improperly	0	0	0	0	1	0	1
Unknown	23	1	2	10	8	8	52
Total	136	30	112	99	244	14	635

*55% of the fatalities do not use safety equipment

All Crashes - Seatbelt Use (data from Annual Accident Report)

2001 Seatbelt Use	No Injuries	Minor Injury	Major Injury	Fatal	Total
Unknown	10,855	548	29	3	11,435
No Restraint Used	1,348	718	140	38	2,244
No Restraint Available	79	11	0	1	91
Lap Belt	1,195	198	15	2	1,410
Harness	711	120	1	1	833
Lap Belt and Harness	24,580	4,026	144	23	25,773
Child Restraint	972	70	2	0	1,044
Other Restraint	90	10	0	1	101
Total	36,830	5,701	331	69	42,931

2000 Seatbelt Use	No Injuries	Minor Injury	Major Injury	Fatal	Total
Unknown	9,817	554	39	7	10,417
No Restraint Used	1,525	738	117	45	2,425
No Restraint Available	56	9	5	0	70
Lap Belt	1,106	195	10	0	1,311
Harness	775	135	7	1	918
Lap Belt and Harness	18,981	3,617	150	23	2,271
Child Restraint	897	69	4	3	973
Other Restraint	105	18	1	0	124
Total	33,262	5,335	333	79	39,009

NTSB MOST WANTED

Transportation Safety Improvements

2004

Critical changes needed to reduce transportation accidents and save lives.

NTSB MOST WANTED

AVIATION

The Federal Aviation Administration should act to:

○ Require Restraint Systems for Children Under Age 2

- Require restraints for infants and small children during takeoff, landing, and in turbulent conditions to provide them the same level of safety as other passengers.

○ Reduce Dangers to Aircraft Flying in Icing Conditions

- Use current research on freezing rain and large water droplets to revise the way aircraft are designed and approved for flight in icing conditions.
- Give flight crews accurate information to quickly recognize dangers of all types of icing and maintain airspeeds to avoid loss of aircraft control.

○ Eliminate Flammable Fuel/Air Vapors in Fuel Tanks on Transport Category Aircraft

- Modify procedures to reduce the potential for flammable fuel/air vapors in fuel tanks until permanent changes can be implemented.
- Implement design changes to eliminate the generation of flammable fuel/air vapors in all transport category aircraft.

○ Stop Runway Incursions/Ground Collisions of Aircraft

- Give immediate warnings of probable collisions/incursions directly to flight crews in the cockpit.

● Improve Audio and Data Recorders/Require Video Recorders

- Require cockpit voice recorders to retain at least 2 hours of audio.
- Require back-up power sources so cockpit voice recorders collect an extra 10 minutes of data when an aircraft's main power fails.
- Inspect and maintain data recorders yearly to make sure they operate properly.
- Install video recorders in cockpits to give investigators more information to solve complex accidents.

RAILROAD

The Federal Railroad Administration should act to:

○ Implement Positive Train Control Systems

- Prevent train collisions and overspeed accidents by requiring automatic control systems to override mistakes by human operators.

● Require Cab Voice Recorders/Improve Survivability of Recorders

- Install audio recorders to give investigators more information to solve complex accidents.
- Improve event recorder design survivability on new and rebuilt locomotives to protect data from fire and impact forces during train accidents.

NTSB CLASSIFICATION

● Unacceptable response

○ Acceptable response, progressing slowly

Actions needed by Federal Agencies

HIGHWAY

The Federal Motor Carrier Safety Administration should act to:

Improve the Safety of Motor Carrier Operations

- Prevent motor carriers from operating if they put vehicles with mechanical problems on the road or unqualified drivers behind the wheel.

Prevent Medically-Unqualified Drivers fro. Operating Commercial Vehicles

- Establish a comprehensive medical oversight program for interstate commercial drivers.
- Ensure that examiners are qualified and know what to look for.
- Track all medical certificate applications.
- Enhance oversight and enforcement of invalid certificates.
- Provide mechanisms for reporting medical conditions.

The National Highway Traffic Safety Administration and U.S. DOT should act to:

Enhance Protection for Bus Passengers

- Redesign motor coach window emergency exits so passengers can easily open them.
- Issue standards for stronger bus roofs and require them in new motor coaches.
- Devise new standards to protect motor coach passengers from being thrown out of their seats or ejected when a bus sustains a front, side, or rear impact or rolls over.

MARINE

The U.S. Coast Guard should act to:

Improve Drug and Alcohol Testing of Crews After Accidents

- Strengthen and clarify regulations to require that drug and alcohol testing be conducted quickly after serious marine accidents.

Require Voyage Data Recorders

- Mandate that all large ocean-going vessels be equipped with voyage data recorders to help investigators determine causes of accidents and incidents.

INTERMODAL

The U.S. Department of Transportation, Federal Aviation Administration, U.S. Coast Guard and Research and Special Programs Administration should act to:

Update Hours-of-Service Regulations in Aviation, Marine and Pipeline Industries

- Set working hour limits for flight crews, aviation mechanics, pipeline controllers, mariners and other transportation operators, and provide predictable work and rest schedules based on current fatigue research, circadian rhythms, sleep and rest requirements.

Acceptable response, progressing in a timely manner

Being assessed, classification code to be assigned soon

Actions needed by States/Industry

HIGHWAY

Improve Child Occupant Protection

- Enact State laws requiring booster seats for young children.
- Make vehicle back seats more child friendly.

Enact Primary Seat Belt Enforcement Laws

- Increase the number of people who wear seat belts through stronger enforcement laws.

Promote Teen Highway Safety

- Strengthen underage drinking and driving laws.
- Enact graduated driver licensing legislation.
- Prohibit nighttime driving and cell phone use by young novice drivers.
- Restrict the number of teen passengers traveling with young novice drivers.

Reduce Hard Core Drinking Driving

- Enact State legislation and take other actions that are proven to reduce crashes involving those who repeatedly drink large amounts of alcohol and drive including:
  - frequent, statewide sobriety checkpoints.
  - legislation to create stricter sanctions for those arrested the first time with a high blood alcohol concentration (>or = 0.15 BAC).
  - zero blood alcohol requirement for convicted DWI offenders when they get their license back.
  - administrative rather than court-based license revocation for refusing to take or failing the sobriety test.
  - vehicle sanctions for DWI offenders.
  - eliminate plea-bargaining DWI offenses and programs that divert offenders and purge the offense record.
  - retain DWI offense records (to identify and prosecute repeat offenders) for at least 10 years.
  - develop and operate special sanction (court-based) programs for hard core DWI offenders.

MARINE

Enhance Recreational Boating Safety

- Require mandatory education of boat operators.
- Require use of life jackets for children.
- Require safety instruction prior to personal watercraft rental.

National Transportation Safety Board

490 L' Enfant Plaza, SW • Washington, DC 20954

(202) 314.6000 • http://www.ntsb.gov

December 2003

National
Transportation
Safety Board

Safety Information

Washington, D.C. 20594

STATEMENT OF

KEVIN E. QUINLAN, CHIEF

SAFETY ADVOCACY DIVISION

NATIONAL TRANSPORTATION SAFETY BOARD

BEFORE THE

ALASKA LEGISLATURE

ON

HOUSE BILL 392

PRIMARY SAFETY BELT ENFORCEMENT

JUNEAU, ALASKA

FEBRUARY 2004

It is our pleasure to provide the following statement regarding House Bill 392.

The Safety Board wants to commend you for considering a measure that will so easily save motor vehicle occupants from crash-related deaths and injuries.

The National Transportation Safety Board is an independent Federal agency charged by Congress to investigate transportation accidents, determine their probable cause, and make recommendations to prevent their recurrence. The recommendations that arise from our investigations and safety studies are our most important product. The Safety Board has neither regulatory authority nor grant funds. However, in our 37-year history, organizations and government bodies have adopted more than 80 percent of our recommendations.

The Safety Board has recognized for many years that traffic crashes are this nation's most serious transportation safety problem. Every year, more than 90 percent of all transportation-related deaths are caused by highway crashes. The single greatest defense against highway fatalities is the seat belt. When used properly, seat belts reduce the risk of fatal injury to front seat vehicle occupants by 45 percent.

Unfortunately, seat belt use in the United States remains significantly lower than seat belt use in other industrialized nations. Australia and Canada, for example, have use rates over 90 percent, while seat belt use in the United States is approximately 75 percent. Although 49 States require motor vehicle occupants to use seat belts, 29 States, including Alaska, allow only secondary enforcement of their seat belt laws. Secondary enforcement means that police officers cannot issue a citation for a seat belt violation unless the vehicle has been stopped for another reason.

The Safety Board recommended in June 1995 that States enact legislation that provides for primary enforcement of seat belt laws. In 1997, the Safety Board again called for the States to enact primary enforcement and to provide the political will that will enable law enforcement agencies to vigorously enforce this important lifesaving law. The Safety Board maintains a Most Wanted list of safety recommendations because of their potential to save lives. Primary Enforcement is one of the issues on that list, the one with a greater potential to save lives than any other on the list. It also has more potential to save lives than probably any other piece of legislation you will consider this year.

Today I want to discuss four elements that support the Safety Board's position on seat belt laws. First, seat belts are effective in reducing motor vehicle injuries and fatalities. Second, the remaining 21 percent of motor vehicle occupants who do not use seat belts engage more frequently in high-risk behavior. Third, the economic cost from the failure to use seat belts is substantial. Finally, primary enforcement seat belt laws do increase seat belt use.

Seat Belts Are Effective

Seat belts are the number one defense against motor vehicle injuries and fatalities. Seat belts restrain vehicle occupants from the extreme forces experienced during motor vehicle crashes. Also, seat belts prevent occupant ejections. Only 1 percent of vehicle occupants using seat belts are ejected. Unrestrained vehicle occupants are ejected 30 percent of the time. Seventy-three percent of persons who are totally ejected from a vehicle are killed. From 1975 to 2002, seat belts saved almost 165,000 lives nationwide. According to the National Highway Traffic Safety Administration (NHTSA), a nationwide seat belt use rate of 90 percent by front seat occupants would prevent an additional 5,000 deaths and 130,000 serious injuries each year.

One issue that particularly concerns the Safety Board is that not all seat belt laws apply to all motor vehicle occupants. In 31 States, including Alaska, the seat belt law permits back seat occupants to ride unrestrained. However, unbelted vehicle occupants frequently injure other occupants, and unbelted drivers are less likely than belted drivers to be able to control their vehicles. An article recently published in the Journal of the American Medical Association stated that a person's risk of death in a crash is associated with the restraint use of other occupants; in the study, the risk was lowest when all occupants were restrained.

Unrestrained Vehicle Occupants More Frequently Engage in High-Risk Behavior

Approximately 20 percent of motor vehicle occupants nationwide do not use seat belts. These drivers, who choose not to buckle up, tend to exhibit multiple high-risk behaviors and are more frequently involved in crashes. According to the National Automotive Sampling System (crash data composed of representative, randomly selected cases from police reports), belt use among motorists in crashes decreases with increasing crash severity.

Fatal crashes are the most violent motor vehicle crashes and can result from high-risk behaviors such as speeding and impaired driving. Unfortunately, people

involved in fatal crashes also tend not to use their seat belts. While observational surveys have identified a 79 percent seat belt use rate, use in fatal crashes is significantly lower. From 1994 through 2002, 799,205 vehicle occupants were involved in fatal crashes. Of those 799,205 occupants, 303,291 died. Approximately 59 percent of the vehicle occupants who died were unrestrained. In Alaska, 596 vehicle occupants died, and nearly 64 percent were unrestrained.

Alcohol-related crashes cause approximately 40 percent of motor vehicle fatalities, and impaired drivers are notorious for not using seat belts. Alcohol-related crashes are also responsible for 22 percent of the total economic cost of motor vehicle crashes. Primary enforcement seat belt laws can help police officers identify impaired drivers and can certainly reduce the death and injury rate associated with impaired driving, since everyone's best defense against drunk driving is a seat belt.

Teenagers are generally considered high-risk drivers because of their inexperience and immaturity. Teen drivers and their teen passengers have the lowest seat belt use rates. In an analysis by the Air Bag and Seat Belt Safety Campaign, it was reported that among fatally injured 16-to 19-year-old drivers in States with secondary enforcement seat belt laws, belt use is an abysmal 30 percent. Teenagers are our future, and we need to ensure that they get in the habit of using seat belts.

Economic Costs from the Failure to Use Seat Belts are Significant

Although opponents to primary enforcement seat belt laws claim that nonuse is a personal choice and affects only the individual, the fact is that motor vehicle injuries and fatalities have a significant societal cost. For example, the lifetime cost to society for each fatality is over $977,000, over 80 percent of which is attributed to lost workplace and household productivity. In 2002, more than 7,100 lives could have been saved if everyone had used a seat belt. Society would have saved almost $7 billion.

Each critically injured survivor of a motor vehicle crash costs an average of $1.1 million. Medical costs and lost productivity account for 84 percent for the most serious level of non-fatal injury. In a 1996 study, NHTSA found that the average inpatient cost for unbelted crash victims was 55 percent higher than for belted crash victims. In 2000 alone, seat belts could have prevented over 142,000 injuries.

While the affected individual covers some of these costs, overall, those not directly involved in crashes pay for nearly three-quarters of all crash costs, primarily through insurance premiums, taxes, and travel delay. In 2000, those not directly involved in crashes paid over $170 billion. Just for medical care, lost productivity, and other injury related costs, society annually pays an estimated $26 billion for motor vehicle injuries and deaths experienced by unbelted vehicle occupants, and a substantial part of this cost is publicly funded.

The emotional and financial costs to Alaska are just as staggering. In 2002, 37 people died while riding unrestrained in motor vehicles on Alaska's roads. Seat belts are 45 to 73 percent effective in preventing fatalities depending on the vehicle type and seating position for the occupant. Therefore, it is reasonable to estimate conservatively that approximately 18 of the unrestrained occupants would have survived crashes in 2002, saving Alaska about $[illegible] million if they had buckled up.

Primary Enforcement Seat belt Laws Do Increase Seat belt Use

Primary enforcement seat belt laws can make a difference in seat belt use rates. With primary enforcement, police officers are authorized to execute a traffic stop and cite unbelted vehicle occupants without needing another reason for making the stop. According to the National Occupant Protection Usage Survey (June 2003), seat belt use in primary enforcement law States was 83 percent, while the belt use rate in secondary enforcement law States was only 75 percent. States that recently enacted primary enforcement seat belt laws experienced increased seat belt use rates ranging from almost 5 percent to almost 18 percent. The increased use is based on the perceived risk of being stopped.

Conclusion

Average American citizens, not just highway safety advocates, support primary enforcement. NHTSA conducted a survey in 2000 to determine the public's opinion on primary enforcement seat belt laws. Overall, 61 percent of the population surveyed supported primary enforcement. Among people from States with secondary enforcement seat belt laws, more than half approved of primary enforcement. Minority populations are greater proponents of primary enforcement than whites. For example, 72 percent of Hispanics surveyed and 68 percent of African Americans surveyed endorsed primary enforcement.

Key provisions of a comprehensive primary enforcement seat belt law should include coverage of all vehicle occupants in all seating positions, coverage

of all vehicles, and sufficient penalties. By allowing police officers to stop vehicles directly for seat belt violations, Alaska shows that it takes seat belt use very seriously. There are additional benefits to allowing primary enforcement. For example, when police officers stop vehicles for traffic law violations, such as failure to use a seat belt, they often discover additional traffic or criminal violations that otherwise might have gone undetected. Additionally, changing from secondary enforcement to primary enforcement does not impose additional requirements on vehicle occupants.

The measure sponsored by Representative Heinze, HB 392, will save lives and reduce injuries. Enacting this bill is the single most important life-saving and deficit reduction measure you can take this session. It costs nothing, but will save much. Thank you again for inviting the Safety Board to testify about this important problem. I would be happy to answer any questions you may have.

###

23-LS1476\A
Luckhaupt
1/2/04

HOUSE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE HEINZE

Introduced:
Referred:

A BILL

FOR AN ACT ENTITLED

"An Act relating to motor vehicle safety belt violations."

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

*** Section 1.** AS 28.05.095(e) is repealed.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM January 26, 2004

SUBJECT: Sectional Summary - HB 392 (Work Order No. 23-LS1476\A)

TO: Representative Cheryll Heinze
Attn: Jon

FROM: Gerald P. Luckhaupt
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, please note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill - the bill itself is the best statement of its contents.

Section 1 repeals AS 28.05.095(e) which limited peace officers from stopping or detaining someone merely for a seat belt violation unless the peace officer had probable cause to stop or detain the person for another violation.

GPL:med
04-082.med

Alaska State Legislature

Interim:
716 W. 4th Ave., #650
Anchorage, AK 99501-2133

Phone: (907) 269-0160
Fax: (907) 269-0177

Session:
Alaska State Capitol, Rm 108I
Juneau, AK 99801-1182

Phone: (907) 465-4930
Fax: (907) 465-3834
Toll Free: (800) 331-4930
Rep.Cheryll.Heinze@legis.state.ak.us

Representative Cheryll Heinze
District 24 - Anchorage

Sponsor Statement
HB 392

"An Act relating to motor vehicle safety belt violations."

HB 392 will make failure to wear a safety belt a primary offense.

This legislation allows drivers to be pulled over for driving without a seatbelt instead of only fining drivers if they are pulled over on a separate offense. It repeals AS 28.05.095: (e) In this section "probable cause" is used in reference to violations other than those found in AS 28.05.095 (a).

Last year over 90 Alaskans lost their lives in Automobile crashes. Many of these deaths could have been prevented had the drivers and passengers been wearing seat belts such as deaths resulting from ejection from the vehicle which seat belt are particularly effective in preventing. Ejected occupants are 4 times more likely to be killed in a crash than those who remain in the vehicle. Primary seatbelt laws increase seatbelt usage on average by 15%.

Additionally, people who don't wear seatbelts are less likely to buckle up their children. Six out of every ten children killed in car crashes are unbelted. A restrained driver is three times more likely to restrain a child. After Louisiana passed a primary restraint law for adults, child restrain use went from 45% to 82% even though the laws pertaining to child restraints remained the same.

There are financial benefits to passing a primary restraint law for Alaskans as well. Passing a primary seatbelt law would free up federal highway monies that are being sanctioned due to non-compliance of safety requirements. Also, citizens pay higher health care and insurance costs because of unbelted passengers and drivers. Inpatient hospital care costs for an unbelted crash victim are 50% higher than those for a crash victim who was wearing a seat belt. Eighty-five percent of those costs get spread out among all drivers, instead of just the individuals involved in the crash. It is estimated that each driver who uses a seat belt is paying an additional auto insurance premium of $40 a year to cover the cost of drivers who don't use seat belts.

Currently 17 states and the District of Columbia have primary seatbelt laws.

MEMORANDUM

State of Alaska
Department of Transportation & Public Facilities
Alaska Highway Safety Office

TO: Jon Bittner
Rep. Cheryll Heinze Office

DATE: January 21, 2004

FILE NO:

TELEPHONE NO: 465-4374

FAX NUMBER: 465-4030

FROM: Don Smith, Administrator

SUBJECT: Primary Seat Belt Law

I am very pleased to see that your office introduced HB 392 on Tuesday to amend AS 28.05.095, the seat belt law, to a primary Seat belt law.

Last year Alaska lost over 90 lives in automobile crashes. Many of these lives could have been saved had the drivers and passengers been wearing their seat belts. At least 7 fatalities were because of ejection from the vehicle. Ejected occupants are 4 times more likely to be killed in a crash as those who remain inside, and they are 14 times as likely to receive cervical spine injuries. These deaths represent millions in lost productivity and property damage as well as incredible suffering for family members. Additionally, hundreds of Alaskans are injured each year as a result of not using seat belts.

Alaska's Seat Belt Cost Analysis Report was recently completed and is attached. The analysis shows that 44% of motor vehicle crash-related hospital costs are borne by the citizens of Alaska. I have also attached three additional fact sheets.

Alaska's Highway Safety Office currently administers federal grants to encourage safe driving behaviors. Our "Click It or Ticket" program is clearly reaching a large percentage of our state's citizens. The program's success brought a 13% increase last year, but still leaves our seat belt use rate at only 79%. National studies have shown that this number goes up to around 90% where a state has a "primary" seat belt law on the books.

Currently 6% (over $10.4 million) of Alaska's federal highway monies are sanctioned due to non-compliance of safety requirements. Federal legislation is currently being offered that would add another 4% in sanctions for states that do not have a primary seat belt law.

I will begin gathering up some additional information and facts that you can use in the promotion of HB 392. We stand ready to help you in any way that we can.

CC: Commissioner Mike Barton
Director Jeff Ottesen
Region X Administrator Curt Winston

MADD
Activism | Victim Services | Education™

Mothers Against Drunk Driving
JUNEAU CHAPTER
211 4th St., Suite 314
Juneau, AK 99801
Phone (907)463-2562
Fax (907)463-2540
madd@alaska.net
www.madd.org/ak/juneau

January 22, 2004

Representative Cheryll Heinze
State Capitol, room 416
Juneau, Alaska 99801

Re: House Bill 392 /"An Act relating motor vehicle safety belt violations."

Dear Representative Heinze:

On behalf of the MADD Juneau Chapter, thank you for supporting MADD's mission through the creation of House Bill 392.

States with primary enforcement average 80% seat belt usage -- states without average 69%. Primary belt laws increase seat belt usage by eleven percentage points and decrease traffic fatalities by 10%.

For every percentage point the national seat belt usage rate increases, an additional 280 lives are saved per year. Every state but New Hampshire requires its citizens to wear seat belts. Unfortunately, over half of US states, including Alaska, have secondary enforcement laws, meaning that a law enforcement officer has to pull someone over for a different violation and only then is able to write an additional citation for a seat belt violation. This means that officers can pull someone over for a broken taillight, but they can't pull someone over for failing to use the most important piece of safety equipment in the car – the seat belt.

MADD supports HB 392 because it will encourage drivers and their occupants to use seatbelts. The best defense against a drunk driver is to wear your seat belt. Studies have found that states that pass a primary seat belt law increase average seat belt usage by nine to 14 percentage points. This, in turn, decreases crash fatalities by an average of eight percent and decreases the severity of injuries in crashes.

Sincerely,

Cindy Cashen

Cindy Cashen

Executive Director

Subject: [Fwd:]
Date: Wed, 28 Jan 2004 13:19:48 -0900
From: Cheryll Heinze <Representative_Cheryll_Heinze@Legis.state.ak.us>
Organization: Alaska State Legislature
To: Jon Bittner <Jon_Bittner@legis.state.ak.us>

Subject:
Date: Wed, 28 Jan 2004 08:11:32 -0900
From: "Thomas Remaley" <remaley@palmerpolice.com>
To: <Representative_Cheryll_Heinze@legis.state.ak.us>

I live in Wasilla and work in Palmer. In reading AS 28.05.095 reference the use of seatbelts, I see that it is required by law, however, police officers can not stop a vehicle solely to address a seatbelt violation. I would ask that you introduce and support a bill to allow officers to address this issue without having to establish some other probable cause to stop the vehicle. After all, if the wearing of seatbelts makes the motoring public that much more safe, why not make it important enough (or less difficult) to enforce?

Thomas Remaley

Attachment E

SAFETY BELT USE LAWS

State	Effective date	Standard enforcement?	Who is covered? In what seats?	Maximum fine 1st offense	Damages reduced for nonuse?
Alabama	7/18/91	yes; effective 12/9/99	6+ yrs. in front seat	$25	no
Alaska	9/12/90	no	16+ yrs. in all seats	$15	yes
Arizona	1/1/91	no	5+ yrs. in front seat;5 through 15 in all seats	$10	yes
Arkansas	7/15/91	no	15+ yrs. in front seat	$25[1,2]	no
California	1/1/86	yes; effective 1/1/93	16+ yrs. in all seats	$20	no
Colorado	7/1/87	no	16+ yrs. in front seat	$15	yes[3]
Connecticut	1/1/86	yes	4+ yrs. in front seat	$15	no
Delaware	1/1/92	yes; effective 6/30/03	16+ yrs. in all seats	$25	no
District of Columbia	12/12/85	yes; effective 10/1/97	16+ yrs. in all seats	$50[1]	no
Florida	7/1/86	no	6+ yrs. in front seat; 6 through 17 yrs. in all seats	$30	yes

State	Effective date	Standard enforcement?	Who is covered? In what seats?	Maximum fine 1st offense	Damages reduced for nonuse?
Georgia	9/1/88	yes; effective 7/1/96	5 through 17 yrs. in all seats; 18+ yrs. in front seat	$15[4]	no
Hawaii	12/16/85	yes	4 through 17 yrs. in all seats; 18+ yrs. in front seat	$45	no
Idaho	7/1/86	no	4+ yrs. in all seats	$25	no
Illinois	1/1/88	yes; effective 7/3/03	6+ yrs. in front seat; all in all seats if driver is younger than 18 yrs.	$25	no
Indiana	7/1/87	yes; effective 7/1/98	4 through 11 yrs. in all seats; 12+ yrs. in front seat	$25	no
Iowa	7/1/86	yes	6+ yrs. in front seat	$10	yes[3]
Kansas	7/1/86	no	14+ yrs. in front seat	$10	no
Kentucky	7/15/94	no	more than 40 in. in all seats	$25	no
Louisiana	7/1/86	yes; effective 9/1/95	13+ yrs. in front seat	$25	no
Maine	12/26/95	no	18+ yrs. in all seats	$50	no

		Standard	Who is covered? In	Maximum fine	Damages reduced for

			seat		
Texas	9/1/85	yes	4 through 16 yrs. in all seats; 17+ yrs. in front seat	$200	no
Utah	4/28/86	no (yes for children <19 yrs.)	16+ yrs. in all seats	$45	no
Vermont	1/1/94	no	16+ yrs. in all seats (eff. 1/1/04)	$25 (eff. 1/1/04)	no
Virginia	1/1/88	no	16+ yrs. in front seat	$25	no
Washington	6/11/86	yes; 7/1/2002	all in all seats	$37	no
West Virginia	9/1/93	no	9+ yrs. in front seat; 9 through 17 yrs. in all seats	$25	yes[1]
Wisconsin	12/1/87	no	4+ yrs. in front seat; 4 through 15 yrs. in rear seat with shoulder belt	$10	yes[3]
Wyoming	6/8/89	no	5+ yrs. in all seats	$25[2] driver/$10 passenger	no

[1]These states assess points for violations.

[2]Arkansas and Wyoming reward belt use by reducing the fine for the primary violation by $10.

[3]Under the safety belt defense, Wisconsin allows a maximum 15 percent damage reduction (in Missouri, a maximum 1 percent). In 3 states (Iowa, Michigan, and Nebraska), the damage reduction may not exceed 5 percent. In Colorado, damages may be reduced for pain and suffering only, not economic or medical losses. In West Virginia, an award for medical expenses only may be reduced by no more than 5 percent.

[4]In Georgia, the maximum fine is $25 if the child is 5-18 yrs. Drivers in Massachusetts may be fined $25 for violating the belt law themselves and $25 for each unrestrained passenger 12-16 yrs.

[5]Police are prohibited in South Carolina from enforcing safety belt laws at checkpoints designed for that purpose. However, safety belt violations may be issued at license and registration checkpoints.

Child Restraint, Belt Laws main page

Tables:
Child Restraint Laws
Children Not Covered by Safety Belt or Child Restraint Laws

Legislative Research Services

Alaska State Legislature
Legislative Affairs Agency
Division of Legal and Research Services

State Capitol
Juneau, AK 99801
Phone: 907-465-3991
Fax: 907-465-3908

January 19, 2004

Memorandum

TO: Representative Cheryll Heinze

FROM: Cherie Nienhuis
Legislative Analyst

RE: Safety Belts Laws and Accident Statistics

You asked for information about motor vehicle accident statistics and safety belt laws. Specifically, you asked us to compare Alaska's motor vehicle fatality statistics with those of states that have primary safety belt laws.

A safety belt law is primary when law enforcement officers are allowed to stop vehicles solely for safety belt violations. Primary safety belt laws contrast with secondary safety belt laws, which allow officers to cite safety belt violations only after stopping vehicles for other infractions. As of fall 2003, 20 states plus the District of Columbia have primary safety belts laws, and 29 states, including Alaska, have secondary safety belt laws.[1]

According to information published by the National Highway Traffic Safety Administration (NHTSA), in 2001, 85 fatalities resulted from motor vehicle crashes in Alaska. Approximately 44.3% of the fatally injured vehicle occupants were using restraints (safety belts, child seats, or other restraints). About 62.6% of all Alaska vehicle occupants were observed using restraints in 2001. This number compares with 91.1% of occupants using restraints in California, where a primary safety belt law is in place. Nationwide, NHTSA reports that 41% of all occupants who died in vehicle accidents in 2001 were using restraints, whereas 59% were not.[2]

The NHTSA's National Center for Statistics and Analysis reports that research has found that safety belts, when used, reduce the risk of fatal injury to front-seat passenger car occupants by 45 percent and the risk of moderate to critical injury by 50 percent. They estimate that in 2001, safety belts saved the lives of 12,144 front-seat passengers who were involved in life-threatening vehicle accidents.[3]

A study recently conducted by a private safety organization found that motor vehicle occupants are more likely to use safety belts in states with primary safety belt laws. Researchers observed that, on average, during the period from 1995 through 2002, about 15% more vehicle occupants were wearing safety belts in states with primary laws than in those states with secondary laws. The study also concluded that nationwide,

---

[1] "Child Restraint, Belt Laws as of October 2003," Insurance Institute for Highway Safety, available on-line at *http://www.highwaysafety.org/safety_facts/state_laws/restrain.htm;* we include a copy as Attachment A.

[2] "State Traffic Safety Information for Year 2001," National Highway Traffic Safety Administration (NHTSA), October 2002, available on-line at *http://www.nhtsa.dot.gov/STSI/index.cfm?Year=2001*. We include the Alaska section of this publication as Attachment B.

[3] "Traffic Safety Facts 2001," National Highway Traffic Safety Administration (NHTSA). We include a copy of this publication as Attachment C.

over 12,000 motorists died during the eight-year period because of their states' failure to implement a primary law.[4]

The Insurance Institute for Highway Safety publishes information about safety belt laws in each state, including whether they are primary (also called "standard"), and what the maximum fines are for first offenses. We include this information as Attachment E.

Additionally, the Alaska Department of Transportation and Public Facilities compiles information about vehicle accidents and safety belt usage in the state. Officials with access to this information, however, are away from Juneau at the current time and unable to respond to our request. As soon as this information becomes available, we will forward it to your office.

I hope you find this information to be useful. Please do not hesitate to contact us if you have questions or need additional information.

[4] Neil K. Chaudhary, PhD, David F. Preusser, PhD, and the Preusser Research Group, Inc., "Lives Lost by States' Failure to Implement Primary Safety Belt Laws," November 5, 2003. We include a copy of this publication as Attachment D. Although it may be presumptuous to draw a direct correlation between primary safety belt legislation and vehicle accident fatalities, the statistics linking increased safety belt use with primary laws is noteworthy.

Attachment B

Alaska

Toll Of Motor Vehicle Crashes, 2001

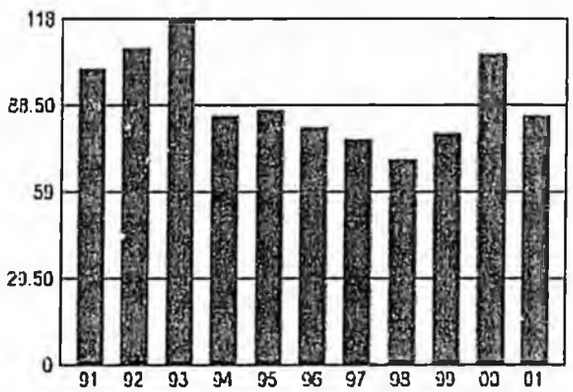
Change Year 2000 2001

Contents Next

2001	Alaska	US	Best State
Fatalities	85	42,116	
Fatality Rate per 100M VMT	1.80	1.51	0.90
Fatality Rate per 100K Population	13.39	14.79	7.48

TOTAL TRAFFIC FATALITIES

1991 - 2001



2000 Economic Cost of Motor Vehicle Traffic Crashes	
Alaska	$ 0.475 Billion
US Total	$ 230.568 Billion

	Fatalities in Alcohol-Related Crashes, 2001		Alcohol Related Fatalities, 2001	Passenger Vehicle Occupant Restraint Use Rates, 2001	
	Percentage ≥ 0.01 BAC	Percentage ≥ 0.08 BAC	Rate per 100 million VMT	Fatally Injured Occupants (Known Use Only)	Observed Use
Alaska	50.0%	46.0%	0.91	44.3%	62.6%
US Total	41.0%	35.0%	0.63	40.5%	73.0%
Best State	23.0%	19.0%	0.29	59.6%	91.1%

Available NHTSA Financial Resources

Highway Safety Program Funds

Restraint required < 4 - $5? Fine plus 2 points

MOTORCYCLES	Motorcycle Rider Deaths				Current Lives Saved by Helmets	Savable at 100%
	Total	Helmeted	Unhelmeted	Unknown		
Alaska	7	0	7	0	0	2

Helmet use required for all operators < 18 and all passengers - $300 Fine plus 2 points

Alcohol Related Fatalities by County

Alaska Fatalities and Fatality Rate per 100 Million VMT					
	Fatalities			Fatality Rate	
Year	Tot	Alc-Rel	%	Tot	Alc-Rel
1982	105	64	61	3.03	1.85
1983	150	88	59	4.47	2.62

Change in Alcohol Related Rates over time, Alaska vs. US		
Time Period	Alaska	US
1982 to 2001	-51%	-62%
Last 10 years	-25%	-32%
Last 5 years	-13%	-11%

People Saving People

Passenger Vehicle Occupant Fatalities (All Ages), by Restraint Use*

National Center for Statistics & Analysis NCSA

Restraint Use	Year			
	2001		2002	
Persons Killed	32,043	100%	32,598	100%
Restraint Used**	12,992	41%	13,471	41%
Restraint Not Used	19,051	59%	19,127	59%

*Occupant Fatalities whose restraint use was unknown were distributed proportionally to the known use categories. In both years restraint use was unknown for 8% of passenger vehicle occupants.

** Restraint Used = Use of any type of restraint, e.g., lap belt, lap/shoulder belt, child safety seat, etc.

Source: FARS

STATE OF ALASKA

Department of Health & Social Services
Division of Public Health
Section of Community Health and Emergency Medical Services

FRANK H. MURKOWSKI, GOVERNOR

P.O. Box 110616
Juneau, Alaska 99811-0616

Emergency Medical Services
Telephone: (907) 465-3027
Telefax: (907) 465-4101

Health Promotion
Telephone: (907) 465-3140
Telefax: (907) 465-2770

Primary Care
Telephone: (907) 465-3091
Telefax: (907) 465-6861

To: Jon Bittner
Office of Representative Heinze

From: Martha Moore
Trauma Registry Coordinator
Section of Community Health and EMS

Date: January 28, 2004

Subject: HB 392

In 2001, according to the Department of Transportation's Alaska Traffic Accidents Report, unbelted occupants in a motor vehicle crash were 19 times more likely to die than belted occupants, and 12 times more likely to sustain a major injury. Eighty-four percent (84%) of the belted occupants in crashes walked away uninjured, compared with only 60% of the unbelted occupants. There were 42,931 Alaskans involved in car, truck and bus crashes that year. For 11,435 of them use of restraints was unknown.

The Alaska Trauma Registry records outcomes of crash victims injured seriously enough to have been admitted to an Alaskan hospital. Looking at 10 years of data (1991-2000), the patients who were not buckled up at the time of the crash were almost twice as likely to sustain a serious head injury and over one and a half times more likely to be discharged with a permanent disability.

Of the 1,765 patients admitted to the hospital who were not restrained in a motor vehicle crash in the 10-year period, 22% were uninsured and 31% billed a government program for their hospital care (including 172 billing Medicaid). Of the 1,765, there were 90 fatalities, 606 traumatic brain injuries, 274 permanent disabilities, and 148 were discharged from the hospital to a rehabilitation or skilled nursing facility.

By enacting primary safety belt enforcement legislation, Alaska could expect to increase the safety belt wear rate to at least 74% (estimating from national statistics). Using the "BELTUSE" software program put out by the National Highway Traffic Safety Administration, it is estimated that 6 Alaskan lives would be saved per year, 71 major injuries prevented, 51 minor injuries prevented, and over $12 million dollars in economic savings.

Attachment C

DOT HS 809 474

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

Traffic Safety Facts 2001

Occupant Protection

NHTSA
People Saving People
http://www.nhtsa.dot.gov

NCSA
National Center for Statistics & Analysis
of the National Highway Traffic Safety Administration

"Safety belts, when used, reduce the risk of fatal injury to front-seat passenger car occupants by 45 percent."

A Public Information Fact Sheet on Motor Vehicle and Traffic Safety Published by the National Highway Traffic Safety Administration's National Center for Statistics and Analysis

Restraint Use Laws

The U.S. Department of Transportation's July 1984 rulemaking on automatic occupant protection began a wave of legislative action that resulted in the enactment of safety belt use laws in many states. The goal of those laws is to promote belt use and thereby reduce deaths and injuries in motor vehicle crashes.

The first mandatory belt use law was enacted in the State of New York in 1984. As of December 2001, 49 states and the District of Columbia had belt use laws in effect. The laws differ from state to state, according to the type and age of the vehicle, occupant seating position, etc.

In 32 of the states with belt use laws in 2001, the law specified secondary enforcement. That is, police officers are permitted to write a citation only after a vehicle is stopped for some other traffic infraction. Seventeen states and the District of Columbia had laws that allowed primary enforcement, enabling officers to stop vehicles and write citations whenever they observe violations of the belt law.

A 1995 NHTSA study, *Safety Belt Use Laws: An Evaluation of Primary Enforcement and Other Provisions*, indicates that states with primary enforcement safety belt laws achieved significantly higher belt use than did those with secondary enforcement laws. The analysis suggests that belt use among fatally injured occupants was at least 15 percent higher in states with primary enforcement laws.

The first mandatory child restraint use law was implemented in the State of Tennessee in 1978. Since 1985, all 50 states and the District of Columbia have had child restraint use laws in effect. These laws also cover various segments of the population.

Restraint System Effectiveness

Research has found that lap/shoulder safety belts, when used, reduce the risk of fatal injury to front-seat passenger car occupants by 45 percent and the risk of moderate-to-critical injury by 50 percent. For light truck occupants, safety belts reduce the risk of fatal injury by 60 percent and moderate-to-critical injury by 65 percent.

Recent NHTSA analyses indicate an overall fatality-reducing effectiveness for air bags of 12 percent.

Research on the effectiveness of child safety seats has found them to reduce fatal injury by 71 percent for infants (less than 1 year old) and by 54 percent for toddlers (1-4 years old) in passenger cars. For infants and toddlers in light trucks, the corresponding reductions are 58 percent and 59 percent, respectively.

The 1996 NHTSA study, *Crash Outcome Data Evaluation System (CODES)*, linked traffic and medical records in seven states to assess total costs of injury from motor vehicle crashes. The study found that the average inpatient costs for crash victims who were not using safety belts were 55 percent higher than for those who were belted.

Ejection from the vehicle is one of the most injurious events that can happen to a person in a crash. In fatal crashes in 2001, 75 percent of passenger car occupants who were totally ejected from the vehicle were killed. Safety belts are effective in preventing total ejections: only 1 percent of the occupants reported to have been using restraints were totally ejected, compared with 24 percent of the unrestrained occupants.

Air Bags

In 1995, NHTSA revised its method for calculating lives saved by air bags. The estimates in Table 1 reflect this revision.

"Between 1987 and 2001, 8,369 lives were saved by air bags."

Air bags, combined with lap/shoulder safety belts, offer the most effective safety protection available today for passenger vehicle occupants.

It is estimated that, as of 2001, more than 120 million air-bag-equipped passenger vehicles were on the road, including 96 million with dual air bags.

In 2001, an estimated 1,816 lives were saved by air bags. From 1987 to 2001, a total of 8,369 lives were saved.

Beginning September 1997 (model year 1998), all new passenger cars were required to have driver and passenger air bags, along with manual lap/shoulder safety belts. The same requirement applies to light trucks beginning in September 1998.

Air bags are *supplemental* protection and are not designed to deploy in all crashes. Most are designed to inflate in a moderate-to-severe *frontal* crash.

Some crashes at lower speeds may result in injuries, but generally not the serious injuries that air bags are designed to prevent. For this and other reasons, **lap/shoulder belts should always be used, even in a vehicle with an air bag.**

Children in rear-facing child seats should not be placed in the front seat of vehicles equipped with passenger-side air bags. The impact of a deploying air bag striking a rear-facing child seat could result in injury to the child.

Benefits of Child Restraint Use

In 2001, there were 497 passenger vehicle occupant fatalities among children under 5 years of age. Of these 497 fatalities, an estimated 242 (or 49 percent) were totally unrestrained.

Among children under 5 years old, an estimated 269 lives were saved in 2001 by child restraint use. Of these 269 lives saved, 235 were associated with the use of child safety seats and 34 with the use of adult belts.

Lives Lost by States' Failure to Implement Primary Safety Belt Laws

November 5, 2003

Prepared by:

Neil K. Chaudhary, PhD
David F. Preusser, PhD
Preusser Research Group, Inc.
Trumbull, CT

For:

The National Safety Council's
Air Bag & Seat Belt Safety Campaign

OBJECTIVE:

The purpose of this study is to estimate the number of lives lost due to the failure of states to pass primary enforcement safety belt laws. Primary laws allow officers to stop motorists based solely on an observed seat belt violation. Secondary laws allow officers to enforce the safety belt law if and only if the motorist is first stopped for some other violation. In 2002, eighteen states plus the District of Columbia had primary laws (see Table 1). Historically, safety belt use has been higher in "primary states" than in states without primary laws. Figure 1 shows primary versus secondary states based on standard National Highway and Traffic Safety Administration (NHTSA) approved observational studies.

Table 1.
Dates of Primary Law Enactment (Source: NTSB)

State	Enacted	State	Enacted
Alabama	12/09/99	Maryland	10/01/97
California	01/01/93	Michigan	03/10/00
Connecticut	01/01/86	New Jersey	05/01/00
Delaware*	06/30/03	New Mexico	01/01/86
District of Columbia	10/01/97	New York	12/01/84
Georgia	07/01/96	North Carolina	10/01/85
Hawaii	12/16/85	Oklahoma	11/01/97
Illinois*	07/03/03	Oregon	12/07/90
Indiana	07/01/98	Texas	09/01/85
Iowa	07/01/86	Washington	04/02/02
Louisiana	09/01/95		

* Law Changed in 2003

PROCEDURE:

The first step was to determine the likely increase in the safety belt use rate associated with the passage of a primary law. Three methods were used to establish convergent validity.

Effectiveness of Primary Law

State wide observations:

The first estimate used NHTSA verified statewide observations of day-time belt use rates. We compared rates for states with primary laws to states without primary laws for each year starting with

1995 and ending with 2002 (See Table 2). For this analysis, as well as all following analyses, data from the District of Columbia and Indiana were excluded. DC simultaneously implemented a primary law and applied more strict consequences for violation of the law (high fines and points to the license) making it difficult to attribute change in belt use to the primary law alone. IN implemented a primary law in 1999, which was soon after ruled unconstitutional, then reinstituted some time later, making it difficult to set a specific date for the onset of the primary law.

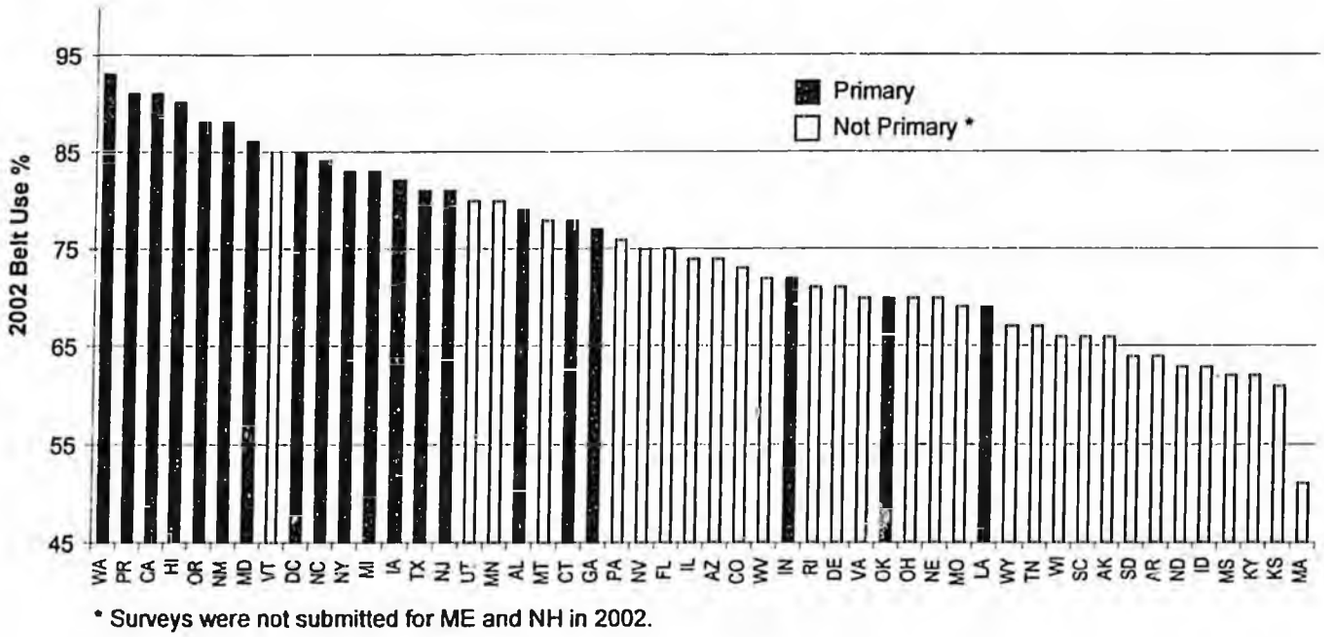


FIGURE 1. Belt use rates in 2002 (Data Source: NHTSA).

Table 2
Statewide Observed Belt Use 1995-2002 for Primary* Versus Non-primary Law States

	1995	1996	1997	1998	1999	2000	2001	2002	ALL
Primary	75%	74%	75%	78%	79%	79%	81%	83%	78%
not-Primary	60%	59%	60%	61%	63%	65%	67%	70%	63%
Difference	15%	15%	14%	17%	16%	14%	14%	13%	15%

* Excludes DC & IN

The results indicate that front seat occupants in primary states are between 13 and 17 percentage points ($\underline{M}$ = 15) more likely to be properly restrained than those in non-primary states.

FARS data estimations:

The second estimate of the value of primary laws was based on NHTSA's Fatality Analysis Reporting System (FARS); a database of crashes that resulted in at least one fatal injury. Using FARS, we compiled the number of fatally injured front seat occupants, ages 16 and older, of passenger vehicles who were, and were not, wearing safety belts. Theoretically, the number of belted drivers is underrepresented in the FARS database. This is because the proper use of safety belts reduces fatalities preventing the crash from entering the database. Thus, to estimate the number of belted drivers in "Potentially Fatal Crashes" (PFCs) we use the NHSTA estimation that safety belts are 45% effective in reducing fatalities in PFCs for passenger cars and 60% effective for light trucks (including pickups, SUVs and vans). That is, we estimated the number of front seat occupants who were involved in PFC's by hypothesizing that the number of belted drivers who died is 55% of all the belted drivers involved in crashes serious enough to potentially cause a fatality. An additional number of drivers in PFC's did not die because they were wearing seat belts.

We established a percentage of front seat occupants who were belted, and unbelted, in PFC's (see Table 3). Using these estimates, we established that front seat occupants of vehicles involved in PFC's in states with primary laws have 15 percentage point higher belt use than persons in states without primary laws.

Within state estimations:

The third method was to compare observed belt use rates in those states that changed from secondary to primary. Two years of NHTSA verified statewide observed belt use rates prior to the law change for 8 states that changed their laws were compared to the two years after the law change. The year in which the law changed was excluded. The results indicated that observed belt use was, on average, 15 percentage points higher in the two years after than the two years before (see Table 4).

Table 3
Actual and Estimated Safety Belt use rates for Fatal, and Potentially Fatal Crashes (Data Source: FARS 1995 – 2002)

		Primary*		Not Primary		
		N	Est. Belted	N	Est. Belted	Difference
Passenger Cars	Unbelted Dead	21520		50630		
	Belted Dead	27807		33010		
	Est. Belted Alive	22751		27008		
	Est. Total PFCs	72078	70%	110648	54%	16%
Light Trucks (Pickups, SUVs, Vans)	Unbelted Dead	16381		29320		
	Belted Dead	9069		9199		
	Est. Belted Alive	13604		13799		
	Est. Total PFCs	39054	58%	52318	44%	14%
Combined	Unbelted Dead	37901		79950		
	Belted Dead	36876		42209		
	Est. Belted Alive	36355		40807		
	Est. Total PFCs	106597	66%	158366	51%	15%

* Excludes DC & IN

Table 4
Change in Statewide Observed Belt use Prior to and After Law Changes (Data Source: NHTSA)

	Years relative to Law Change					Difference
	-2	-1	0	1	2	
CA	48%	50%	59%	59%	67%	
LA	57%	53%	58%	65%	74%	
GA	57%	53%	58%	65%	74%	
MD	70%	70%	71%	83%	83%	
OK	46%	48%	60%	56%	61%	
AL	52%	52%	58%	71%	79%	
MI	70%	70%	84%	82%	83%	
NJ	63%	63%	74%	78%	81%	
	58%	57%	65%	70%	75%	
Means	58%			73%		15

These analyses provided three estimates of effectiveness of primary laws. All three of the methods suggest that belt use was likely to have increased about 15 percentage points had a state adopted a primary safety belt law during the period included in this study (1995 – 2002).

RESULTS

For the present study, we estimate that belt use would have increased an average of 15 percentage points after implementation of a primary law over the 8 year period from 1995 – 2002. Using the estimated 15 percentage point gain in belt use by implementation of a primary law, we estimated how many front seat occupants of passenger vehicles (16 and older) died because their states did not implement a primary law. The estimated effectiveness of the safety belt is 45% for passenger cars and 60% for light trucks. We calculated that since 1995 an estimated 12,177 motorists died because of their states' failure to implement a primary law (see Table 5). The number killed was highest in 1995 and generally decreased in later years as more states switched to primary (See Figure 2). The estimated lives lost per state ranges from 33 in Rhode Island to 1333 in Florida (See Table 6).

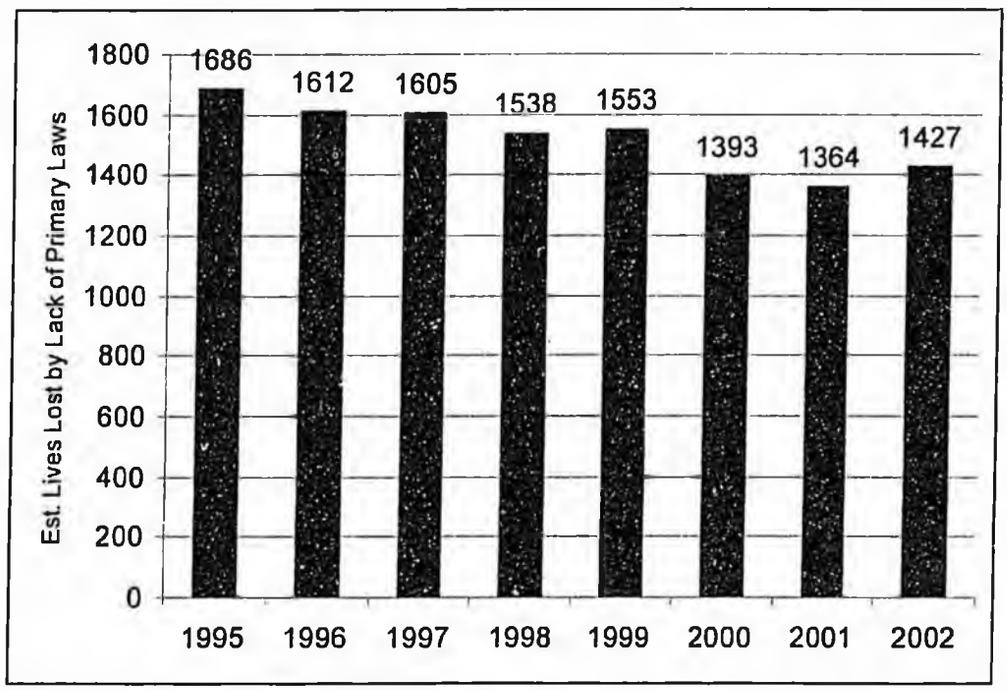


FIGURE 2. Est. Lives lost per year due to no primary enforcement safety belt law.

Table 5
Est. Lives Lost Due to Lack of Primary Laws (1995-2002)

	States without Primary Laws	If Primary Law	Lives Lost
Unbelted Dead	79950	55505	
Belted Dead	42209	54477	
Est. Belted Survivors	40807	52984	
Total Dead	122159	109982	12177

CONCLUSION

Failure to implement primary laws in all states resulted in more than 12,000 lives were lost during the years 1995 - 2002. If the situation remains the same as in 2002, an estimated additional 1,400 motorists will be killed next year alone.

Table 6
Est. Lives Lost Due to Lack of Primary Laws by State (1995-2002)

State	Est. Lives Lost	State	Est. Lives Lost
Alaska	43	Nevada	169
Arizona	415	New Hampshire	60
Arkansas	316	North Dakota	50
Colorado	357	Ohio	732
Florida	1333	Pennsylvania	667
Idaho	143	Rhode Island	33
Kansas	247	South Carolina	525
Kentucky	482	South Dakota	73
Maine	96	Tennessee	675
Massachusetts	157	Utah	172
Minnesota	314	Vermont	47
Mississippi	481	Virginia	478
Missouri	579	West Virginia	205
Montana	135	Wisconsin	387
Nebraska	134	Wyoming	94

Fact Sheet

SAFETY BELT USE

Of the 31,910 vehicle occupants killed in crashes in 2001, 60 percent were nor wearing a safety belt. [The National Highway Traffic Safety Administration, Annual Assessment of Motor Vehicle Crashes, 2001]

Safety belts saved 13,274 lives in 2001, and if all vehicle occupants over age 4 had been wearing safety belts, 7,334 more lives could have been saved, NHTSA estimates. [NHTSA, Traffic Safety Facts Overview, 2001]

Each percentage-point increase in safety belt use represents 2.8 million more people buckling up, 250 more lives saved and 6,400 serious injuries prevented annually, NHTSA estimates. [NHTSA, FY 2003 Performance Plan, 2002]

Safety belt use has increased significantly in the past few years, but more must be done. Safety belt use in the United States rose to 75 percent in 2002 from 58 percent in 1994. [NHTSA, National Occupant Protection Use Survey, June 2002]

RESTRAINT EFFECTIVENESS

Seventy-three percent of the people who were in a fatal crash in 2001 and were restrained survived; of those who were not restrained, only 44 percent survived. [NHTSA, Annual Assessment of Motor Vehicle Crashes, 2001]

In fatal crashes, 75 percent of all passenger car occupants who were totally ejected were killed. Only 1 percent of those occupants had been using a safety belt. [NHTSA, Traffic Safety Facts Overview, 2001]

SAFETY BELTS SAVE LIVES AND MONEY

In the past 26 years, safety belts prevented 135,000 fatalities and 3.8 million injuries, saving $585 billion in medical and other costs. If all vehicle occupants had used safety belts during that period, nearly 315,000 deaths and 5.2 million injuries could have been prevented — and $913 billion in costs saved. [NHTSA, Economic Impact of Crashes, 2002]

In 2000, the deaths and serious injuries prevented by safety belts resulted in savings of $50 billion in medical care, lost productivity and other injury-related costs. [NHTSA, Economic Impact of Crashes, 2002]

Motor vehicle crashes in 2000 cost a total of $230.6 billion, an amount equal to 2.3 percent of the gross domestic product, or $820 for every person living in the United States. [NHTSA, Economic Impact of Crashes, 2002]

In 2000, the economic cost to society was more than $977,000 for each crash fatality and an average of $1.1 million for each critically injured person. [NHTSA, Economic Impact of Crashes, 2002]

The general public pays nearly three-quarters of all crash costs, primarily through insurance premiums, taxes, delays and lost productivity. [NHTSA, Economic Impact of Crashes, 2002]

ADULTS UNDER 35 AND TEENS

In 2001, 64 percent of all 18- to 34-year-old passenger vehicle occupants who were killed or severely injured in crashes were not wearing safety belts. By comparison, among vehicle occupants age 35 and older who were killed or severely injured in crashes, 48 percent were not buckled up. [Fatality Analysis Reporting System, 2001 Annual Report File (ARF)]

In 2001, 68 percent of the 18- to 34-year-old male passenger vehicle occupants who were killed or severely injured in crashes were not wearing safety belts. Fifty-four percent of the women age 18 to 34 who were killed or severely injured in crashes were not buckled up. [Fatality Analysis Reporting System, 2001 Annual Report File (ARF)]

Motor vehicle crashes are the leading cause of death for people age 15 to 24 in the United States. [National Center for Health Statistics, National Vital Statistics Report, 2002]

In 2001, 63 percent of 16- to 20-year-old drivers and passengers killed or seriously injured in crashes were not wearing a safety belt. [Fatality Analysis Reporting System, 2001 Annual Report File (ARF)]

In 2001, the economic cost of police-reported crashes involving drivers age 15 to 20 was about $42.3 billion. [NHTSA, Traffic Safety Facts 2001 -Young Drivers]

Male teens continue to lag behind female teens in safety belt use. In 2001, 18.1 percent of high school males said they rarely or never wore a safety belt as a passenger, compared with 10.2 percent of high school females. [Centers for Disease Control and Prevention, Youth Risk Behavior Survey, 2001]

Ninety-four percent of drivers age 16 to 20 said they buckle up to avoid serious injury. Eighty-two percent said they use safety belts because it's the law, and 80 percent do so to avoid a ticket. [NHTSA, Motor Vehicle Occupant Safety Survey, 2000]

MINORITIES

Safety belt use among African Americans rose to 77 percent — increasing to essentially the same level as that of the general population — in 2002, from 69 percent in 2000. More than a quarter of African Americans who did not use safety belts in 2000 used them in 2002.
[NHTSA, National Occupant Protection Use Survey, June 2002]

Motor vehicle crashes are the leading cause of death for African Americans from birth through age 14 and are the second leading cause of death for African Americans 15 to 24 years old. [Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, 1998]

Motor vehicle crashes are the leading cause of death for Hispanics age one to 34 and the third leading cause of death for all Hispanics, surpassed only by heart disease and cancer. [Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, 2000]

In 2001, 16.1 percent of African American teens said they rarely or never used a safety belt as a passenger, compared with 13.6 percent of white teens and 14.5 percent of Hispanic teens. [Centers for Disease Control and Prevention, Youth Risk Behavior Survey, 2001]

Even though African American and Hispanic male teens drive fewer miles than white male teens, they are twice as likely than whites to die in a crash. [Archives Of Pediatric & Adolescent Medicine, 1998]

Download PDF version

Safety Belts and Teens 2003 Report

Teens* have the highest fatality rate in motor vehicle crashes than any other age group.[1] There are many reasons; for instance, while teens are learning the new skills needed for driving, many frequently engage in high-risk behaviors, such as speeding and/or driving after using alcohol or drugs. Studies also have shown that teens may be easily distracted while driving.[2] One key reason for high traffic fatalities among this age group is that they have lower safety belt use rates than adults.[3] Because teens have an increased exposure to potentially fatal traffic crashes, it is imperative that efforts to increase safety belt use among this age group be given the highest priority. In addition, the youth population has increased by more than 12 percent since 1993, and is expected to increase by another seven percent by 2005.[4] As this age group increases as a percentage of the population, the personal and societal costs associated with deaths and injuries from motor vehicle crashes also will rise.

Teens Are At Risk

- Motor vehicle crashes are the leading cause of death for 15 to 20 year olds in the United States.[5]
- In 2001, 5,341 teens were killed in passenger vehicles involved in motor vehicle crashes. Two thirds of those killed were not buckled up.[6]
- In 2001, 3,608 *drivers* 15 to 20 years old were killed in motor vehicle crashes, and an additional 337,000 were injured.[7]
- When driver fatality rates are calculated on the basis of estimated annual travel, teen drivers (16 to 19 years old) have a fatality rate that is about four times higher than the fatality rate among drivers 25 through 69 years old.[8]
- Many high school students fail to use their safety belts even when riding with adults who are buckled up. An observational survey conducted at 12 high schools found that 46 percent of high school students were not wearing their safety belts when riding with adult drivers. About half of the **unbelted** students were riding with adults who were belted.[9]
- A recent medical study examined motor vehicle fatality exposure rates and found that, per mile traveled, African American and Hispanic male teenagers (13-19 years old) are nearly twice as likely to die in a motor vehicle crash as male teenagers who are white.[10]
- Male high school students (18 percent) report that they are more likely to rarely or never use safety

belts compared with female high school students (10 percent).[11]

Seat Belts Save Lives And Dollars

- In 2001, the estimated economic cost of police-reported crashes involving drivers between 15 and 20 years old was $42.3 billion.[7]
- Safety belts saved more than 12,000 American lives in 2001. Yet, during that same year, nearly two-thirds (60 percent) of passenger vehicle occupants killed in traffic crashes were unrestrained.[12]
- Research has shown that lap/shoulder belts, when used properly, reduce the risk of fatal injury to front-seat passenger car occupants by 45 percent and the risk of moderate to critical injury by 50 percent. For light truck occupants, safety belts reduce the risk of fatal injury by 60 percent and moderate-to-critical injury by 65 percent.[13]
- Safety belts should always be worn, even when riding in vehicles equipped with air bags. Air bags are designed to work *with* safety belts, not alone. Air bags, when not used with safety belts, have a fatality-reducing effectiveness rate of only 12 percent.[14]
- Safety belt usage saves society an estimated $50 billion annually in medical care, lost productivity, and other injury-related costs.[15]
- Conversely, safety belt *nonuse* results in significant economic costs to society. The needless deaths and injuries from safety belt nonuse account for an estimated $26 billion in economic costs to society annually.[16] The cost goes beyond the lost lives of unbuckled drivers and passengers: We all pay - in higher taxes and higher health care and insurance costs.

Strong Safety Belt Laws Can Make a Difference

- There are two types of safety belt laws: primary and secondary. A *primary* (standard) safety belt law allows law enforcement officers to stop a vehicle and issue a citation when the officer simply observes an unbelted driver or passenger. A *secondary* safety belt law means that a citation for not wearing a safety belt can only be written after the officer stops the vehicle or cites the offender for another infraction.
- Primary safety belt laws are much more effective in increasing safety belt use, because people are more likely to buckle up when there is the perceived risk of receiving a citation for not doing so. In June 2002, the average safety belt use rate in States with primary enforcement laws was 11 percentage points higher than in States without primary enforcement laws.[17] (Safety belt use was 80 percent in primary law States versus 69 percent in States without primary enforcement.)
- Many teens support primary enforcement safety belt laws. In 2000, a nationwide survey was conducted to determine attitudes regarding primary enforcement safety belt laws. Of the more than 500 young people 16 to 20 years of age who were surveyed, 60 percent voiced their support for primary enforcement laws.[18]
- Young drivers are more likely to use safety belts in States with a primary safety belt law versus States with a secondary law. The five states that currently have the highest teenage safety belt use are California, Maryland, Michigan, North Carolina, and Oregon. These States have primary safety belt laws that are among the strongest in the nation.[19]

Safety Belt Enforcement Programs

- Occupant Protection Selective Traffic Enforcement Programs (sTEPs) are periods of highly visible safety belt law enforcement combined with extensive media support. These programs are a proven method to change motorists' safety belt use behavior and do it quickly. Successful Occupant Protection sTEPs have been documented in Canada, Europe, and the United States.[20, 21, 22, 23]
- Highly visible enforcement of safety belt laws is at the core of any plan to increase safety belt use; no State or community has ever achieved a high safety belt use rate without strong enforcement of such laws. Strong enforcement of safety belt laws sends the message that the State takes safety belt use laws seriously. Ultimately, this leads to greater compliance.
- Enforcement of safety belt laws is significantly more effective when it is combined with media saturation because the perceived risk of receiving a citation is increased. Research shows that people will buckle up if they believe the police are enforcing the law.
- The "Click It or Ticket" model has been enormously successful in increasing safety belt use at the community, State, and regional level. A "Click It or Ticket Campaign" was fully implemented and evaluated in 10 States in May 2002. This initiative, which involved a partnership between the National Highway Traffic Safety Administration (NHTSA), the Air Bag & Seat Belt Safety Campaign, and hundreds of law enforcement agencies, helped to raise safety belt use an average of nine percentage points among these 10 States. One State, Vermont, experienced a 19 percentage-point increase in safety belt use as a result of the campaign.
- Many jurisdictions in the United States have adopted graduated licensing, a system designed to delay full licensure while allowing beginners to obtain their initial experience under lower risk conditions. There are three stages: a minimum supervised learner's period, an intermediate license, and a full-privilege driver's license after successful completion of the first two stages.[24] A good graduated licensing system will have education and enforcement of safety belt laws. For example, in North Carolina, graduated licensing law includes provisions for fines for up to $100 for safety belt violations by new drivers.

Many Organizations Support Strong Safety Belt Laws for Teens

Many organizations have partnered with NHTSA to help increase the safety belt use among teens because they realize that by doing so, thousands of lives will be saved and millions of injuries will be prevented. These organizations include:

- 100% Drug Free Clubs
- 4-H
- Advocates for Highway/Auto Safety
- American Automobile Association
- American Driver & Traffic Safety Education Association
- American School Health Association
- Aspira Association, Inc.
- Automotive Coalition for Traffic Safety
- Bacchus & Gamma Peer Education Network
- Brain Injury Association
- Center for Substance Abuse Prevention
- Centers for Disease Control & Prevention
- Children's Safety Network
- Circle K International
- Emergency Medical Services for Children

- Emergency Nurses Association
- Family, Career and Community Leaders of America
- Farm Safety 4 Just Kids
- Governors Highway Safety Association
- Insurance Institute for Highway Safety
- International Association of Campus Law Enforcement Administrators
- Mothers Against Drunk Driving
- Maternal & Child Health Bureau
- National Association of School Resource Officers
- National Association of Teen Institutes
- National Campaign to Prevent Teen Pregnancy
- National Children's Center for Rural and Agricultural Health and Safety
- National Commission Against Drunk Driving
- National Criminal Justice Association
- National Peer Helpers Association
- National Parent Teachers Association
- National SAFE KIDS Campaign
- National Safety Belt Coalition/National Safety Council
- National Student Safety Program
- Network of Employers for Traffic Safety
- Pacific Institute for Underage Drinking Enforcement Training Center
- Recording Artists, Actors & Athletes Against Drunk Driving (RADD)
- RADD Kids/Team RADD
- Remove Intoxicated Drivers
- The State and Territorial Injury Prevention Directors' Association
- Street Law, Inc.
- Students Against Destructive Decisions
- Substance Abuse and Mental Health Services Administration
- Think First Foundation
- United National Indian Tribal Youth
- United States Department of Education
- United States Department of Health and Human Services
- United States Department of Justice
- Youth of Virginia Speak Out About Traffic Safety
- YMCA of the United States of America

References

1. Traffic Safety Facts 2001 (Book), National Highway Traffic Safety Administration, DOT HS 809 484, pg. 21.
2. Williams, Alan F. 2001. Teenage Passengers in Motor Vehicle Crashes: A Summary of Current Research. Insurance Institute for Highway Safety.
3. NHTSA Research Notes, August 2001. DOT HS 809 318.
4. U.S. Census Bureau
5. National Center for Health Statistics of the United States Centers for Disease Control and Prevention, 1999 data.
6. Traffic Safety Facts 2001. National Highway Traffic Safety Administration. DOT HS 809 484.

Table 68, pg. 103.

7. Traffic Safety Facts 2001. Younger Driver, National Highway Traffic Safety Administration, DOT HS 809 483.
8. Traffic Safety Facts 2000. Younger Driver, National Highway Traffic Safety Administration, DOT HS 809 336.
9. *Status Report*, Insurance Institute for Highway Safety. Volume 37, Number 6, June 2002, page 2.
10. Baker, Susan P.; Braver, Elisa R.; Chen, Li-Hui; Pantula, Janella F.; and Massie, Dawn L. 1998. Motor Vehicle Occupant Deaths among Hispanic and Black Children and Teenagers. *Archives of Pediatrics and Adolescent Medicine* 152:1209-12.
11. Teen Drivers. National Center for Injury Prevention and Control. CDC, 2002. www.cdc.gov/ncipc/factsheets/teenmvh.htm
12. Traffic Safety Facts 2001, Overview, National Highway Traffic Safety Administration, DOT HS 809 476, p. 10.
13. Motor Vehicle Traffic Crash Fatality and Injury Estimates for 2000, National Highway Traffic Safety Administration, November 2001.
14. Traffic Safety Facts, 2000, Occupant Protection, National Highway Traffic Safety Administration, DOT HS 809 327.
15. The Economic Impact of Motor Vehicle Crashes, 2000. National Highway Traffic Safety Administration, DOT HS 809 446, p. 55.
16. Ibid.
17. Safety Belt and Helmet Use in 2002 - Overall Results. National Highway Traffic Safety Administration. DOT HS 809 500. September 2002.
18. Motor Vehicle Occupant Safety Survey, 2000, Volume Two, p.147. National Highway Traffic Safety Administration, DOT HS 809 389.
19. McCartt, A.T., and Shabanova, V.I. (2002). Teenage Seat Belt Use: White Paper. *The National Safety Council's Air Bag & Seat Belt Safety Campaign.*
20. Jonah, B.A., Dawson, N.E., and Smith, G.A. (1982). Effects of a selective traffic enforcement program on safety belt usage. *Journal of Applied Psychology*, 67, 89-96.
21. Williams, A.F., Lund, A.K., Preusser, D.F., Blomberg, R.D. (1987). Results of a set safety belt use law enforcement and publicity campaign in Elmira, New York. *Accident Analysis and Prevention*, 19, 243-249.
22. Solomon, M.G., Nissen, W.J., and Preusser, D.F. (1999). Occupant protection special traffic enforcement program evaluation (Final Report). Washington DC: U.S. Department of Transportation; National Highway Traffic Safety Administration, report number DOT HS 808 884.
23. Williams, A.F., Wells, J.K., McCartt, A.T., Preusser, D.F. (2000) "Buckle Up NOW!" an enforcement program to achieve high safety belt use. *Journal of Safety Research*, 31, 195-201.
24. Insurance Institute for Highway Safety, Highway Loss Data Institute, November 2002. www.iihs.org/safety_facts/state_laws/grad_license.htm

*for the purposes of this fact sheet, the term "teen" refers to young people ages 16-20 unless otherwise specified

DOT HS 809 578
March 2003

10 Leading Causes of Injury Death by Age Group – 2001
Highlighting Unintentional Injury Deaths

	Age Groups										
Rank	<1	1-4	5-9	10-14	15-24	25-34	35-44	45-54	55-64	65+	Total
1	Unintentional Suffocation 614	Unintentional MV Traffic 558	Unintentional MV Traffic 660	Unintentional MV Traffic 884	Unintentional MV Traffic 10,513	Unintentional MV Traffic 8,759	Unintentional MV Traffic 8,891	Unintentional MV Traffic 5,422	Unintentional MV Traffic 3,328	Unintentional Fall 11,623	Unintentional MV Traffic 42,443
2	Unintentional MV Traffic 139	Unintentional Drowning 458	Unintentional Drowning 168	Unintentional Drowning 165	Homicide Firearm 4,200	Homicide Firearm 3,308	Unintentional Poisoning 5,035	Unintentional Poisoning 3,547	Suicide Firearm 2,083	Unintentional MV Traffic 7,258	Suicide Firearm 16,869
3	Homicide Other Spec., Class. 117	Unintentional Fire/Burn 110	Unintentional Fire/Burn 124	Suicide Suffocation 163	Suicide Firearm 2,130	Suicide Firearm 2,564	Suicide Firearm 3,030	Suicide Firearm 3,023	Unintentional Fall 1,004	Unintentional Unspecified 806	Unintentional Fall 15,019
4	Homicide Unspecified 107	Homicide Unspecified 146	Homicide Firearm 59	Homicide Firearm 121	Unintentional Poisoning 1,362	Unintentional Poisoning 2,507	Homicide Firearm 1,978	Suicide Poisoning 1,439	Unintentional Poisoning 798	Suicide Firearm 3,943	Unintentional Poisoning 14,078
5	Unintentional Drowning 68	Unintentional Suffocation 138	Unintentional Other Land Transport 49	Suicide Firearm 90	Suicide Suffocation 1,235	Suicide Suffocation 1,373	Suicide Poisoning 1,541	Unintentional Fall 1,024	Suicide Poisoning 578	Unintentional Suffocation 3,204	Homicide Firearm 11,348
6	Unintentional Fire/Burn 50	Unintentional Pedestrian, Other 61	Unintentional Suffocation 44	Unintentional Fire/Burn 38	Unintentional Drowning 596	Homicide Transportation-Related 842	Suicide Suffocation 1,534	Suicide Suffocation 952	Unintentional Fire/Burn 395	Adverse Effects 1,995	Unintentional Unspecified 911
7	Undetermined Suffocation 47	Homicide Other Spec., Class. 80	Unintentional Fall 33	Unintentional Other Land Transport 83	Homicide Cut/pierce 481	Suicide Poisoning 753	Undetermined Poisoning 1,121	Homicide Firearm 934	Suicide Suffocation 392	Unintentional Fire/Burn 313	Suicide Suffocation 6,198
8	Homicide Suffocation 40	Homicide Firearm 55	Unintentional Pedestrian, Other 26	Unintentional Suffocation 38	Suicide Poisoning 337	Undetermined Poisoning 549	Homicide Transportation-Related 1,061	Undetermined Poisoning 761	Unintentional Unspecified 305	Unintentional Poisoning 722	Unintentional Suffocation 5,555
9	Adverse Effects 26	Homicide Other Spec., NEC 49	Unintentional Struck by or Against 25	Unintentional Firearm 39	Unintentional Fall 256	Homicide Cut/pierce 472	Unintentional Fall 647	Homicide Transportation-Related 644	Adverse Effects 384	Unintentional Natural/Env. 321	Suicide Poisoning 5,191
10	Unintentional Fall 23	Unintentional Natural/Env. 42	Unintentional Other Transport 22	Unintentional Pedestrian, Other 36	Unintentional Other Land Transport 250	Unintentional Drowning 374	Unintentional Drowning 462	Unintentional Suffocation 461	Unintentional Suffocation 381	Unintentional Other Spec., NEC 578	Unintentional Fire/Burn 413

Note: Homicide and suicide counts include terrorism deaths associated with the events of September 11, 2001, that occurred in New York City, Pennsylvania, and Virginia. A total of 2,926 U.S. residents lost their lives in these acts of terrorism in 2001, of which 2,922 were classified as (transportation-related) homicides and 4 were classified as suicides.

Source: National Center for Health Statistics, (NCHS) Vital Statistics Systems.

Produced by: Office of Statistics and Programming, National Center for Injury Prevention and Control, CDC.

Remarks by

Noel C. Bufe, Ph.D.
Chairman of the Board of Directors
National Safety Council
to the
National Association of Governors' Highway Safety Representatives
Annual Meeting, Biloxi, Mississippi
September 25, 2000

Thank you for that kind introduction. Thank you, Craig, for inviting me to be with you today. Its always a great personal pleasure for me to renew acquaintances with old friends.

I was asked to speak today about High Risk Groups, how the National Safety Council addresses high risk groups, and what further program or policy development is needed to improve the safety of high risk groups. I am going to address all these issues, but let me give you my bottom line first.

The highest-risk group traveling on the highways today is people not wearing seat belts. The single most important thing we can do nationally and in every state to save lives on our highways is to increase seat belt use. And the most effective way to increase belt use is to enact and strictly enforce primary seat belt laws.

And if you have any question about this, talk to the people from California. Last year, California had its lowest number of highway fatalities in the last 50 years. Think about this. The growth rates of California's population, miles driven on its highways and size of its economy have multiplied by the thousands over the last 50 years. Yet last year, fewer people died on California highways than in any other year since the post-World War II years.

One of the main reasons for this remarkable event is that 90% of Californians wear seat belts. And that high compliance rate is due in large measure to California law enforcement being vigilant and visible in enforcing the state's seat belt laws. And that describes our challenge. We have to place focus, resources and law enforcement priorities on enacting and enforcing primary seat belt laws. Today, nearly one-half of Americans live in states that do not have strong, primary seat belt laws that are as enforceable as other traffic statutes.

Nationally, 71% of Americans use seat belts. That's the highest number ever and a nine percentage point increase in the last two years. That means that your efforts, our efforts, those of other safety organizations, and especially those of DOT, NHTSA, NTSB and state and local law enforcement agencies are making a difference. We are having an impact. But we have a long way to go.

And, in particular, we have a long way to go to protect our most defenseless high-risk group, children. Children don't make the choice to not buckle up or be restrained properly. Adults make those choices for them. And as you know, when it comes to child restraint systems, many adults do not make the right choices for their children.

Last year, 65% of children from birth through age three were properly restrained in vehicles with child safety seats. That means 35% of infants and toddlers are not properly restrained. As unacceptable as that may be, the numbers for children ages 4-8 are far worse. NHTSA reported that about 94% of children ages 4-8 are improperly restrained or not restrained at all. We clearly have a problem with these forgotten children. About 77% of these children are restrained in some way, but most are belted in using lap belts or lap-shoulder belt combinations. However, as we know, children of that age must be restrained in belt-positioning booster seats until they are big enough to fit properly in an adult seat belt. Only five percent of these children are being restrained in this manner.

I believe one reason for this is that there are gaps in state laws that leave children in the ages 4-16 unprotected. Most child restraint laws stop at age four or only apply to front seat occupants. Many states also fail to address the issue of children as passengers in the cargo area of pickup trucks.

The Blue Ribbon Panel established by U.S. Department of Transportation Secretary Rodney Slater recommended the promotion of booster seats for children ages 4 to 8. I would add that promoting and encouraging the use of booster seats may not be enough. As we have seen with adult seat belt use, it often takes strong primary laws and enforcement of those laws to create significant increases in restraint use. In that vein, states ought to be looking at expanding their child restraint laws to include the forgotten children.

These are issues that those of you who administer and manage state and Federal funds must recognize and address. And we are happy to know that NHTSA, through TEA-21, provides many funding sources to address occupant protection. And rest assured that the National Safety Council will support you in your efforts any way we can.

One of our most important priorities is to enhance our Air Bag and Seat Belt Safety Campaign and support Operation ABC mobilizations, in which law enforcement officers write tickets for non-compliance. And we will continue to work with all interested parties to educate people on the proper use of child restraints and to keep children under age 12 in the back seat -- out of the way of air bags.

Our concern for children extends through the teenage years, as well, and leads me to talk about the next high-risk group -- teenagers. Teen drivers make up seven percent of licensed drivers, but are involved in 16% of police-reported crashes and 14% of all fatal crashes. In 1998, over 6,000 people between the ages of 15 and 20 were killed in motor vehicle crashes, the leading cause of death for this age group.

We believe graduated licensing for teens is an effective way to help teens adjust to the responsibilities of driving. We strongly support graduated licensing in the 35 states that have it. If you are in one of the other 15 states, I strongly encourage you to work to enact such legislation in your state.

No discussion of highway safety would be complete without emphasizing drunk driving. Thirty-eight percent of all motor-vehicle fatalities involve alcohol. The National Safety Council has recommended a return to a high-visibility nationwide enforcement crackdown on drunk drivers. We are encouraging the use of emerging technologies to detect impaired drivers. And we strongly support enacting .08 blood alcohol content legislation in the 32 states that today presume drivers are impaired only at higher levels.

Combining drunk drivers with unbelted children presents us with the highest-risk group of all. A recent study in the Journal of the American Medical Association children found that the highest number of fatalities of any one segment of our population occurred to unbelted children that were passengers in cars driven by drunk drivers.

We are involved in campaigns aimed at changing the behavior of repeat drunk drivers. We also are working with legislators and law enforcement officials to encourage the strengthening and vigorous enforcement of existing impaired-driving legislation and to ensure that sentences for drunk driving are as serious as the offense. We believe a national debate is needed to identify other ways to improve prosecution of drunk drivers and to increase effective sentencing options for repeat offenders.

The final key high-risk group relates to large truck safety. Large trucks represent 3% of registered vehicles, 7% of vehicle miles traveled and 9% of all vehicles involved in fatal crashes. While the number of large trucks involved in fatal crashes per miles traveled is actually going down, the fatality rate is unacceptably high. Driver error or behavior is a major factor in all vehicle crashes, but it is especially true in those involving large trucks.

In two-thirds of all accidents involving large trucks, drivers of other vehicles were cited for infractions. That is why the Council supports the DOT and its Office of Motor Carriers in the "No-Zone" campaign to educate motorists about the proper way to drive around trucks. The Council also is working with all involved parties to conduct a national symposium to discuss all the issues related to truck safety.

The actions and initiatives I've talked about today are part of the National Safety Council's Safety Agenda for the Nation. We issued this Agenda six months ago to address what we believe are the key safety issues in America today. We have not identified every problem and every solution. Instead, we have focused on what we believe to be the most serious injury problems. The ones I spoke about today head the list of our highway-related issues.

And that is a point I want to emphasize today. I believe that it is critical that each of us remember the importance of focus. Most of you at the Federal level, in every state and in various other organizations are involved in a number of important issues that are competing for your and your leaders' time, attention and priorities.

Sometimes, I believe we all must step back and consider the big picture. I believe we must periodically re-check ourselves and ensure that our focus is on the things that save the most lives.

Let me give you an example. Over the last ten years, 103 people have died from incidents involving Firestone tires. That number will probably increase, but I believe we must keep it in context. Over that same time, 90,000 people not wearing seat belts have died on our highways. That's right. About one thousand times more people have died not wearing seat belts than have died because of defective Firestone tires.

We see a lot of state, Federal and in particular, news media attention rightfully being devoted to Firestone tires and Ford Explorers. However, I believe it is always our responsibility as safety professionals to provide context.

Do you think the day will ever come when we see 1,000 times the media attention that has been given to the tire recall given to seat belts, child restraints and the forgotten children? That's our challenge. We have to make it happen.

If you want to remember two things from my talk, and leave here with a renewed focus on the most important issues, then let me emphasize that the first priority would be to strengthen and enforce seat belt and occupant protection laws, with particular focus on those relating to children. A close second priority is to enact and enforce .08 drunken driving laws. I can confidently say that if heightened focus were placed on these issues, and all states passed and enforced these laws, we would see dramatic reductions in highway fatalities.

You know it. I know it. Now we must do what we can to help everyone in your states to know it.

Again, thank you very much for the invitation to be with you today. I hope you have a very informative and productive conference.

Speech Archive | News Center | NSC Home | Directory | Comments

December 16, 2000

Air Bag & Seat Belt Safety Campaign

The Evidence Is In: Adults Who Don't Buckle Up Have a Dangerous Impact on Children's Safety

Nationwide Crash Data

- Driver restraint use is the strongest predictor of child restraint use.
- A restrained driver is three times more likely to restrain a child.[i]

Nationwide Observation Research

- When a driver is **buckled**, restraint use for children (birth to 15) is **87%**.
- When a driver is **unbuckled**, restraint use for children (birth to 15) is **24%**.[ii]

State Research *

California

- When a driver is **buckled**, restraint use for children is **94%**.
- When a driver is **unbuckled**, restraint use for children is **30%**.[iii]

Colorado

- When a driver is **buckled**, restraint use for children (birth to 3) is **93%**.
- When a driver is **unbuckled**, restraint use for children (birth to 3) is **56%**.
- When a driver is **buckled**, restraint use for children (4 to 15) is **72%**.
- When a driver is **unbuckled**, restraint use for children (4 to 15) is **11%**.[iv]

Connecticut

- When a driver is **buckled**, restraint use for children (birth to 3) is **80%**.
- When a driver is **unbuckled**, restraint use for children (birth to 3) is **56%**.[v]

Georgia

- When a driver is **buckled**, restraint use for children (birth to 4) is **85%**.
- When a driver is **unbuckled**, restraint use for children (birth to 4) is **15%**.[vi]

Illinois

- When a driver is **buckled**, restraint use for children is **71%**.
- When a driver is **unbuckled**, restraint use for children is **28%**.[vii]

Kenbucky

- When a driver is **buckled**, restraint use for children (birth to 15) is **87%**.
- When a driver is **unbuckled**, restraint use for children (birth to 15) is **24%**.[viii]

Michigan

- When a driver is **buckled**, restraint use for children (birth to 3) is **81%**.
- When a driver is **unbuckled**, restraint use for children (birth to 3) is **52%**.[ix]

Mississippi

- When a driver is **buckled**, restraint use for children (birth to 4) is **86%**.
- When a driver is **unbuckled**, restraint use for children (birth to 4) is **26%**.[x]

New Mexico

- When a driver is **buckled**, restraint use for children (birth to 4) is **79%**.
- When a driver is **unbuckled**, restraint use for children (birth to 4) is **25%**.[xi]

North Carolina

- When a driver is **buckled**, restraint use for children (birth to 12) is **95%**.
- When a driver is **unbuckled**, restraint use for children (birth to 12) is **44%**.[xii]

Oklahoma

- When a driver is **buckled**, restraint use for children (birth to 5) is **77%**.
- When a driver is **unbuckled**, restraint use for children (birth to 5) is **19%**.[xiii]

Washington

- When a driver is **buckled**, restraint use for children (birth to 2) is **97%**.
- When a driver is **unbuckled**, restraint use for children (birth to 2) is **56%**.
- When a driver is **buckled**, restraint use for children (3 to 10) is **89%**.
- When a driver is **unbuckled**, restraint use for children (3 to 10) is **24%**.[xiv]

[i] Agran, Phyllis F., et al. "Factors Associated with Restraint Use of Children in Fatal Crashes," *Pediatrics*, Sept. 1998. (http://www.pediatrics.org/cgi/content/full/102/3/e39)

[ii] "National Occupant Protection Use Survey: Controlled Intersection Study," National Center for Statistics Analysis (U.S. Department of Transportation National Highway Traffic Safety Administration, Washington, D.C.) Aug. 1997.

[iii] Data obtained by the California Office of Traffic Safety.

[iv] "Seat Belt and Car Seat Use for Colorado Children: Findings of a Study Conducted by Colorado State University for the Colorado Department of Transportation," Jan. 1998.

[v] Preusser Research Group. "Connecticut Belt and Child Seat Observation Data - Wave 1," Study conducted for Connecticut Department of Transportation, May 1997.

[vi] "Occupant Protection Survey," University of Georgia Cooperative Extension Program, Spring 1997.

[vii] "Nassirpour, Mehdi and Brad Alewelt, "Child Safety Seat Usage Rate and Its Correlates in Illinois," Illinois Department of Transportation, Division of Traffic Safety, Oct. 1997.

[viii] Agent, Kenneth R. "1989 Usage Rates and Effectiveness of Safety Belts and Child Safety Seats in Kentucky," Kentucky

Transportation Center, College of Engineering, University of Kentucky, Sept. 1989.

[ix] Eby, David W., Lidia P. Kostyniuk and Carl Christoff. "Child Restraint Device Use and Misuse in Michigan," The University of Michigan Transportation Research Institute, Sept. 1997.

[x] "1997 Child Restraint Survey," Social Science Research Center, Mississippi State University, Oct. 1997.

[xi] "Birth to 11," New Mexico Office of Epidemiology, Oct. 1997.

[xii] 1996 crash data, provided by the University of North Carolina Highway Safety Research Center.

[xiii] Data obtained by the Oklahoma Highway Safety Office, Oklahoma City, Oklahoma.

[xiv] Saibel, Charlie, Philip Salzberg and Richard Thurston. "Observational Survey of Safety Restraint and Car Safety Seat Use for Children," Washington Traffic Safety Commission Report, June 1995.

* Research includes all states that have reported data to the Air Bag & Seat Belt Safety Campaign to date. Many states do not track or report these data.

June 10, 2003

Air Bag & Seat Belt Safety Campaign | NSC Home | Disclaimer | Comments

Legislation

Primary Seat Belt Laws Save Kids
New Messages That Can Redefine the Debate

Primary enforcement seat belt laws allow police to stop and ticket a driver for not wearing a seat belt, just like any other routine traffic violation. Eighteen states and the District of Columbia have enacted these laws. The remaining 31 states have secondary laws that allow law enforcement to ticket a driver for not belting up only after the person has been stopped, or ticketed, for another violation, and one state does not have any seat belt law.

States with primary laws have seat belt use that is consistently 10 to 15 percentage points higher than secondary law states. States that actively enforce their laws have achieved additional seat belt use increases in the range of 10 to 15 percentage points. These laws work and their effectiveness is easily measured.

Focus group research (including groups with legislators and other opinion leaders) in five U.S. cities shows that the seat belt debate is calcified. The debate revolves around old, familiar arguments that people think they have already heard. Many of these arguments work against passing primary enforcement seat belt laws. And the issue has no urgency. Absent new information, opinion leaders and legislators come to the debate with their minds largely made up.

Research shows the most powerful arguments we have are new and are not widely known or understood. Most important is the fact that adults who don't buckle up are far less likely to buckle kids. Also important, for example in the African American and Hispanic communities, are the facts that crashes are the leading killer of all children including African American and Hispanic children. Car crashes are the second leading killer of African American young men, and support for primary enforcement is higher among African Americans than the population as a whole.

As we have seen in other states - notably Indiana - these and other messages have the power to reinvigorate the debate, generate positive editorial and news coverage, and help produce greater support for action. Before state legislatures begin to debate whether to upgrade seat belt laws in their states, it is important we present legislators and opinion leaders this new information.

Adults who don't buckle up don't buckle up kids. We won't get kids buckled until we get everyone buckled.

Every state has primary enforcement seat belt laws covering children, but still six out of every ten children killed in crashes are unbelted. The evidence is clear…if we are going to protect children in cars we must get adults buckled up. That's right, adults. Research shows that the most effective way to get

adults to wear belts is to pass primary enforcement seat belt laws. And getting adults buckled up truly does get kids buckled up.

- Crashes are the leading killer of children ages 0 to 14.
- A University of California, Irvine study report in the journal Pediatrics found "driver restraint use was the strongest predictor of child restraint use," and "a restrained driver was three times more likely to restrain a child."
- A study conducted by the Ford Motor Company found that when a driver is buckled children riding with them are buckled 94 percent of the time. When drivers are unbuckled, child restraint use plummets to 30 percent.
- After Louisiana passed a primary law, child restraint use rose from 45-82 percent even though the law covering children remained the same.
- The Congressional Black Caucus said increasing belt use among African Americans is an "urgent national health priority."

Primary laws benefit African Americans

Primary seat belt laws get broad support from African American voters. Primary seat belt laws can effectively fight the leading killer of African American kids-car crashes. They must include strong protections against potential harassment and be coupled with a coordinated education effort to alert minority communities to the law and its provisions.

- Motor vehicle crashes are the leading killer of African American children, 0 to 14. Crashes are the second leading killer of African American young men 15 to 24 surpassed only by homicides.
- According to a study conducted by the National Black Caucus of State Legislators and the Air Bag & Seat Belt Safety Campaign, African Americans who live in the states with a primary seat be[illegible] law overwhelmingly favor the law by more than a 3-to-1 margin. Less than one-half of one percent of African Americans report race-related harassment problems as a result of their state's seat belt law.
- The National Black Caucus of State Legislators, National Urban League and the Children's Defense Fund support strong laws that increase seat belt use and include safeguards for uniform enforcement.
- There have been no reported incidents of harassment as a result of primary seat belt laws in the 14 states that have enacted them.
- According to the CDC and NHTSA, African Americans report belt use about 10 percent lower than the rest of the population.
- A study conducted by Johns Hopkins University and the Insurance Institute for Highway Safety found African American male teenagers are nearly twice as likely to die in a motor vehicle crash as male teens who are white. The risk to black children ages five to 12 dying in a crash are almost three times as great as that of white children.

- An eight-year study by the American Journal of Public Health offers dramatic evidence of the power of primary enforcement laws to save lives in the African American community. Even among the very hard-to-move group of 18-29 year old African American men, belt use is higher in states with primary laws -- 58 percent versus 46 percent in states with secondary laws.

- A July 1997 survey of 1,000 Americans shows that support for primary seat belt laws among African Americans is extremely strong and higher than support among the population as a whole - 69 percent of African Americans support primary laws versus 61 percent of the population as a whole.

- Support for primary laws among African Americans runs deep - 60 percent say they strongly favor such laws. By a four-to-one margin, African Americans say they are more likely to vote for an elected official who supports primary seat belt laws.

Primary laws benefit Hispanics

- Motor vehicle crashes are the leading killer of Hispanic children, ages 0 to 14.

- A study conducted by Johns Hopkins University and the Insurance Institute for Highway Safety found Hispanic male teenagers are nearly twice as likely to die in a motor vehicle crash as other male teens.

- Hispanic children, ages five to 12, chances of dying in a crash are twice as great as that of other children.

Other compelling reasons to support primary seat belt laws

- We all pay higher health care and insurance costs because of unbelted drivers and passengers. For example, on average, inpatient hospital care costs for an unbelted crash victim are 50 percent higher than those for a crash victim who was wearing seat belt. And society picks up 85 percent of those costs, not the individuals involved in the crash.

- Failure to buckle up contributes to more fatalities than any other single traffic safety-related behavior.

- Everyone would agree that protecting lives with seat belts is at least as important as a broken tail light or littering. Yet, while virtually every state has primary laws that allow enforcement officers to stop and ticket a violator for having a broken tail light or for tossing trash out the window, not all states have primary laws for seat belt use.

- If every state adopted a primary seat belt law, we would save 1,900 lives, prevent 49,000 injuries and save Americans $3 billion in health care, taxes and insurance costs in just the first year alone.

For more information, contact the Air Bag & Seat Belt Safety Campaign, National Safety Council, 1025 Conn. Ave., NW, Suite 1200, Washington, DC 20036; (202) 625-2570 (tel.); (202) 822-1399 (fax); E-mail: airbag@nsc.org.

Air Bags

WE ALL PAY ... AND IT COSTS TOO MUCH
The High Price of Not Buckling Up

How often do we hear, "It's nobody's business but my own, if I don't wear my seat belt."? How many of us believe the decision to wear or not to wear a safety belt is a personal matter that has no impact on anyone else?

Nothing could be further from the truth. It is our business because the decision of others not to buckle up hits us all right in the pocket book. The people who do the right thing and wear seat belts are paying for those who don't – particularly since many people injured while not wearing a safety belt have inadequate insurance or none at all.

Think about this – the inpatient hospital costs to treat an unbelted crash victim are at least 50 percent or higher than those for belted victims. And society pays 85 percent of those costs – not the individual drivers involved. (See Note 1)

We all pay for:

- more emergency medical services
- more medical treatment and rehabilitation
- higher health care and automobile insurance premiums

Employers are especially hard hit with:

- higher taxes to fund emergency and other medical services
- increased health insurance costs
- higher worker compensation costs
- lost work time and productivity

THE BOTTOM LINE

Costs to the Public

Americans are paying $14.3 billion per year in injury-related costs for people who don't wear seat belts. On average, those injured pay for less than 30 percent of these total costs. The remaining 70 percent - $10.1 billion, is paid for by society through higher automobile and health insurance rates and through public assistance programs funded with federal and state tax revenues. (See Note 2)

By increasing seat belt use from the current 68 percent to 90 percent, we would save $356 million a year in Medicare and Medicaid costs alone. (See Note 3)

It is estimated that each driver who buckles up is paying an additional auto insurance premium of $40 per year to cover the costs of the drivers who don't buckle up.(See Note 4)

Costs to Employers

One-third of the $55 billion resulted from off-the-job injuries to workers and their dependents.

On-the-job motor vehicle crashes cost employers almost $22,000 per crash and $110,000 per injury.(See Note 5)

Costs to Our Children

Motor vehicle crashes are the leading cause of death among children, taking the lives of more than 2,100 child passengers ages 0 to15 and seriously injuring 327,000 more each year.(See Note 6)

In 1996, almost 60 percent of the children ages 15 and under who died in motor vehicle crashes were unrestrained.(See Note 7)

Adults who don't buckle up often put children at risk as well since they frequently don't ensure their child passengers are buckled up. Plus, because children mirror adult behavior, these adults send children a deadly message that it is all right not to wear a seat belt. Research shows that if a driver is unbuckled in a crash, 70 percent of the time children riding in that vehicle are unbuckled as well. Conversely, when a driver is buckled, 94 percent of the time children riding in that vehicle are buckled. (See Note 8)

THE SOLUTION

Today, despite intensive public education efforts over the past several decades, national seat belt use stands at only 68 percent. The only proven methods to increase seat belt use from current levels are to pass more primary or "standard" laws and enforce them in a highly visible manner. These standard laws allow police to stop and ticket a driver who is not belted just like any other routine traffic violation, such as having a broken tail light.

According to a survey by Public Opinion Strategies, Americans support standard seat belt laws by nearly a two to one margin. Currently, only 17 states and the District of Columbia have standard enforcement belt laws. (See Note 9)

In addition, more states must work to close current gaps in child passenger safety laws. These gaps leave children of certain ages unprotected while riding in vehicles.

The personal and financial benefits to buckling up are concrete. If the nation reaches its goals of 90 percent belt use and a 25 percent reduction in child fatalities by the year 2005, we would prevent more than 5,500 deaths and 132,000 injuries annually and save $8.8 billion annually.(See Note 10) The bottom line is we will save lives and dollars if more people buckle up. It's a goal worth achieving.

NOTES
(1) NHTSA, National Center for Statistics and Analysis.
(2) NHTSA, Office of Plans and Policy.
(3) Presidential Initiative for Increasing Seat Belt Use Nationwide. (Washington, DC: U.S. Department of Transportation, April 1997), p. 2.

(4) Personal communication with Ted Miller, National Public Services Research Institute, November 6, 1997.
(5)Total Costs to employers by State and Industry. (Washington, DC: U.S. Department of Transportation, December 1996), pp.1-7.
(6) NHTSA, National Center for Statistics and Analysis.
(7) NHTSA, National Center for Statistics and Analysis.
(8) Ford Motor Company. Society of Automotive Engineers, Inc. 1997 Report No. 971550.
(9) Public Opinion Strategies, 9/97.
(10) Presidential Initiative for Increasing Seat Belt Use Nationwide. (Washington, DC: U.S. Department of Transportation, April 1997), p.9.

For more information, contact the Air Bag & Seat Belt Safety Campaign, National Safety Council, 1025 Conn. Ave., NW, Suite 1200, Washington, DC 20036; (202) 625-2570 (tel.); (202) 822-1399 (fax); E-mail: airbag@nsc.org.

Main Menu | Media Center | Enforcement | Public Outreach | Legislation

National Safety Council
A Membership Organization Dedicated to Protecting Life and Promoting Health
1121 Spring Lake Drive, Itasca, IL 60143-3201
Voice: (630) 285-1121; Fax: (630) 285-1315

August 28, 2000

Air Bag & Seat Belt Safety Campaign

State by State Breakdown of Child Fatalities, Age 15 and Under, By Restraint Use

State	Unrestrained	Restrained	Unknown	Total
Alabama	23	26	1	50
Alaska	2	4	0	6
Arizona	31	13	5	49
Arkansas	19	19	1	39
California	61	72	17	150
Colorado	25	12	0	37
Connecticut	3	3	1	7
Delaware	2	1	1	4
D.C.	3	1	0	4
Florida	67	22	1	90
Georgia	31	33	19	83
Hawaii	3	1	0	4
Idaho	15	3	0	18
Illinois	26	16	6	48
Indiana	13	18	2	33
Iowa	16	11	2	29
Kansas	22	2	6	30
Kentucky	17	16	0	33
Louisana	30	8	8	46
Maine	2	2	0	4
Maryland	2	10	2	14
Massachusetts	4	1	3	8
Michigan	19	30	7	56
Minnesota	11	13	3	27
Mississippi	29	15	2	46

Missouri	32	13	5	50
Montana	9	6	1	16
Nebraska	5	4	1	10
Nevada	7	3	0	10
New Hampshire	2	1	2	5
New Jersey	8 7	1 8	16 1	16
New Mexico	23	5	1	29
New York	14	18	1	33
North Carolina	31	36	5	72
North Dakota	1	3	0	4
Ohio	14	24	6	44
Oklahoma	22	19	0	41
Oregon	10	21	1	32
Pennsylvania	27	8	8	43
Rhode Island	2	0	0	2
South Carolina	20	13	2	35
South Dakota	7	4	2	13
Tennessee	27	21	3	51
Texas	121	81	3	205
Utah	13	3	0	16
Vermont	1	1	0	2
Virginia	22	6	0	28
Washington	13	15	2	30
West Virginia	11	6	1	18
Wisconsin	13	17	3	33
Wyoming	7	5	0	12
Total	**693**	**937**	**135**	**1,765**

Source: F.A.R.S. National Highway Traffic Safety Administration, 2001

June 10, 2003

Air Bag & Seat Belt Safety Campaign

State by State Breakdown of Teen Fatalities, Age 16-19 Years Old, By Restraint Use

State	Unrestrained	Restrained	Unknown	Total
Alabama	69	43	0	112
Alaska	6	4	1	11
Arizona	67	9	8	84
Arkansas	46	12	10	68
California	141	181	54	376
Colorado	53	22	0	75
Connecticut	17	12	8	37
Delaware	9	5	0	14
D.C.	1	0	2	3
Florida	150	57	5	212
Georgia	76	58	28	162
Hawaii	8	1	2	11
Idaho	29	8	2	39
Illinois	98	43	24	165
Indiana	62	27	15	104
Iowa	14	26	5	45
Kansas	53	17	5	75
Kentucky	62	23	0	85
Louisana	65	18	14	97
Maine	16	8	1	25
Maryland	35	33	1	69
Massachusetts	41	8	6	55
Michigan	50	62	13	125
Minnesota	31	15	12	58
Mississippi	57	14	0	71

Missouri	88	32	16	136
Montana	10	4	0	14
Nebraska	10	8	10	28
Nevada	17	7	1	25
New Hampshire	9	3	3	15
New Jersey	40	13	5	58
New Mexico	15	14	0	29
New York	68	60	13	141
North Carolina	64	68	13	145
North Dakota	11	2	0	13
Ohio	102	42	11	155
Oklahoma	58	22	1	81
Oregon	26	16	1	43
Pennsylvania	91	44	29	164
Rhode Island	8	3	0	11
South Carolina	76	26	4	106
South Dakota	12	3	1	16
Tennessee	95	29	3	127
Texas	225	161	8	394
Utah	22	8	3	33
Vermont	3	2	0	5
Virginia	65	37	2	104
Washington	46	24	3	73
West Virginia	22	10	2	34
Wisconsin	42	29	5	76
Wyoming	9	1	0	10
Total	**2,490**	**1,374**	**350**	**4,214**

Source: F.A.R.S. National Highway Traffic Safety Administration, 2001

June 10, 2003

Air Bag & Seat Belt Safety Campaign

State by State Breakdown of Adult Fatalities, Age 20 and Above, By Restraint Use

State	Unrestrained	Restrained	Unknown	Total
Alabama	345	294	33	672
Alaska	26	19	2	47
Arizona	329	201	71	601
Arkansas	259	94	33	386
California	784	1,093	326	2,203
Colorado	273	172	1	446
Connecticut	94	66	19	179
Delaware	55	32	1	88
D.C.	15	12	14	41
Florida	1,055	645	28	1,728
Georgia	497	395	153	1,045
Hawaii	30	27	10	67
Idaho	100	52	6	158
Illinois	407	266	138	811
Indiana	304	219	76	599
Iowa	143	111	32	286
Kansas	202	79	31	312
Kentucky	405	172	8	585
Louisiana	330	196	68	594
Maine	60	48	15	123
Maryland	169	202	32	403
Massachusetts	150	53	65	268
Michigan	351	388	89	828
Minnesota	212	117	40	369
Mississippi	368	163	13	544

Missouri	452	202	80	734
Montana	114	46	2	162
Nebraska	92	40	21	153
Nevada	124	62	7	193
New Hampshire	45	31	13	89
New Jersey	211	165	20	396
New Mexico	156	102	14	272
New York	334	376	80	790
North Carolina	471	429	88	988
North Dakota	55	19	1	75
Ohio	528	308	72	908
Oklahoma	301	131	2	434
Oregon	107	174	11	292
Pennsylvania	508	255	123	886
Rhode Island	38	11	0	49
South Carolina	445	217	23	685
South Dakota	66	27	5	98
Tennessee	583	242	48	873
Texas	1,151	1,074	39	2,264
Utah	93	66	6	165
Vermont	36	22	3	61
Virginia	356	214	46	616
Washingon	208	179	13	400
West Virginia	164	75	6	245
Wisconsin	309	158	41	508
Wyoming	101	39	2	142
Total	**14,011**	**9,780**	**2,070**	**25,861**

Source: F.A.R.S. National Highway Traffic Safety Administration, 2001

June 10, 2003

Alaska Injury Prevention Center

Alaska Injury Prevention Center
PO Box 210736
Anchorage, AK 99521-0736
Tel. 907-929-3941
FAX 907-929-3940
Email: asc1@alaska.net

Ju, 2003

Automotive Coalition for Traffic Safety, Inc.
Phil Haseltine
1110 North Glebe Rd., Suite 1020
Arlington, VA 22201

Dear Mr. Haseltine,

I would like to take this opportunity to thank you and the Automotive Coalition for Traffic Safety, Inc. for the opportunity to conduct this desperately needed research of the hospital costs associated with seat belt use in Alaska. The research is already getting statewide recognition as an argument to be used for primary enforcement of seat belt laws.

Fairbanks was the first city in Alaska to pass an ordinance giving police the authority to stop someone for not wearing a seat belt – primary enforcement. There was considerable public backlash over the new ordinance and it was eventually repealed, but the fine for the existing law was significantly increased. Anchorage is now considering a similar municipal ordinance that would allow primary enforcement of seat belt use within the city limits, and the Anchorage Assembly has asked for a summary of our research when completed.

Alaska was recently chosen by the National Highway Safety Administration as one of 13 states to receive special initiatives to reduce our DUI deaths, and to increase our seat belt usage. At 66%, Alaska's seat belt usage rate has improved but is still one of the lowest in the U.S. If we are able to get a primary enforcement law passed (or even ordinances for the major cities), we would expect to see the seat belt usage rate climb to around 80%.

Thanks again for the opportunity to contribute to the pool of scientific knowledge concerning the costs of restraint use in Alaska and for the chance to begin the paradigm shift toward higher usage rates in Alaska.

Ron Perkins, MPH
Executive Director, AIPC

The Alaska Seat Belt Cost Analysis

Introduction

Motor vehicle crashes are the leading cause of death for Americans of every age from 6 to 33 years. Every 13 minutes, someone in America dies in a traffic crash; every 10 seconds, someone is injured. Each year in the U.S., traffic crashes claim about 41,000 lives and result in more than three million injuries. These crashes cost every person in the U.S. an average of $580 each. The financial costs are minor compared with the pain and suffering of the victims or the loss of a loved one.[1]

Dr. Jeffrey Runge, Director of the National Highway Traffic Safety Administration, stated that in the year 2000, at least 41,821 people were killed in motor vehicle related crashes, 5.3 million were injured and 27.6 million vehicles were damaged for a total cost of $230.6 billion[2]. Dr. Runge also said that failure to wear seat belts led to approximately 9,200 of the deaths and 143,000 of the injuries, costing the U.S. economy $26 billion each year.

In a 1995 NHTSA study, *Safety Belt Use Laws: An Evaluation of Primary Enforcement and Other Provisions,* showed that states with primary enforcement laws has significantly higher safety belt usage than states with secondary laws. Belt use was about 15% higher in the states with primary enforcement laws.

In 1999, Alaska had the highest unintentional injury death rate of all the 50 states. Of these unintentional injury deaths, motor vehicle related fatalities were over twice as high as the next leading cause.[3] Seat belts are the single most effective safety device in preventing serious injuries and reducing fatalities in motor vehicle crashes. Research has shown that lap and shoulder safety belts, when used properly, reduce the risk of fatal injury to front-seat occupants by 45% and the risk of moderate-to-critical injury by 50%. Child safety seats, when properly used for infants, reduced fatalities by 71%.[4]

The purpose of this research project was to quantify the hospital costs associated with seat belt use and non-use in Alaska and to identify what portions of those costs are supported by public funding.

Methods

The Alaska Seat Belt Cost Analysis project used data from the Department of Transportation (DOT) (1990-2001) were used to compare seat belt usage patterns for all Alaskan motor vehicle occupants. The DOT data are taken from police

reports and document seat belt use, property damage, fatalities, time of day, weather conditions, passenger seat belt use, etc.

Another data base, from Medicaid, was explored but found to be of limited use because it didn't track the cause of injury. If the Medicaid data could be linked with DOT and ATR by age, sex, date of injury, etc. we might be able to track some of the long term expenses beyond the hospital stay.

The Alaska Trauma Registry (ATR) documents every trauma case resulting in at least one overnight stay in an Alaskan hospital. The ATR contains information about the length of stay, costs for treatment, source of payment, reported seat belt use, age, sex, severity on injury, etc. The ATR does not contain information about outpatient visits, private physician contacts, chiropractor visits, and other costs for motor vehicle related injuries.

The costs of hospitalization (from the Alaska Trauma Registry) for belted and unbelted occupants, injured in a motor vehicle crash in Alaska, for the years 1996 – 1999 were compared. The hospital costs were analyzed by seat belt use, source of payment, days spent in the hospital, discharge location, and fatalities.

Restraint use terms had to be categorized into either the YES group or the NO group, which was done in the following manner:

YES	NO
Airbag/Safety Belt	Airbag only
Safety Belt	None
Infant/Child restraint	

There were many entries that listed restraint use as UNKNOWN. The case narrative field in the ATR was used to re-categorize a few of the unknowns, but most had to be left as they were.

Results

In a landmark publication, The Cost of Injury in the United States, Rice and MacKenzie[5] documented motor vehicle related injuries per victim as the most costly of all unintentional injury categories. For example they listed the average cost for each person hospitalized for MV related injuries at $43,409. Several publications have estimated the loss of productivity or quality of life costs for various types of injury, but for this analysis we chose to analyze only the quantifiable hospital related costs.

Observational surveys completed by the University of Alaska's Institute for Social and Economic Research in 2000 and 2001, showed that 62% and 63% respectively, of the front seat occupants of motor vehicles were wearing seat belts. These statistically valid surveys represent the driving population of the state and are important when looking at seat belt use percentages among victims who are injured, hospitalized, or merely involved in a crash.

According to Alaska DOT data from 1998 through 2000, there was an annual average of 39,613 motor vehicle occupants involved in traffic crashes, and approximately 62 of these occupants lost their lives each year[6]. Only 6% of the occupants were not wearing a restraint, 66% were wearing a restraint, and 28% had unknown restraint use (see Table 1). When all of the cases where restraint use was documented, were analyzed separately, 9% were reported to NOT be wearing a seat belt, while 60% of the fatals were NOT wearing a seat belt.

Table 1

ALASKA SEAT BELT USE

DOT Data

1998, 1999, 2000 combined and averaged

	All MV Occupants	All Occupants Where Seat Belt use documented	All Fatals	Fatals Where Seat Belt use documented	Major Injuries	Minor Injuries	No Injuries
No Restraint	6% (7641)	9%	54% (34)	60%	37%	15%	5%
Restraint Used	66% (77936)	91%	37% (23)	40%	49%	74%	65%
Unknown Use	28% (33263)		9% (5)		12%	11%	31%
	39,613 per year		62 per yr				

Once the more seriously injured occupants were admitted to a hospital, the Alaska Trauma Registry provided additional information. Of all the MV occupant hospitalizations, 48% were not wearing a restraint, 43% were wearing a restraint, and 9% had unknown restraint use (see Table 2). When all of the cases where restraint use was documented were analyzed separately, 53% were NOT restrained and of the fatals who died in the hospital, 56% were NOT restrained.

Table 2

Alaska Trauma Registry Data

1996 -1999 combined

	All MV Occupant Hospitalizations	Cases with Seatbelt Use documented	Fatals	Fatals with Seatbelt Use documented
No Restraint	48% (887)	53%	49% (30)	56%
Restraint Used	43% (790)	47%	39% (24)	44%
Unknown Use	9% (167)	0%	11% (7)	

Another measure of severity that was used in this analysis was total number of hospital days sorted by restraint use. There is an average of 2,672 days spent in hospitals every year for motor vehicle occupant injuries in Alaska. Of the total hospital days where restraint use was documented, 58% were NOT restrained and 42% were restrained (see Table 3).

Table 3

Hospital Days

1996 - 1999 average

	Ave. Hospital Days per year	%	% by "Known" use
No Restraint	1402	52%	58%
Restraint Used	1009	38%	42%
Unknown Use	261	10%	

When comparing the AIS (Abbreviated Injury Severity) scores by seat belt use for Alaska, the lowest score of 1 listed 60% of the patients as using their restraints. The most severe injuries, having scores of 5, had the lowest percentage of restraint users at 45%. In 1994, the Federal Highway Administration published a technical advisory report, *Motor Vehicle Accident*, and included the following lifetime injury costs by AIS score:

Severity	Descriptor	Cost per Injury
AIS 1	Minor	$ 5,000
AIS 2	Moderate	$ 40,000
AIS 3	Serious	$ 150,000
AIS 4	Severe	$ 490,000
AIS 5	Critical	$1,980,000
AIS 6	Fatal	$2,600,000

We also looked at were the patient was discharged after their hospital stay, as another indicator of cost and severity. The most severe non-fatal cases, are discharged to "skilled nursing" facilities which typically requires round-the-clock monitoring. There were 13 non-restrained patients discharged to skilled nursing and 6 restrained patients. The hospital costs for these 19 patients before they were discharged were nearly $1million, of which 77% was from public sources. The greater costs could have come after hospitalization, but we had no way to track those expenditures.

Costs

The costs for hospitalized motor vehicle occupants in Alaska were analyzed by the source of payment data in the ATR. These costs are not to be considered complete, since some of the costs are billed by sources outside of the hospital, such as medical specialists, chronic care facilities, pharmacies, medical and prosthetic equipment, etc. Generally, the costs were paid by one or more of the following sources: Automotive insurance, Private insurance, CHAMPUS insurance for military dependents, Military, Medicaid, Medicare, IHS – for Alaska Native beneficiaries, and Workers compensation insurance.

A research project was recently completed by the Alaska Department of Health and Social Services, Section of Community Health and EMS, which analyzed injuries among Medicaid eligible youth ages 0-20[7]. The report compiled hospital costs for various types of injuries for the years 1995-1999. Motor vehicle occupant injuries cost Medicaid the most money of all the injury categories and revealed some other important information. For motor vehicle occupant injuries among 0-20 year old Medicaid eligible Alaskans:

- The average cost per case was $20,000.
- Average cost per hospital day was $3,300.
- Average number of days in the hospital was 6 days per case.
- Total number of Medicaid patients was 83, with a total estimated cost of $1.6 million.

For the years 1996 – 1999, we analyzed total ATR hospital costs for MV occupant injuries and found that over $22.2 million was spent on direct medical care. Fifty-nine percent of this total was for people who were not wearing seat belts (see Table 4).

Table 4

Alaska MV Hospital Costs

1996 -1999

	Total Costs	Total Cases	Average Costs per Case	% of Total
No Restraint	$13,039,797	534	$24,419	59%
Restraint Used	$9,177,849	460	$19,952	41%

Of the total ATR costs for motor vehicle related hospitalizations, 44% were paid by the general public through programs such as Medicaid, Medicare, Indian Health Service, military, CHAMPUS, and no-pay patients. ***Of this 44% paid by the public, 69% of the costs were for unrestrained occupants*** (see Table 5).

Table 5

Public Costs for Alaska MV Hospitalizations

1996 -1999

	Total Costs	Total Cases	Average Costs per Case	% of Total
No Restraint	$6,514,907	181	$35,994	69%
Restraint Used	$3,226,035	263	$12,266	31%

There is well over $2.6 million dollars spent each year for beneficiaries of public programs who are hospitalized for motor vehicle related injuries. This number excludes the very costly pedestrian and bicycle victims injured by motor vehicles.

Conclusions

According to the National Highway Traffic Safety Administration, highway traffic fatalities in the U.S. increased slightly in 2002 to an estimated 42,850 people, with an additional 2,914,000 people injured. No single intervention has saved more lives since the 1960's than the seat belt. As with many good interventions, seat

belts are only useful when used properly. Air bags have also saved thousands of lives but are designed to be used in combination with seat belts.

The results of this research project clearly show that using seat belts reduces the number of fatalities, the number of hospitalizations, the severity of injuries, length of stay in the hospital, and the overall cost of hospitalizations. It also shows that 44% of the hospital costs are borne by the general public.

The most effective injury prevention interventions use a combination of Engineering, Education, Environmental modification, and Enforcement:

- **Engineering** examples include air bags, break-away steering wheels, 3-point restraint systems, impact absorbing bumpers/ engine compartments, etc. In the early 1960's, some cars had a feature which required the seat belt to be buckled before the ignition would start. This feature was extremely unpopular and forced the manufacturers to eliminate the interlock device.
- **Education** examples include public service announcements about the value of wearing seat belts, classroom presentations, incentive programs for buckling up, etc. Signs and billboards have very limited effect on increasing seat belt usage.
- **Environmental modification** examples include fencing and lighting highways to reduce moose/car collisions, removing trees from roadsides, making light poles that breakaway at impact, etc. These are very successful in reducing injuries.
- **Enforcement** examples are sobriety checkpoints, saturation patrols, "Click It or Ticket", "You Drink, You Drive, You Lose", and other special enforcement campaigns. Changing laws to provide for primary enforcement of seat belts laws would also increase usage by about 15%.

Enforcement and education initiatives around special events (Memorial Day weekend, 4th of July) tend to be effective for a short period of time, while the public feels vulnerable for getting caught. Ongoing enforcement and education with special emphasis efforts during high crash seasons seems to be the most productive in saving lives.

The Alaska Seat Belt Cost Analysis has been extremely useful in documenting the costs associated with an individual's decision to wear a seat belt or not when traveling our highways. The decision to wear seat belts should be shared by the individual MV occupant as well and the people who pay the bill.

REFERENCES

[1] NHTSA, Status of Occupant Protection in America, Buckle Up America Report, Nov. 2001
[2] Nedra Pickler, Press Release, May 9, 2002 AP online.
[3] CDC, WISQARS, Injury Mortality Report, All Injury Deaths and Rates per 100,000 by State.
[4] NHTSA, Traffic Safety Facts 2001 – Occupant Protection, DOT HS 809 474.
[5] Rice DP, MacKenzie EJ, et. al., Cost of Injury in the United States. Report to Congress 1989.
[6] Alaska Traffic Accidents, Annual reports from the Alaska Department of Transportation and Public Facilities.
[7] Report on Injury Prevention Activities of Community Health and EMS Targeting Medicaid-Eligible Youth,
by Martha Moore and the State Injury Prevention staff, 2003.

NSC News Center

NSC Home > NSC News Center > *News Release*

For Immediate Release, November 17, 2003
Contact: John Chambers at 202.338.8700 or 202.285.0448 (cell)

AS NATIONWIDE SEAT BELT CRACKDOWN BEGINS, NEW DATA UNDERSCORES DEADLY IMPACT OF FAILURE TO ADOPT PRIMARY SEAT BELT LAWS

More than 12,000 Deaths Since 1995 Because States Have Failed To Enact Primary Enforcement Seat Belt Laws Proven To Increase Belt Use

Washington, D.C. - As more than 12,000 law enforcement agencies begin a nationwide crackdown to enforce seat belt and child passenger safety laws this Thanksgiving holiday, a new study shows that more than 12,000 people have needlessly died due to the failure of states to follow a 1995 National Transportation Safety Board recommendation to enact primary enforcement seat belt use laws. Today, the NTSB reissued that call to states.

"A primary seat belt law is likely to save more lives than possibly any single piece of legislation a state will consider," said NTSB Chairman Ellen G. Engleman. "It is why the Safety Board recommended states adopt these laws in 1995, and why we continue to urge enactment of these laws as a safety priority. It is tragic that 30 states have failed to act to implement this safety countermeasure that costs nothing, but could save so many."

Also see:

- Lost Lives by States' (pdf; 182kb)
- Participating Law Enforcement Agencies (MS Word; 135kb)

Primary seat belt laws enable law enforcement officers to ticket motorists based solely on an observed seat belt violation, just as they do any other motor vehicle law. Primary laws cover 60 percent of the U.S. population. Currently, 29 states have secondary laws (New Hampshire does not have an adult seat belt law), which means officers can only enforce the seat belt law if the motorist is first stopped for some other violation such as speeding.

According to the study released today by the National Safety Council, states that have enacted primary laws since 1995 on average experienced a 15-percentage point increase in belt use. Seat belts are proven to reduce the risk of serious injury or death in a crash by 45 percent, and the study shows 12,177 lives have been lost since 1995 because 30 states have failed to enact the stronger laws.

"We have a vaccine for the leading cause of death for Americans from ages two through 33 - safety belts. Primary safety belt laws are our most effective public policy tool," said Jeffrey W. Runge, M.D., Administrator for the National Highway Traffic Safety Administration. "If all states moved right now to enact them, 1,400 more lives could be saved next year alone in preventable traffic injury."

On November 13, 2003, Chairman Engleman on behalf of the NTSB sent a letter to the governors and legislative leadership of the 29 states with secondary laws and New Hampshire, reminding them of the Safety Board's recommendation and encouraging them to step-up their efforts to enact a primary law in their state.

The national Click It or Ticket Mobilization, which runs from November 17 - 30, is based on a public health model proven to increase belt use, and places specific emphasis on teens and young adults who are least likely to buckle up and most likely to die in a traffic crash.

According to NHTSA, nearly 4,530 teens and young adults, ages 16-19, died in traffic crashes last year and thousands more were injured. Of the 32,519 people killed in crashes in 2002, nearly 60 percent were not wearing a safety belt.

If the situation remains the same as in 2002, the study, conducted by Neil K. Chaudhary and David F. Preusser of PRG Research Group, Inc., estimated an additional 1,400 motorists will be killed next year alone. (State-by-state results are available online, at www.nsc.org)

"Law enforcement officers all over this country are doing a great job saving lives through seat belt enforcement, but in 30 states they are doing it with one hand tied behind their back," said Chuck Hurley, Executive Director of the National Safety Council's Air Bag & Seat Belt Safety Campaign. "We would be saving far more lives if state legislators in the states with secondary laws would respond to the overwhelming majority of voters who support primary laws."

A national survey of 800 Americans conducted by Public Opinion Strategies for the Air Bag & Seat Belt Safety Campaign in May, 2003, showed people in states with secondary laws support enactment of primary laws in their states by a 2-to-1 margin.

"It's especially tragic that teens and young adults are suffering the most as a result of this government inaction," added Hurley. This year, Illinois and Delaware became the 19th and 20th states to pass a primary law respectively.

"At the Naval Safety Center, our job is to look out for all our Sailors, Marines, and civilians," said RADM Brooks. "It's our priority to ensure as safe a working environment as possible, to identify the hazards we all face in both our professional and personal lives, to educate everyone in the vital importance of risk management in everything we do, and to improve readiness. Across our force it's up to the leaders of every Navy and Marine Corps command to promote awareness and set the example, for traffic safety truly is a matter of life and death."

During the Mobilization, law enforcement officers will intensify enforcement of seat belt and child passenger safety laws by setting up checkpoints or saturation patrols across the country. Seat belt violators and drivers failing to restrain their child passengers will be ticketed.

Thanksgiving is one of the most dangerous holidays for motorists. The National Safety Council predicts that 544 people will die and 28,300 people will suffer disabling injuries resulting from traffic crashes during the Thanksgiving holiday period.

"Thanksgiving is a joyous holiday for many Americans, but it is also traditionally one of the deadliest on the roadways," said Lynne Goughler, Vice President of Public Policy at Mothers Against Drunk Driving. "Impaired driving and lack of safety belt usage are the leading killers in automobile crashes, especially during the holiday season."

Mobilizations are conducted twice yearly by the Air Bag & Seat Belt Safety Campaign of the National Safety Council in conjunction with law enforcement agencies, state highway safety offices, NHTSA, the National Transportation Safety Board and MADD. Following the Mobilization in May, 2003, national belt use reached a record high of 79 percent, according to NHTSA.

The Air Bag & Seat Belt Safety Campaign, a program of the National Safety Council, is a public/private partnership of automotive manufacturers, insurance companies, child safety seat manufacturers, government agencies, health professionals and child health and safety organizations. The goal of the Campaign is to increase the proper use of safety belts and child safety seats and to inform the public about how to maximize the lifesaving capabilities of air bags while minimizing the risks.

For additional information about the National Safety Council, visit www.nsc.org.

The National Safety Council is a nonprofit, nongovernmental, international public service organization dedicated to protecting life and promoting health. Members of NSC include more than 45,000 businesses, labor organizations, schools, public agencies, private groups and individuals. Founded in 1913, and chartered by the U.S. Congress in 1953, the primary focus of the NSC is preventing injuries in workplaces,

in transportation and in homes and communities.

News Center | NSC Home | Comments

National Safety Council
A Membership Organization Dedicated to Protecting Life and Promoting Health
1121 Spring Lake Drive, Itasca, IL 60143-3201
Tel: (630) 285-1121; Fax: (630) 285-1315

November 25, 2003

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: HB392-DOT-CO-2-9-04
(1 Publish Date:

Revision Date/Time (Note if correction):
Dept. Affected: DOT&PF

Title: Seat Belt Violation as Primary Offense
RDU: Administration & Support
Component: Commissioner's Office

Sponsor: Heinze
Requester: Governor's Office
Component No.: 530

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ( )						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

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

Because Alaska does not yet have a primary seat belt law, 3% of DOT's federal funding (approx. $10 million) is diverted to highway safety programs. Currently, these are soft federal sanctions. By having a primary seat belt law, Alaska could avoid the future possibility of hard sanctions.

Prepared by: Nona Wilson — Phone 465-3904
Division: Legislative Liaison — Date/Time 2/9/04 9:45 AM
Approved by: John MacKinnon, Deputy Commissioner — Date 2/9/2004
Agency: Department of Transportation and Public Facilities

(Revised 12/2003 OMB)

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: HB392-ACS-TC-2-5-04
() Publish Date:

Revision Date/Time (Note if correction):
Dept. Affected:
Title: Motor Vehicle Safety Belt Violations
BRU: Alaska Court System
Component: Trial Couns
Sponsor: Representative Heinze
Requester:
Component No.

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ( )						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2004) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

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

The court system does not anticipate any fiscal impact from the passage of HB 392.

Prepared by: Doug Wooliver Administrative Attorney
Phone 463-4750
Division: Alaska Court System
Date/Time 2/5/04 12:53 PM
Approved by: Stephanie Cole Administrative Director by Doug Wooliver
Date 2/5/2004
Agency: Alaska Court System

(Revised 9/2003 OMB)

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: HB392-DPS-ASTD-2-12-04
() Publish Date:

Revision Date/Time (Note if correction):
Dept. Affected: Public Safety
Title: Motor Vehicle Seat Belt Violations
RDU: Alaska State Troopers
Component: AST Detachments
Sponsor: Rep. Heinze
Requester: (H) Trans
Component No.: 2325

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ( )						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

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

This bill will repeal AS 28.05.095(e) that will, in affect, change seat belt violations from a "secondary" violation to a "primary" violation. This will allow law enforcement officers to contact motorists when a seatbelt violation is observed. As the law is now, the officer must have another reason to contact the violator before enforcement action can be taken for the seatbelt violation.

It is anticipated the implementation of this bill will have no fiscal impact on the Department of Public Safety.

Prepared by: Lt. Al Storey
Phone 269-4532
Division: Alaska State Troopers
Date/Time 2/12/04 11:44 AM
Approved by: Commissioner William Tandeske
Date 2/12/2004
Agency: Department of Public Safety

(Revised 12/2003 OMB)

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: HB392-LAW-CDCO-2-6-
Bill Version: HB392
() Publish Date:

Revision Date/Time (Note if correction):
Dept. Affected: LAW

Title: "An Act relating to motor vehicle safety belt violations."
RDU: CRIMINAL
Component: Criminal Justice Litigation

Sponsor: Representative Heinze
Requester: House Transportation
Component No.:

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ( )						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2004) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

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

This bill repeals AS 28.05.095(e) the effect of which would be to allow a peace officer to stop or detain a motor vehicle to determine compliance with safety belt and child safety devices in motor vehicles.

Passage of this legislation will have no foreseeable fiscal impact on the Department of Law.

Prepared by: Kathryn A. Daughhetee, Director — Phone 465-3673
Division: Administrative Services — Date/Time 2/6/04 4:14 PM
Approved by: Kathryn Daughhetee for Gregg D. Renkes, Attorney General — Date 2/6/2004
Agency: Department of Law

(Revised 12/2003 OMB)

Alaska State Legislature

Please enter into the record my testimony to the TRANSPORTATION
committee name

Committee on HB 392
bill # / subject

Date, FEBRUARY 15, 2004

Transportation Chair Representative Holm,
Transportation Members: Masek, Kohring,
Ogg, Stepovich, Kapsner, and Kookesh:

I am opposed to repealing AS 28.05.095 (e) from the Alaska Statutes

There is no need to repeal section (e), if it's repealed, Police Officers & Alaska State Troopers will randomly be stopping vehicles without having any valid reasons for pulling over vehicles. There are older cars/trucks/vans driving on our roads with lap seat belt for backseat passengers. To allow officers to pull over a vehicle, simply because the officer can't see somebody wearing a seatbelt is completely unreasonable. This repeal will cost Alaska a huge increase in overtime pay, because officers will not be taking care of their duties. Officers will waste countless hours chasing down SUSPECTED seatbelt violators. This would become a huge waste of tax dollars.

I urge all of our legislative representatives to Please VOTE NO ON HB 392

AS 28.05.095. Use of Seat Belts and Child Safety Devices Required.

(e) Notwithstanding any other provision of law, a peace officer may not stop or detain a motor vehicle to determine compliance with (a) of this section, or issue a citation for a violation of (a) of this section, unless the peace officer has probable cause to stop or detain the motor vehicle other than for a violation of (a) of this section.

Signed: LAURIE CHURCHILL
Testifier

SELF
Representing (optional)

PO BOX 7043 NIKISKI, AK 99635 MY NEW EMAIL ACCOUNT: ak501c3@yahoo.com
Address

907-776-3499
Phone number

Alaska State Legislature

Interim:
716 W. 4th Ave., #650
Anchorage, AK 99501-2133

Phone: (907) 269-0160
Fax: (907) 269-0177

Session:
Alaska State Capitol, Rm 108I
Juneau, AK 99801-1182

Phone: (907) 465-4930
Fax: (907) 465-3834
Toll Free: (800) 331-4930
Rep.Cheryll.Heinze@legis.state.ak.us

Representative Cheryll Heinze
District 24 - Anchorage

TO: Representative Jim Holm, Chairman
House Transportation Committee

FROM: Representative Cheryll Boren Heinze

DATE: January 20, 2004

I would request that you schedule HB 392 for a hearing before your committee.

Enclosed are:

1. HB 392
2. Sectional Summary
3. AS 28.05.095
4. Sponsor Statement
5. Letter of Support from Don Smith, Administrator of the Dep. Of Transportation & Public Facilities Alaska Highway Safety Office
6. Letter of Support from Cindy Cashen, Executive Director of MADD Juneau Chapter
5. E-mail of support from Thomas Remaley, Wasilla
6. Insurance Institute For Highway Safety Report on Safety Belt Use Laws
7. Research summary from Legislative research
8. NHTSA's 2001 Report on Toll of Motor Vehicle Crashes
9. NHTSA's 2002 Report on Annual Assessment of Motor Vehicle Crashes
10. Research Summary from Martha Moore, Department of health & Social Services
11. NHTSA & NCSA's 2001 Report on Traffic Safety Facts
12. The National Safety Council's November 2003 Report on Lives Lost by States' Failure to Implement Primary Safety Belt Laws
13. Buckle Up America Click It or Ticket/Operation ABC May 2003 Fact Sheet
14. Department of Transportation Safety Belts and Teens 2003 Report
15. Center for Disease Control and Prevention 2001 chart' of the 10 Leading Causes of Injury Death by Age Group Unintentional Injury Deaths
16. Remarks made September 25, 2000 by Noel C. Bufe, Ph.D. Chairman of the Board of Directors National Safety Council
17. National Safety Council's 2004 Air Bag & Seat Belt Safety Campaign Report
18. Alaska Injury Prevention Center 2003 Report on Seat Belt use in Alaska
19. National Safety Council news release: As Nationwide Seat Belt Crackdown Begins, New Data Underscores Deadly Impact of Failure to Adopt Primary Seat Belt Laws

23-LS1476\A
Luckhaupt
1/2/04

HOUSE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE HEINZE

Introduced:
Referred:

A BILL

FOR AN ACT ENTITLED

"An Act relating to motor vehicle safety belt violations."

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

* **Section 1.** AS 28.05.095(e) is repealed.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM January 26, 2004

SUBJECT: Sectional Summary - HB 392 (Work Order No. 23-LS1476\A)

TO: Representative Cheryll Heinze
Attn: Jon

FROM: Gerald P. Luckhaupt JERRY
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, please note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill - the bill itself is the best statement of its contents.

Section 1 repeals AS 28.05.095(e) which limited peace officers from stopping or detaining someone merely for a seat belt violation unless the peace officer had probable cause to stop or detain the person for another violation.

GPL:med
04-082.med

Alaska State Legislature

Interim:
716 W. 4th Ave., #650
Anchorage, AK 99501-2133

Phone: (907) 269-0160
Fax: (907) 269-0177

Session:
Alaska State Capitol, Rm 108I
Juneau, AK 99801-1182

Phone: (907) 465-4930
Fax: (907) 465-3834
Toll Free: (800) 331-4930
Rep.Cheryll Heinze@legis.state.ak.us

Representative Cheryll Heinze
District 24 - Anchorage

Sponsor Statement
HB 392

"An Act relating to motor vehicle safety belt violations."

HB 392 will make failure to wear a safety belt a primary offense.

This legislation allows drivers to be pulled over for driving without a seatbelt instead of only fining drivers if they are pulled over on a separate offense. It repeals AS 28.05.095: (e) In this section "probable cause" is used in reference to violations other than those found in AS 28.05.095 (a).

Last year over 90 Alaskans lost their lives in Automobile crashes. Many of these deaths could have been prevented had the drivers and passengers been wearing seat belts such as deaths resulting from ejection from the vehicle which seat belt are particularly effective in preventing. Ejected occupants are 4 times more likely to be killed in a crash than those who remain in the vehicle. Primary seatbelt laws increase seatbelt usage on average by 15%.

Additionally, people who don't wear seatbelts are less likely to buckle up their children. Six out of every ten children killed in car crashes are unbelted. A restrained driver is three times more likely to restrain a child. After Louisiana passed a primary restraint law for adults, child restrain use went from 45% to 82% even though the laws pertaining to child restraints remained the same.

There are financial benefits to passing a primary restraint law for Alaskans as well. Passing a primary seatbelt law would free up federal highway monies that are being sanctioned due to non-compliance of safety requirements. Also, citizens pay higher health care and insurance costs because of unbelted passengers and drivers. Inpatient hospital care costs for an unbelted crash victim are 50% higher than those for a crash victim who was wearing a seat belt. Eighty-five percent of those costs get spread out among all drivers, instead of just the individuals involved in the crash. It is estimated that each driver who uses a seat belt is paying an additional auto insurance premium of $40 a year to cover the cost of drivers who don't use seat belts.

Currently 17 states and the District of Columbia have primary seatbelt laws.

MEMORANDUM

State of Alaska

Department of Transportation & Public Facilities
Alaska Highway Safety Office

TO: Jon Bittner
Rep. Cheryll Heinze Office

DATE: January 21, 2004

FILE NO:

TELEPHONE NO: 465-4374

FAX NUMBER: 465-4030

FROM: Don Smith, Administrator

SUBJECT: Primary Seat Belt Law

I am very pleased to see that your office introduced HB 392 on Tuesday to amend AS 28.05.095, the seat belt law, to a primary Seat belt law.

Last year Alaska lost over 90 lives in automobile crashes. Many of these lives could have been saved had the drivers and passengers been wearing their seat belts. At least 7 fatalities were because of ejection from the vehicle. Ejected occupants are 4 times more likely to be killed in a crash as those who remain inside, and they are 14 times as likely to receive cervical spine injuries. These deaths represent millions in lost productivity and property damage as well as incredible suffering for family members. Additionally, hundreds of Alaskans are injured each year as a result of not using seat belts.

Alaska's Seat Belt Cost Analysis Report was recently completed and is attached. The analysis shows that 44% of motor vehicle crash-related hospital costs are borne by the citizens of Alaska. I have also attached three additional fact sheets.

Alaska's Highway Safety Office currently administers federal grants to encourage safe driving behaviors. Our "Click It or Ticket" program is clearly reaching a large percentage of our state's citizens. The program's success brought a 13% increase last year, but still leaves our seat belt use rate at only 79%. National studies have shown that this number goes up to around 90% where a state has a "primary" seat belt law on the books.

Currently 6% (over $10.4 million) of Alaska's federal highway monies are sanctioned due to non-compliance of safety requirements. Federal legislation is currently being offered that would add another 4% in sanctions for states that do not have a primary seat belt law.

I will begin gathering up some additional information and facts that you can use in the promotion of HB 392. We stand ready to help you in any way that we can.

CC: Commissioner Mike Barton
Director Jeff Ottesen
Region X Administrator Curt Winston

MADD
Activism | Victim Services | Education™

Mothers Against Drunk Driving
JUNEAU CHAPTER
211 4th St., Suite 314
Juneau, AK 99801
Phone (907)463-2562
Fax (907)463-2540
madd@alaska.net
www.madd.org/ak/juneau

January 22, 2004

Representative Cheryll Heinze
State Capitol, room 416
Juneau, Alaska 99801

Re: House Bill 392 /"An Act relating motor vehicle safety belt violations."

Dear Representative Heinze:

On behalf of the MADD Juneau Chapter, thank you for supporting MADD's mission through the creation of House Bill 392.

States with primary enforcement average 80% seat belt usage -- states without average 69%. Primary belt laws increase seat belt usage by eleven percentage points and decrease traffic fatalities by 10%.

For every percentage point the national seat belt usage rate increases, an additional 280 lives are saved per year. Every state but New Hampshire requires its citizens to wear seat belts. Unfortunately, over half of US states, including Alaska, have secondary enforcement laws, meaning that a law enforcement officer has to pull someone over for a different violation and only then is able to write an additional citation for a seat belt violation. This means that officers can pull someone over for a broken taillight, but they can't pull someone over for failing to use the most important piece of safety equipment in the car – the seat belt.

MADD supports HB 392 because it will encourage drivers and their occupants to use seatbelts. The best defense against a drunk driver is to wear your seat belt. Studies have found that states that pass a primary seat belt law increase average seat belt usage by nine to 14 percentage points. This, in turn, decreases crash fatalities by an average of eight percent and decreases the severity of injuries in crashes.

Sincerely,

Cindy Cashen

Executive Director

Subject: [Fwd:]
Date: Wed, 28 Jan 2004 13:19:48 -0900
From: Cheryll Heinze <Representative_Cheryll_Heinze@Legis.state.ak.us>
Organization: Alaska State Legislature
To: Jon Bittner <Jon_Bittner@legis.state.ak.us>

Subject:
Date: Wed, 28 Jan 2004 08:11:32 -0900
From: "Thomas Remaley" <remaley@palmerpolice.com>
To: <Representative_Cheryll_Heinze@legis.state.ak.us>

I live in Wasilla and work in Palmer. In reading AS 28.05.095 reference the use of seatbelts, I see that it is required by law, however, police officers can not stop a vehicle solely to address a seatbelt violation. I would ask that you introduce and support a bill to allow officers to address this issue without having to establish some other probable cause to stop the vehicle. After all, if the wearing of seatbelts makes the motoring public that much more safe, why not make it important enough (or less difficult) to enforce?

Thomas Remaley

Attachment E

SAFETY BELT USE LAWS

State	Effective date	Standard enforcement?	Who is covered? In what seats?	Maximum fine 1st offense	Damages reduced for nonuse?
Alabama	7/18/91	yes; effective 12/9/99	6+ yrs. in front seat	$25	no
Alaska	9/12/90	no	16+ yrs. in all seats	$15	yes
Arizona	1/1/91	no	5+ yrs. in front seat;5 through 15 in all seats	$10	yes
Arkansas	7/15/91	no	15+ yrs. in front seat	$25[1,2]	no
California	1/1/86	yes; effective 1/1/93	16+ yrs. in all seats	$20	no
Colorado	7/1/87	no	16+ yrs. in front seat	$15	yes[3]
Connecticut	1/1/86	yes	4+ yrs. in front seat	$15	no
Delaware	1/1/92	yes; effective 6/30/03	16+ yrs. in all seats	$25	no
District of Columbia	12/12/85	yes; effective 10/1/97	16+ yrs. in all seats	$50[1]	no
Florida	7/1/86	no	6+ yrs. in front seat; 6 through 17 yrs. in all seats	$30	yes

State	Effective date	Standard enforcement?	Who is covered? In what seats?	Maximum fine 1st offense	Damages reduced for nonuse?
Georgia	9/1/88	yes; effective 7/1/96	5 through 17 yrs. in all seats; 18+ yrs. in front seat	$15[4]	no
Hawaii	12/16/85	yes	4 through 17 yrs. in all seats; 18+ yrs. in front seat	$45	no
Idaho	7/1/86	no	4+ yrs. in all seats	$25	no
Illinois	1/1/88	yes; effective 7/3/03	6+ yrs. in front seat; all in all seats if driver is younger than 18 yrs.	$25	no
Indiana	7/1/87	yes; effective 7/1/98	4 through 11 yrs. in all seats; 12+ yrs. in front seat	$25	no
Iowa	7/1/86	yes	6+ yrs. in front seat	$10	yes[3]
Kansas	7/1/86	no	14+ yrs. in front seat	$10	no
Kentucky	7/15/94	no	more than 40 in. in all seats	$25	no
Louisiana	7/1/86	yes; effective 9/1/95	13+ yrs. in front seat	$25	no
Maine	12/26/95	no	18+ yrs. in all seats	$50	no

		Standard	Who is covered? In	Maximum fine	Damages reduced for

			seat		
Texas	9/1/85	yes	4 through 16 yrs. in all seats; 17+ yrs. in front seat	$200	no
Utah	4/28/86	no (yes for children <19 yrs.)	16+ yrs. in all seats	$45	no
Vermont	1/1/94	no	16+ yrs. in all seats (eff. 1/1/04)	$25 (eff. 1/1/04)	no
Virginia	1/1/88	no	16+ yrs. in front seat	$25	no
Washington	6/11/86	yes; 7/1/2002	all in all seats	$37	no
West Virginia	9/1/93	no	9+ yrs. in front seat; 9 through 17 yrs. in all seats	$25	yes[3]
Wisconsin	12/1/87	no	4+ yrs. in front seat; 4 through 15 yrs. in rear seat with shoulder belt	$10	yes[3]
Wyoming	6/8/89	no	5+ yrs. in all seats	$25[2] driver/$10 passenger	no

[1]These states assess points for violations.

[2]Arkansas and Wyoming reward belt use by reducing the fine for the primary violation by $10.

[3]Under the safety belt defense, Wisconsin allows a maximum 15 percent damage reduction (in Missouri, a maximum 1 percent). In 3 states (Iowa, Michigan, and Nebraska), the damage reduction may not exceed 5 percent. In Colorado, damages may be reduced for pain and suffering only, not economic or medical losses. In West Virginia, an award for medical expenses only may be reduced by no more than 5 percent.

[4]In Georgia, the maximum fine is $25 if the child is 5-18 yrs. Drivers in Massachusetts may be fined $25 for violating the belt law themselves and $25 for each unrestrained passenger 12-16 yrs.

[5]Police are prohibited in South Carolina from enforcing safety belt laws at checkpoints designed for that purpose. However, safety belt violations may be issued at license and registration checkpoints.

Child Restraint, Belt Laws main page

Tables:
Child Restraint Laws
Children Not Covered by Safety Belt or Child Restraint Laws

Legislative Research Services

Alaska State Legislature
Legislative Affairs Agency
Division of Legal and Research Services

State Capitol
Juneau, AK 99801
Phone: 907-465-3991
Fax: 907-465-3908

January 19, 2004

Memorandum

TO: Representative Cheryll Heinze

FROM: Cherie Nienhuis
Legislative Analyst

RE: Safety Belts Laws and Accident Statistics

You asked for information about motor vehicle accident statistics and safety belt laws. Specifically, you asked us to compare Alaska's motor vehicle fatality statistics with those of states that have primary safety belt laws.

A safety belt law is primary when law enforcement officers are allowed to stop vehicles solely for safety belt violations. Primary safety belt laws contrast with secondary safety belt laws, which allow officers to cite safety belt violations only after stopping vehicles for other infractions. As of fall 2003, 20 states plus the District of Columbia have primary safety belts laws, and 29 states, including Alaska, have secondary safety belt laws.[1]

According to information published by the National Highway Traffic Safety Administration (NHTSA), in 2001, 85 fatalities resulted from motor vehicle crashes in Alaska. Approximately 44.3% of the fatally injured vehicle occupants were using restraints (safety belts, child seats, or other restraints). About 62.6% of all Alaska vehicle occupants were observed using restraints in 2001. This number compares with 91.1% of occupants using restraints in California, where a primary safety belt law is in place. Nationwide, NHTSA reports that 41% of all occupants who died in vehicle accidents in 2001 were using restraints, whereas 59% were not.[2]

The NHTSA's National Center for Statistics and Analysis reports that research has found that safety belts, when used, reduce the risk of fatal injury to front-seat passenger car occupants by 45 percent and the risk of moderate to critical injury by 50 percent. They estimate that in 2001, safety belts saved the lives of 12,144 front-seat passengers who were involved in life-threatening vehicle accidents.[3]

A study recently conducted by a private safety organization found that motor vehicle occupants are more likely to use safety belts in states with primary safety belt laws. Researchers observed that, on average, during the period from 1995 through 2002, about 15% more vehicle occupants were wearing safety belts in states with primary laws than in those states with secondary laws. The study also concluded that nationwide,

---

[1] "Child Restraint, Belt Laws as of October 2003," Insurance Institute for Highway Safety, available on-line at *http://www.highwaysafety.org/safety_facts/state_laws/restrain.htm;* we include a copy as Attachment A.

[2] "State Traffic Safety Information for Year 2001," National Highway Traffic Safety Administration (NHTSA), October 2002, available on-line at *http://www.nhtsa.dot.gov/STSI/index.cfm?Year=2001*. We include the Alaska section of this publication as Attachment B.

[3] "Traffic Safety Facts 2001," National Highway Traffic Safety Administration (NHTSA). We include a copy of this publication as Attachment C.

over 12,000 motorists died during the eight-year period because of their states' failure to implement a primary law.[4]

The Insurance Institute for Highway Safety publishes information about safety belt laws in each state, including whether they are primary (also called "standard"), and what the maximum fines are for first offenses. We include this information as Attachment E.

Additionally, the Alaska Department of Transportation and Public Facilities compiles information about vehicle accidents and safety belt usage in the state. Officials with access to this information, however, are away from Juneau at the current time and unable to respond to our request. As soon as this information becomes available, we will forward it to your office.

I hope you find this information to be useful. Please do not hesitate to contact us if you have questions or need additional information.

[4] Neil K. Chaudhary, PhD, David F. Preusser, PhD, and the Preusser Research Group, Inc., "Lives Lost by States' Failure to Implement Primary Safety Belt Laws," November 5, 2003. We include a copy of this publication as Attachment D. Although it may be presumptuous to draw a direct correlation between primary safety belt legislation and vehicle accident fatalities, the statistics linking increased safety belt use with primary laws is noteworthy.

Attachment B

Alaska

Toll Of Motor Vehicle Crashes, 2001

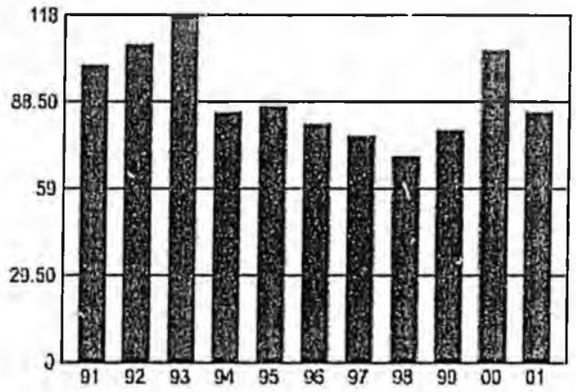
Change Year 2000 2001

Contents Next

2001	Alaska	US	Best State
Fatalities	85	42,116	
Fatality Rate per 100M VMT	1.80	1.51	0.90
Fatality Rate per 100K Population	13.39	14.79	7.48

TOTAL TRAFFIC FATALITIES

1991 - 2001



2000 Economic Cost of Motor Vehicle Traffic Crashes	
Alaska	$ 0.475 Billion
US Total	$ 230.568 Billion

	Fatalities in Alcohol-Related Crashes, 2001		Alcohol Related Fatalities, 2001	Passenger Vehicle Occupant Restraint Use Rates, 2001	
	Percentage ≥ 0.01 BAC	Percentage ≥ 0.08 BAC	Rate per 100 million VMT	Fatally Injured Occupants (Known Use Only)	Observed Use
Alaska	50.0%	46.0%	0.91	44.3%	62.6%
US Total	41.0%	35.0%	0.63	40.5%	73.0%
Best State	23.0%	19.0%	0.29	59.6%	91.1%

Available NHTSA Financial Resources

Highway Safety Program Funds

Restraint required < 4 - $50 Fine plus 2 points

MOTORCYCLES	Motorcycle Rider Deaths				Current Lives Saved by Helmets	Savable at 100%
	Total	Helmeted	Unhelmeted	Unknown		
Alaska	7	0	7	0	0	2

Helmet use required for all operators < 18 and all passengers - $300 Fine plus 2 points

Alcohol Related Fatalities by County

Alaska Fatalities and Fatality Rate per 100 Million VMT					
	Fatalities			Fatality Rate	
Year	Tot	Alc-Rel	%	Tot	Alc-Rel
1982	105	64	61	3.03	1.85
1983	150	88	59	4.47	2.62

Change in Alcohol Related Rates over time, Alaska vs. US		
Time Period	Alaska	US
1982 to 2001	-51%	-62%
Last 10 years	-25%	-32%
Last 5 years	-13%	-11%

People Saving People

Passenger Vehicle Occupant Fatalities (All Ages), by Restraint Use*

National Center for Statistics & Analysis NCSA

Restraint Use	Year			
	2001		2002	
Persons Killed	32,043	100%	32,598	100%
Restraint Used**	12,992	41%	13,471	41%
Restraint Not Used	19,051	59%	19,127	59%

*Occupant Fatalities whose restraint use was unknown were distributed proportionally to the known use categories. In both years restraint use was unknown for 8% of passenger vehicle occupants.

** Restraint Used = Use of any type of restraint, e.g., lap belt, lap/shoulder belt, child safety seat, etc.

Source: FARS

STATE OF ALASKA

Department of Health & Social Services
Division of Public Health
Section of Community Health and Emergency Medical Services

FRANK H. MURKOWSKI, GOVERNOR

P.O. Box 110616
Juneau, Alaska 99811-0616

Emergency Medical Services
Telephone: (907) 465-3027
Telefax: (907) 465-4101

Health Promotion
Telephone: (907) 465-3140
Telefax: (907) 465-2770

Primary Care
Telephone: (907) 465-3091
Telefax: (907) 465-6861

To: Jon Bittner
Office of Representative Heinze

From: Martha Moore
Trauma Registry Coordinator
Section of Community Health and EMS

Date: January 28, 2004

Subject: HB 392

In 2001, according to the Department of Transportation's Alaska Traffic Accidents Report, unbelted occupants in a motor vehicle crash were 19 times more likely to die than belted occupants, and 12 times more likely to sustain a major injury. Eighty-four percent (84%) of the belted occupants in crashes walked away uninjured, compared with only 60% of the unbelted occupants. There were 42,931 Alaskans involved in car, truck and bus crashes that year. For 11,435 of them use of restraints was unknown.

The Alaska Trauma Registry records outcomes of crash victims injured seriously enough to have been admitted to an Alaskan hospital. Looking at 10 years of data (1991-2000), the patients who were not buckled up at the time of the crash were almost twice as likely to sustain a serious head injury and over one and a half times more likely to be discharged with a permanent disability.

Of the 1,765 patients admitted to the hospital who were not restrained in a motor vehicle crash in the 10-year period, 22% were uninsured and 31% billed a government program for their hospital care (including 172 billing Medicaid). Of the 1,765, there were 90 fatalities, 606 traumatic brain injuries, 274 permanent disabilities, and 148 were discharged from the hospital to a rehabilitation or skilled nursing facility.

By enacting primary safety belt enforcement legislation, Alaska could expect to increase the safety belt wear rate to at least 74% (estimating from national statistics). Using the "BELTUSE" software program put out by the National Highway Traffic Safety Administration, it is estimated that 6 Alaskan lives would be saved per year, 71 major injuries prevented, 51 minor injuries prevented, and over $12 million dollars in economic savings.

Attachment C

DOT HS 809 474

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

Traffic Safety Facts 2001

Occupant Protection

NHTSA
People Saving People
http://www.nhtsa.dot.gov

NCSA
National Center for Statistics & Analysis
of the National Highway Traffic Safety Administration

A Public Information Fact Sheet on Motor Vehicle and Traffic Safety Published by the National Highway Traffic Safety Administration's National Center for Statistics and Analysis

"Safety belts, when used, reduce the risk of fatal injury to front-seat passenger car occupants by 45 percent."

Restraint Use Laws

The U.S. Department of Transportation's July 1984 rulemaking on automatic occupant protection began a wave of legislative action that resulted in the enactment of safety belt use laws in many states. The goal of those laws is to promote belt use and thereby reduce deaths and injuries in motor vehicle crashes.

The first mandatory belt use law was enacted in the State of New York in 1984. As of December 2001, 49 states and the District of Columbia had belt use laws in effect. The laws differ from state to state, according to the type and age of the vehicle, occupant seating position, etc.

In 32 of the states with belt use laws in 2001, the law specified secondary enforcement. That is, police officers are permitted to write a citation only after a vehicle is stopped for some other traffic infraction. Seventeen states and the District of Columbia had laws that allowed primary enforcement, enabling officers to stop vehicles and write citations whenever they observe violations of the belt law.

A 1995 NHTSA study, *Safety Belt Use Laws: An Evaluation of Primary Enforcement and Other Provisions*, indicates that states with primary enforcement safety belt laws achieved significantly higher belt use than did those with secondary enforcement laws. The analysis suggests that belt use among fatally injured occupants was at least 15 percent higher in states with primary enforcement laws.

The first mandatory child restraint use law was implemented in the State of Tennessee in 1978. Since 1985, all 50 states and the District of Columbia have had child restraint use laws in effect. These laws also cover various segments of the population.

Restraint System Effectiveness

Research has found that lap/shoulder safety belts, when used, reduce the risk of fatal injury to front-seat passenger car occupants by 45 percent and the risk of moderate-to-critical injury by 50 percent. For light truck occupants, safety belts reduce the risk of fatal injury by 60 percent and moderate-to-critical injury by 65 percent.

Recent NHTSA analyses indicate an overall fatality-reducing effectiveness for air bags of 12 percent.

Research on the effectiveness of child safety seats has found them to reduce fatal injury by 71 percent for infants (less than 1 year old) and by 54 percent for toddlers (1-4 years old) in passenger cars. For infants and toddlers in light trucks, the corresponding reductions are 58 percent and 59 percent, respectively.

The 1996 NHTSA study, *Crash Outcome Data Evaluation System (CODES)*, linked traffic and medical records in seven states to assess total costs of injury from motor vehicle crashes. The study found that the average inpatient costs for crash victims who were not using safety belts were 55 percent higher than for those who were belted.

Ejection from the vehicle is one of the most injurious events that can happen to a person in a crash. In fatal crashes in 2001, 75 percent of passenger car occupants who were totally ejected from the vehicle were killed. Safety belts are effective in preventing total ejections: only 1 percent of the occupants reported to have been using restraints were totally ejected, compared with 24 percent of the unrestrained occupants.

Air Bags

In 1995, NHTSA revised its method for calculating lives saved by air bags. The estimates in Table 1 reflect this revision.

"Between 1987 and 2001, 8,369 lives were saved by air bags."

Air bags, combined with lap/shoulder safety belts, offer the most effective safety protection available today for passenger vehicle occupants.

It is estimated that, as of 2001, more than 120 million air-bag-equipped passenger vehicles were on the road, including 96 million with dual air bags.

In 2001, an estimated 1,816 lives were saved by air bags. From 1987 to 2001, a total of 8,369 lives were saved.

Beginning September 1997 (model year 1998), all new passenger cars were required to have driver and passenger air bags, along with manual lap/shoulder safety belts. The same requirement applies to light trucks beginning in September 1998.

Air bags are *supplemental* protection and are not designed to deploy in all crashes. Most are designed to inflate in a moderate-to-severe *frontal* crash.

Some crashes at lower speeds may result in injuries, but generally not the serious injuries that air bags are designed to prevent. For this and other reasons, **lap/shoulder belts should always be used, even in a vehicle with an air bag.**

Children in rear-facing child seats should not be placed in the front seat of vehicles equipped with passenger-side air bags. The impact of a deploying air bag striking a rear-facing child seat could result in injury to the child.

Benefits of Child Restraint Use

In 2001, there were 497 passenger vehicle occupant fatalities among children under 5 years of age. Of these 497 fatalities, an estimated 242 (or 49 percent) were totally unrestrained.

Among children under 5 years old, an estimated 269 lives were saved in 2001 by child restraint use. Of these 269 lives saved, 235 were associated with the use of child safety seats and 34 with the use of adult belts.

Lives Lost by States' Failure to Implement Primary Safety Belt Laws

November 5, 2003

Prepared by:

Neil K. Chaudhary, PhD
David F. Preusser, PhD
Preusser Research Group, Inc.
Trumbull, CT

For:

The National Safety Council's
Air Bag & Seat Belt Safety Campaign

OBJECTIVE:

The purpose of this study is to estimate the number of lives lost due to the failure of states to pass primary enforcement safety belt laws. Primary laws allow officers to stop motorists based solely on an observed seat belt violation. Secondary laws allow officers to enforce the safety belt law if and only if the motorist is first stopped for some other violation. In 2002, eighteen states plus the District of Columbia had primary laws (see Table 1). Historically, safety belt use has been higher in "primary states" than in states without primary laws. Figure 1 shows primary versus secondary states based on standard National Highway and Traffic Safety Administration (NHTSA) approved observational studies.

Table 1.
Dates of Primary Law Enactment (Source: NTSB)

State	Enacted	State	Enacted
Alabama	12/09/99	Maryland	10/01/97
California	01/01/93	Michigan	03/10/00
Connecticut	01/01/86	New Jersey	05/01/00
Delaware*	06/30/03	New Mexico	01/01/86
District of Columbia	10/01/97	New York	12/01/84
Georgia	07/01/96	North Carolina	10/01/85
Hawaii	12/16/85	Oklahoma	11/01/97
Illinois*	07/03/03	Oregon	12/07/90
Indiana	07/01/98	Texas	09/01/85
Iowa	07/01/86	Washington	04/02/02
Louisiana	09/01/95		

* Law Changed in 2003

PROCEDURE:

The first step was to determine the likely increase in the safety belt use rate associated with the passage of a primary law. Three methods were used to establish convergent validity.

Effectiveness of Primary Law

State wide observations:

The first estimate used NHTSA verified statewide observations of day-time belt use rates. We compared rates for states with primary laws to states without primary laws for each year starting with

1995 and ending with 2002 (See Table 2). For this analysis, as well as all following analyses, data from the District of Columbia and Indiana were excluded. DC simultaneously implemented a primary law and applied more strict consequences for violation of the law (high fines and points to the license) making it difficult to attribute change in belt use to the primary law alone. IN implemented a primary law in 1999, which was soon after ruled unconstitutional, then reinstituted some time later, making it difficult to set a specific date for the onset of the primary law.

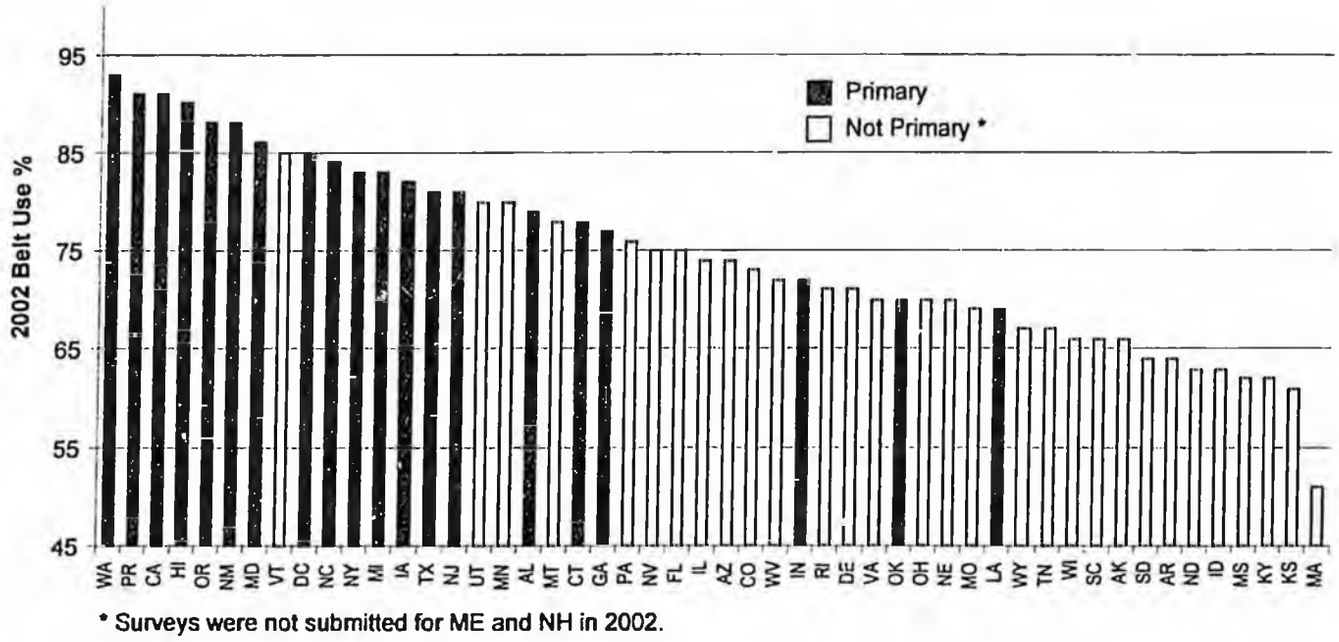


FIGURE 1. Belt use rates in 2002 (Data Source: NHTSA).

Table 2
Statewide Observed Belt Use 1995-2002 for Primary* Versus Non-primary Law States

	1995	1996	1997	1998	1999	2000	2001	2002	ALL
Primary	75%	74%	75%	78%	79%	79%	81%	83%	78%
not-Primary	60%	59%	60%	61%	63%	65%	67%	70%	63%
Difference	15%	15%	14%	17%	16%	14%	14%	13%	15%

* Excludes DC & IN

The results indicate that front seat occupants in primary states are between 13 and 17 percentage points (M = 15) more likely to be properly restrained than those in non-primary states.

FARS data estimations:

The second estimate of the value of primary laws was based on NHTSA's Fatality Analysis Reporting System (FARS); a database of crashes that resulted in at least one fatal injury. Using FARS, we compiled the number of fatally injured front seat occupants, ages 16 and older, of passenger vehicles who were, and were not, wearing safety belts. Theoretically, the number of belted drivers is underrepresented in the FARS database. This is because the proper use of safety belts reduces fatalities preventing the crash from entering the database. Thus, to estimate the number of belted drivers in "Potentially Fatal Crashes" (PFCs) we use the NHSTA estimation that safety belts are 45% effective in reducing fatalities in PFCs for passenger cars and 60% effective for light trucks (including pickups, SUVs and vans). That is, we estimated the number of front seat occupants who were involved in PFC's by hypothesizing that the number of belted drivers who died is 55% of all the belted drivers involved in crashes serious enough to potentially cause a fatality. An additional number of drivers in PFC's did not die because they were wearing seat belts.

We established a percentage of front seat occupants who were belted, and unbelted, in PFC's (see Table 3). Using these estimates, we established that front seat occupants of vehicles involved in PFC's in states with primary laws have 15 percentage point higher belt use than persons in states without primary laws.

Within state estimations:

The third method was to compare observed belt use rates in those states that changed from secondary to primary. Two years of NHTSA verified statewide observed belt use rates prior to the law change for 8 states that changed their laws were compared to the two years after the law change. The year in which the law changed was excluded. The results indicated that observed belt use was, on average, 15 percentage points higher in the two years after than the two years before (see Table 4).

Table 3
Actual and Estimated Safety Belt use rates for Fatal, and Potentially Fatal Crashes (Data Source: FARS 1995 – 2002)

		Primary*		Not Primary		
		N	Est. Belted	N	Est. Belted	Difference
Passenger Cars	Unbelted Dead	21520		50630		
	Belted Dead	27807		33010		
	Est. Belted Alive	22751		27008		
	Est. Total PFCs	72078	70%	110648	54%	16%
Light Trucks (Pickups, SUVs, Vans)	Unbelted Dead	16381		29320		
	Belted Dead	9069		9199		
	Est. Belted Alive	13604		13799		
	Est. Total PFCs	39054	58%	52318	44%	14%
Combined	Unbelted Dead	37901		79950		
	Belted Dead	36876		42209		
	Est. Belted Alive	36355		40807		
	Est. Total PFCs	106597	66%	158366	51%	15%

* Excludes DC & IN

Table 4
Change in Statewide Observed Belt use Prior to and After Law Changes (Data Source: NHTSA)

	Years relative to Law Change					Difference
	-2	-1	0	1	2	
CA	48%	50%	59%	59%	67%	
LA	57%	53%	58%	65%	74%	
GA	57%	53%	58%	65%	74%	
MD	70%	70%	71%	83%	83%	
OK	46%	48%	60%	56%	61%	
AL	52%	52%	58%	71%	79%	
MI	70%	70%	84%	82%	83%	
NJ	63%	63%	74%	78%	81%	
	58%	57%	65%	70%	75%	
Means	58%			73%		15

These analyses provided three estimates of effectiveness of primary laws. All three of the methods suggest that belt use was likely to have increased about 15 percentage points had a state adopted a primary safety belt law during the period included in this study (1995 – 2002).

RESULTS

For the present study, we estimate that belt use would have increased an average of 15 percentage points after implementation of a primary law over the 8 year period from 1995 – 2002. Using the estimated 15 percentage point gain in belt use by implementation of a primary law, we estimated how many front seat occupants of passenger vehicles (16 and older) died because their states did not implement a primary law. The estimated effectiveness of the safety belt is 45% for passenger cars and 60% for light trucks. We calculated that since 1995 an estimated 12,177 motorists died because of their states' failure to implement a primary law (see Table 5). The number killed was highest in 1995 and generally decreased in later years as more states switched to primary (See Figure 2). The estimated lives lost per state ranges from 33 in Rhode Island to 1333 in Florida (See Table 6).

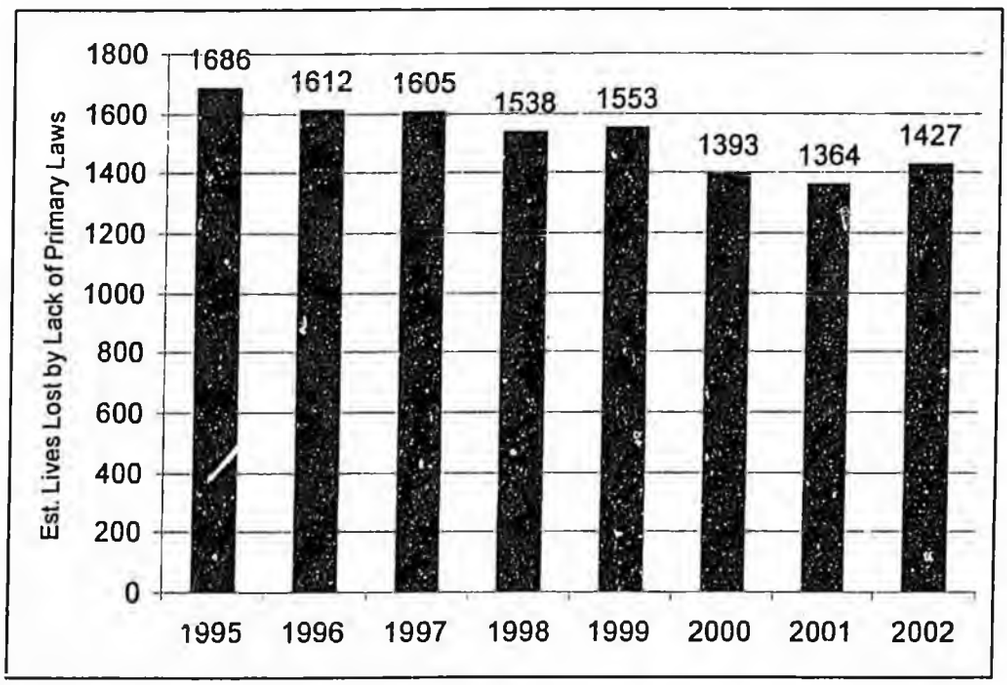


FIGURE 2. Est. Lives lost per year due to no primary enforcement safety belt law.

Table 5
Est. Lives Lost Due to Lack of Primary Laws (1995-2002)

	States without Primary Laws	If Primary Law	Lives Lost
Unbelted Dead	79950	55505	
Belted Dead	42209	54477	
Est. Belted Survivors	40807	52984	
Total Dead	122159	109982	12177

CONCLUSION

Failure to implement primary laws in all states resulted in more than 12,000 lives were lost during the years 1995 - 2002. If the situation remains the same as in 2002, an estimated additional 1,400 motorists will be killed next year alone.

Table 6
Est. Lives Lost Due to Lack of Primary Laws by State
(1995-2002)

State	Est. Lives Lost	State	Est. Lives Lost
Alaska	43	Nevada	169
Arizona	415	New Hampshire	60
Arkansas	316	North Dakota	50
Colorado	357	Ohio	732
Florida	1333	Pennsylvania	667
Idaho	143	Rhode Island	33
Kansas	247	South Carolina	525
Kentucky	482	South Dakota	73
Maine	96	Tennessee	675
Massachusetts	157	Utah	172
Minnesota	314	Vermont	47
Mississippi	481	Virginia	478
Missouri	579	West Virginia	205
Montana	135	Wisconsin	387
Nebraska	134	Wyoming	94

Fact Sheet

SAFETY BELT USE

Of the 31,910 vehicle occupants killed in crashes in 2001, 60 percent were not wearing a safety belt. [The National Highway Traffic Safety Administration, Annual Assessment of Motor Vehicle Crashes, 2001]

Safety belts saved 13,274 lives in 2001, and if all vehicle occupants over age 4 had been wearing safety belts, 7,334 more lives could have been saved, NHTSA estimates. [NHTSA, Traffic Safety Facts Overview, 2001]

Each percentage-point increase in safety belt use represents 2.8 million more people buckling up, 250 more lives saved and 6,400 serious injuries prevented annually, NHTSA estimates. [NHTSA, FY 2003 Performance Plan, 2002]

Safety belt use has increased significantly in the past few years, but more must be done. Safety belt use in the United States rose to 75 percent in 2002 from 58 percent in 1994. [NHTSA, National Occupant Protection Use Survey, June 2002]

RESTRAINT EFFECTIVENESS

Seventy-three percent of the people who were in a fatal crash in 2001 and were restrained survived; of those who were not restrained, only 44 percent survived. [NHTSA, Annual Assessment of Motor Vehicle Crashes, 2001]

In fatal crashes, 75 percent of all passenger car occupants who were totally ejected were killed. Only 1 percent of those occupants had been using a safety belt. [NHTSA, Traffic Safety Facts Overview, 2001]

SAFETY BELTS SAVE LIVES AND MONEY

In the past 26 years, safety belts prevented 135,000 fatalities and 3.8 million injuries, saving $585 billion in medical and other costs. If all vehicle occupants had used safety belts during that period, nearly 315,000 deaths and 5.2 million injuries could have been prevented — and $913 billion in costs saved. [NHTSA, Economic Impact of Crashes, 2002]

In 2000, the deaths and serious injuries prevented by safety belts resulted in savings of $50 billion in medical care, lost productivity and other injury-related costs. [NHTSA, Economic Impact of Crashes, 2002]

Motor vehicle crashes in 2000 cost a total of $230.6 billion, an amount equal to 2.3 percent of the gross domestic product, or $820 for every person living in the United States. [NHTSA, Economic Impact of Crashes, 2002]

In 2000, the economic cost to society was more than $977,000 for each crash fatality and an average of $1.1 million for each critically injured person. [NHTSA, Economic Impact of Crashes, 2002]

The general public pays nearly three-quarters of all crash costs, primarily through insurance premiums, taxes, delays and lost productivity. [NHTSA, Economic Impact of Crashes, 2002]

ADULTS UNDER 35 AND TEENS

In 2001, 64 percent of all 18- to 34-year-old passenger vehicle occupants who were killed or severely injured in crashes were not wearing safety belts. By comparison, among vehicle occupants age 35 and older who were killed or severely injured in crashes, 48 percent were not buckled up. [Fatality Analysis Reporting System, 2001 Annual Report File (ARF)]

In 2001, 68 percent of the 18- to 34-year-old male passenger vehicle occupants who were killed or severely injured in crashes were not wearing safety belts. Fifty-four percent of the women age 18 to 34 who were killed or severely injured in crashes were not buckled up. [Fatality Analysis Reporting System, 2001 Annual Report File (ARF)]

Motor vehicle crashes are the leading cause of death for people age 15 to 24 in the United States. [National Center for Health Statistics, National Vital Statistics Report, 2002]

In 2001, 63 percent of 16- to 20-year-old drivers and passengers killed or seriously injured in crashes were not wearing a safety belt. [Fatality Analysis Reporting System, 2001 Annual Report File (ARF)]

In 2001, the economic cost of police-reported crashes involving drivers age 15 to 20 was about $42.3 billion. [NHTSA, Traffic Safety Facts 2001 -Young Drivers]

Male teens continue to lag behind female teens in safety belt use. In 2001, 18.1 percent of high school males said they rarely or never wore a safety belt as a passenger, compared with 10.2 percent of high school females. [Centers for Disease Control and Prevention, Youth Risk Behavior Survey, 2001]

Ninety-four percent of drivers age 16 to 20 said they buckle up to avoid serious injury. Eighty-two percent said they use safety belts because it's the law, and 80 percent do so to avoid a ticket. [NHTSA, Motor Vehicle Occupant Safety Survey, 2000]

MINORITIES

Safety belt use among African Americans rose to 77 percent — increasing to essentially the same level as that of the general population — in 2002, from 69 percent in 2000. More than a quarter of African Americans who did not use safety belts in 2000 used them in 2002.
[NHTSA, National Occupant Protection Use Survey, June 2002]

Motor vehicle crashes are the leading cause of death for African Americans from birth through age 14 and are the second leading cause of death for African Americans 15 to 24 years old. [Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, 1998]

Motor vehicle crashes are the leading cause of death for Hispanics age one to 34 and the third leading cause of death for all Hispanics, surpassed only by heart disease and cancer. [Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, 2000]

In 2001, 16.1 percent of African American teens said they rarely or never used a safety belt as a passenger, compared with 13.6 percent of white teens and 14.5 percent of Hispanic teens. [Centers for Disease Control and Prevention, Youth Risk Behavior Survey, 2001]

Even though African American and Hispanic male teens drive fewer miles than white male teens, they are twice as likely than whites to die in a crash. [Archives Of Pediatric & Adolescent Medicine, 1998]

Download PDF version

Safety Belts and Teens 2003 Report

Teens* have the highest fatality rate in motor vehicle crashes than any other age group.[1] There are many reasons; for instance, while teens are learning the new skills needed for driving, many frequently engage in high-risk behaviors, such as speeding and/or driving after using alcohol or drugs. Studies also have shown that teens may be easily distracted while driving.[2] One key reason for high traffic fatalities among this age group is that they have lower safety belt use rates than adults.[3] Because teens have an increased exposure to potentially fatal traffic crashes, it is imperative that efforts to increase safety belt use among this age group be given the highest priority. In addition, the youth population has increased by more than 12 percent since 1993, and is expected to increase by another seven percent by 2005.[4] As this age group increases as a percentage of the population, the personal and societal costs associated with deaths and injuries from motor vehicle crashes also will rise.

Teens Are At Risk

- Motor vehicle crashes are the leading cause of death for 15 to 20 year olds in the United States.[5]
- In 2001, 5,341 teens were killed in passenger vehicles involved in motor vehicle crashes. Two thirds of those killed were not buckled up.[6]
- In 2001, 3,608 *drivers* 15 to 20 years old were killed in motor vehicle crashes, and an additional 337,000 were injured.[7]
- When driver fatality rates are calculated on the basis of estimated annual travel, teen drivers (16 to 19 years old) have a fatality rate that is about four times higher than the fatality rate among drivers 25 through 69 years old.[8]
- Many high school students fail to use their safety belts even when riding with adults who are buckled up. An observational survey conducted at 12 high schools found that 46 percent of high school students were not wearing their safety belts when riding with adult drivers. About half of the **unbelted** students were riding with adults who were belted.[9]
- A recent medical study examined motor vehicle fatality exposure rates and found that, per mile traveled, African American and Hispanic male teenagers (13-19 years old) are nearly twice as likely to die in a motor vehicle crash as male teenagers who are white.[10]
- Male high school students (18 percent) report that they are more likely to rarely or never use safety

belts compared with female high school students (10 percent).[11]

Seat Belts Save Lives And Dollars

- In 2001, the estimated economic cost of police-reported crashes involving drivers between 15 and 20 years old was $42.3 billion.[7]
- Safety belts saved more than 12,000 American lives in 2001. Yet, during that same year, nearly two-thirds (60 percent) of passenger vehicle occupants killed in traffic crashes were unrestrained.[12]
- Research has shown that lap/shoulder belts, when used properly, reduce the risk of fatal injury to front-seat passenger car occupants by 45 percent and the risk of moderate to critical injury by 50 percent. For light truck occupants, safety belts reduce the risk of fatal injury by 60 percent and moderate-to-critical injury by 65 percent.[13]
- Safety belts should always be worn, even when riding in vehicles equipped with air bags. Air bags are designed to work *with* safety belts, not alone. Air bags, when not used with safety belts, have a fatality-reducing effectiveness rate of only 12 percent.[14]
- Safety belt usage saves society an estimated $50 billion annually in medical care, lost productivity, and other injury-related costs.[15]
- Conversely, safety belt *nonuse* results in significant economic costs to society. The needless deaths and injuries from safety belt nonuse account for an estimated $26 billion in economic costs to society annually.[16] The cost goes beyond the lost lives of unbuckled drivers and passengers: We all pay - in higher taxes and higher health care and insurance costs.

Strong Safety Belt Laws Can Make a Difference

- There are two types of safety belt laws: primary and secondary. A *primary* (standard) safety belt law allows law enforcement officers to stop a vehicle and issue a citation when the officer simply observes an unbelted driver or passenger. A *secondary* safety belt law means that a citation for not wearing a safety belt can only be written after the officer stops the vehicle or cites the offender for another infraction.
- Primary safety belt laws are much more effective in increasing safety belt use, because people are more likely to buckle up when there is the perceived risk of receiving a citation for not doing so. In June 2002, the average safety belt use rate in States with primary enforcement laws was 11 percentage points higher than in States without primary enforcement laws.[17] (Safety belt use was 80 percent in primary law States versus 69 percent in States without primary enforcement.)
- Many teens support primary enforcement safety belt laws. In 2000, a nationwide survey was conducted to determine attitudes regarding primary enforcement safety belt laws. Of the more than 500 young people 16 to 20 years of age who were surveyed, 60 percent voiced their support for primary enforcement laws.[18]
- Young drivers are more likely to use safety belts in States with a primary safety belt law versus States with a secondary law. The five states that currently have the highest teenage safety belt use are California, Maryland, Michigan, North Carolina, and Oregon. These States have primary safety belt laws that are among the strongest in the nation.[19]

Safety Belt Enforcement Programs

- Occupant Protection Selective Traffic Enforcement Programs (sTEPs) are periods of highly visible safety belt law enforcement combined with extensive media support. These programs are a proven method to change motorists' safety belt use behavior and do it quickly. Successful Occupant Protection sTEPs have been documented in Canada, Europe, and the United States.[20, 21, 22, 23]
- Highly visible enforcement of safety belt laws is at the core of any plan to increase safety belt use; no State or community has ever achieved a high safety belt use rate without strong enforcement of such laws. Strong enforcement of safety belt laws sends the message that the State takes safety belt use laws seriously. Ultimately, this leads to greater compliance.
- Enforcement of safety belt laws is significantly more effective when it is combined with media saturation because the perceived risk of receiving a citation is increased. Research shows that people will buckle up if they believe the police are enforcing the law.
- The "Click It or Ticket" model has been enormously successful in increasing safety belt use at the community, State, and regional level. A "Click It or Ticket Campaign" was fully implemented and evaluated in 10 States in May 2002. This initiative, which involved a partnership between the National Highway Traffic Safety Administration (NHTSA), the Air Bag & Seat Belt Safety Campaign, and hundreds of law enforcement agencies, helped to raise safety belt use an average of nine percentage points among these 10 States. One State, Vermont, experienced a 19 percentage-point increase in safety belt use as a result of the campaign.
- Many jurisdictions in the United States have adopted graduated licensing, a system designed to delay full licensure while allowing beginners to obtain their initial experience under lower risk conditions. There are three stages: a minimum supervised learner's period, an intermediate license, and a full-privilege driver's license after successful completion of the first two stages.[24] A good graduated licensing system will have education and enforcement of safety belt laws. For example, in North Carolina, graduated licensing law includes provisions for fines for up to $100 for safety belt violations by new drivers.

Many Organizations Support Strong Safety Belt Laws for Teens

Many organizations have partnered with NHTSA to help increase the safety belt use among teens because they realize that by doing so, thousands of lives will be saved and millions of injuries will be prevented. These organizations include:

- 100% Drug Free Clubs
- 4-H
- Advocates for Highway/Auto Safety
- American Automobile Association
- American Driver & Traffic Safety Education Association
- American School Health Association
- Aspira Association, Inc.
- Automotive Coalition for Traffic Safety
- Bacchus & Gamma Peer Education Network
- Brain Injury Association
- Center for Substance Abuse Prevention
- Centers for Disease Control & Prevention
- Children's Safety Network
- Circle K International
- Emergency Medical Services for Children

- Emergency Nurses Association
- Family, Career and Community Leaders of America
- Farm Safety 4 Just Kids
- Governors Highway Safety Association
- Insurance Institute for Highway Safety
- International Association of Campus Law Enforcement Administrators
- Mothers Against Drunk Driving
- Maternal & Child Health Bureau
- National Association of School Resource Officers
- National Association of Teen Institutes
- National Campaign to Prevent Teen Pregnancy
- National Children's Center for Rural and Agricultural Health and Safety
- National Commission Against Drunk Driving
- National Criminal Justice Association
- National Peer Helpers Association
- National Parent Teachers Association
- National SAFE KIDS Campaign
- National Safety Belt Coalition/National Safety Council
- National Student Safety Program
- Network of Employers for Traffic Safety
- Pacific Institute for Underage Drinking Enforcement Training Center
- Recording Artists, Actors & Athletes Against Drunk Driving (RADD)
- RADD Kids/Team RADD
- Remove Intoxicated Drivers
- The State and Territorial Injury Prevention Directors' Association
- Street Law, Inc.
- Students Against Destructive Decisions
- Substance Abuse and Mental Health Services Administration
- Think First Foundation
- United National Indian Tribal Youth
- United States Department of Education
- United States Department of Health and Human Services
- United States Department of Justice
- Youth of Virginia Speak Out About Traffic Safety
- YMCA of the United States of America

References

1. Traffic Safety Facts 2001 (Book), National Highway Traffic Safety Administration, DOT HS 809 484, pg. 21.
2. Williams, Alan F. 2001. Teenage Passengers in Motor Vehicle Crashes: A Summary of Current Research. Insurance Institute for Highway Safety.
3. NHTSA Research Notes, August 2001. DOT HS 809 318.
4. U.S. Census Bureau
5. National Center for Health Statistics of the United States Centers for Disease Control and Prevention, 1999 data.
6. Traffic Safety Facts 2001. National Highway Traffic Safety Administration. DOT HS 809 484.

Table 68, pg. 103.
7. Traffic Safety Facts 2001. Younger Driver, National Highway Traffic Safety Administration, DOT HS 809 483.
8. Traffic Safety Facts 2000. Younger Driver, National Highway Traffic Safety Administration, DOT HS 809 336.
9. *Status Report*, Insurance Institute for Highway Safety. Volume 37, Number 6, June 2002, page 2.
10. Baker, Susan P.; Braver, Elisa R.; Chen, Li-Hui; Pantula, Janella F.; and Massie, Dawn L. 1998. Motor Vehicle Occupant Deaths among Hispanic and Black Children and Teenagers. *Archives of Pediatrics and Adolescent Medicine* 152:1209-12.
11. Teen Drivers. National Center for Injury Prevention and Control. CDC, 2002. www.cdc.gov/ncipc/factsheets/teenmvh.htm
12. Traffic Safety Facts 2001, Overview, National Highway Traffic Safety Administration, DOT HS 809 476, p. 10.
13. Motor Vehicle Traffic Crash Fatality and Injury Estimates for 2000, National Highway Traffic Safety Administration, November 2001.
14. Traffic Safety Facts, 2000, Occupant Protection, National Highway Traffic Safety Administration, DOT HS 809 327.
15. The Economic Impact of Motor Vehicle Crashes, 2000. National Highway Traffic Safety Administration, DOT HS 809 446, p. 55.
16. Ibid.
17. Safety Belt and Helmet Use in 2002 - Overall Results. National Highway Traffic Safety Administration. DOT HS 809 500. September 2002.
18. Motor Vehicle Occupant Safety Survey, 2000, Volume Two, p.147. National Highway Traffic Safety Administration, DOT HS 809 389.
19. McCartt, A.T., and Shabanova, V.I. (2002). Teenage Seat Belt Use: White Paper. *The National Safety Council's Air Bag & Seat Belt Safety Campaign.*
20. Jonah, B.A., Dawson, N.E., and Smith, G.A. (1982). Effects of a selective traffic enforcement program on safety belt usage. *Journal of Applied Psychology*, 67, 89-96.
21. Williams, A.F., Lund, A.K., Preusser, D.F., Blomberg, R.D. (1987). Results of a set safety belt use law enforcement and publicity campaign in Elmira, New York. *Accident Analysis and Prevention*, 19, 243-249.
22. Solomon, M.G., Nissen, W.J., and Preusser, D.F. (1999). Occupant protection special traffic enforcement program evaluation (Final Report). Washington DC: U.S. Department of Transportation; National Highway Traffic Safety Administration, report number DOT HS 808 884.
23. Williams, A.F., Wells, J.K., McCartt, A.T., Preusser, D.F. (2000) "Buckle Up NOW!" an enforcement program to achieve high safety belt use. *Journal of Safety Research*, 31, 195-201.
24. Insurance Institute for Highway Safety, Highway Loss Data Institute, November 2002. www.iihs.org/safety_facts/state_laws/grad_license.htm

*for the purposes of this fact sheet, the term "teen" refers to young people ages 16-20 unless otherwise specified

DOT HS 809 578
March 2003

10 Leading Causes of Injury Death by Age Group – 2001
Highlighting Unintentional Injury Deaths

Rank	<1	1-4	5-9	10-14	15-24	25-34	35-44	45-54	55-64	65+	Total
	Age Groups										
1	Unintentional Suffocation 614	Unintentional MV Traffic 558	Unintentional MV Traffic 660	Unintentional MV Traffic 884	Unintentional MV Traffic 10,513	Unintentional MV Traffic 6,759	Unintentional MV Traffic 6,891	Unintentional MV Traffic 5,422	Unintentional MV Traffic 3,328	Unintentional Fall 11,623	Unintentional MV Traffic 42,443
2	Unintentional MV Traffic 139	Unintentional Drowning 458	Unintentional Drowning 168	Unintentional Drowning 165	Homicide Firearm 4,200	Homicide Firearm 3,308	Unintentional Poisoning 5,036	Unintentional Poisoning 3,547	Suicide Firearm 2,083	Unintentional MV Traffic 7,256	Suicide Firearm 16,869
3	Homicide Other Spec., Class. 117	Unintentional Fire/burn [illegible]	Unintentional Fire/burn [illegible]	Suicide Suffocation 163	Suicide Firearm 2,130	Suicide Firearm 2,564	Suicide Firearm 3,030	Suicide Firearm 3,023	Unintentional Fall 1,004	Unintentional Unspecified [illegible]	Unintentional Fall 15,019
4	Homicide Unspecified 107	Homicide Unspecified 146	Homicide Firearm 59	Homicide Firearm 121	Unintentional Poisoning 1,362	Unintentional Poisoning 2,507	Homicide Firearm 1,978	Suicide Poisoning 1,439	Unintentional Poisoning 798	Suicide Firearm 3,943	Unintentional Poisoning 14,078
5	Unintentional Drowning 68	Unintentional Suffocation 138	Unintentional Other Land Transport 48	Suicide Firearm 90	Suicide Suffocation 1,235	Suicide Suffocation 1,373	Suicide Poisoning 1,541	Unintentional Fall 1,024	Suicide Poisoning 578	Unintentional Suffocation 3,204	Homicide Firearm 11,348
6	Unintentional Fire/burn [illegible]	Unintentional Pedestrian, Other 61	Unintentional Suffocation 44	Unintentional Fire/burn 88	Unintentional Drowning 596	Homicide Transportation-Related 842	Suicide Suffocation 1,534	Suicide Suffocation 952	Unintentional Fire/burn [illegible]	Adverse Effects 1,995	Unintentional Unspecified [illegible]
7	Undetermined Suffocation 47	Homicide Other Spec., Class. 80	Unintentional Fall 33	Unintentional Other Land Transport 83	Homicide Cut/pierce 481	Suicide Poisoning 753	Undetermined Poisoning 1,121	Homicide Firearm 934	Suicide Suffocation 392	Unintentional Fire/burn [illegible]	Suicide Suffocation 6,198
8	Homicide Suffocation 40	Homicide Firearm 55	Unintentional Pedestrian, Other 28	Unintentional Suffocation 68	Suicide Poisoning 337	Undetermined Poisoning 549	Homicide Transportation-Related 1,061	Undetermined Poisoning 761	Unintentional Unspecified [illegible]	Unintentional Poisoning 722	Unintentional Suffocation 5,555
9	Adverse Effects 26	Homicide Other Spec., NEC 49	Unintentional Struck by or Against 25	Unintentional Firearm 39	Unintentional Fall 266	Homicide Cut/pierce 472	Unintentional Fall 647	Homicide Transportation-Related 344	Adverse Effects 384	Unintentional Natural/Env. 621	Suicide Poisoning 5,191
10	Unintentional Fall 23	Unintentional Natural/Env. 42	Unintentional Other Transport 22	Unintentional Pedestrian, Other 38	Unintentional Other Land Transport 250	Unintentional Drowning 374	Unintentional Drowning 462	Unintentional Suffocation 461	Unintentional Suffocation 381	Unintentional Other Spec. NEC 578	Unintentional Fire/burn [illegible]

Note: Homicide and suicide counts include terrorism deaths associated with the events of September 11, 2001, that occurred in New York City, Pennsylvania, and Virginia. A total of 2,926 U.S. residents lost their lives in these acts of terrorism in 2001, of which 2,922 were classified as (transportation-related) homicides and 4 were classified as suicides.

Source: National Center for Health Statistics, (NCHS) Vital Statistics Systems.

Produced by: Office of Statistics and Programming, National Center for Injury Prevention and Control, CDC.

Remarks by

Noel C. Bufe, Ph.D.
Chairman of the Board of Directors
National Safety Council
to the
National Association of Governors' Highway Safety Representatives
Annual Meeting, Biloxi, Mississippi
September 25, 2000

Thank you for that kind introduction. Thank you, Craig, for inviting me to be with you today. Its always a great personal pleasure for me to renew acquaintances with old friends.

I was asked to speak today about High Risk Groups, how the National Safety Council addresses high risk groups, and what further program or policy development is needed to improve the safety of high risk groups. I am going to address all these issues, but let me give you my bottom line first.

The highest-risk group traveling on the highways today is people not wearing seat belts. The single most important thing we can do nationally and in every state to save lives on our highways is to increase seat belt use. And the most effective way to increase belt use is to enact and strictly enforce primary seat belt laws.

And if you have any question about this, talk to the people from California. Last year, California had its lowest number of highway fatalities in the last 50 years. Think about this. The growth rates of California's population, miles driven on its highways and size of its economy have multiplied by the thousands over the last 50 years. Yet last year, fewer people died on California highways than in any other year since the post-World War II years.

One of the main reasons for this remarkable event is that 90% of Californians wear seat belts. And that high compliance rate is due in large measure to California law enforcement being vigilant and visible in enforcing the state's seat belt laws. And that describes our challenge. We have to place focus, resources and law enforcement priorities on enacting and enforcing primary seat belt laws. Today, nearly one-half of Americans live in states that do not have strong, primary seat belt laws that are as enforceable as other traffic statutes.

Nationally, 71% of Americans use seat belts. That's the highest number ever and a nine percentage point increase in the last two years. That means that your efforts, our efforts, those of other safety organizations, and especially those of DOT, NHTSA, NTSB and state and local law enforcement agencies are making a difference. We are having an impact. But we have a long way to go.

And, in particular, we have a long way to go to protect our most defenseless high-risk group, children. Children don't make the choice to not buckle up or be restrained properly. Adults make those choices for them. And as you know, when it comes to child restraint systems, many adults do not make the right choices for their children.

Last year, 65% of children from birth through age three were properly restrained in vehicles with child safety seats. That means 35% of infants and toddlers are not properly restrained. As unacceptable as that may be, the numbers for children ages 4-8 are far worse. NHTSA reported that about 94% of children ages 4-8 are improperly restrained or not restrained at all. We clearly have a problem with these forgotten children. About 77% of these children are restrained in some way, but most are belted in using lap belts or lap-shoulder belt combinations. However, as we know, children of that age must be restrained in belt-positioning booster seats until they are big enough to fit properly in an adult seat belt. Only five percent of these children are being restrained in this manner.

I believe one reason for this is that there are gaps in state laws that leave children in the ages 4-16 unprotected. Most child restraint laws stop at age four or only apply to front seat occupants. Many states also fail to address the issue of children as passengers in the cargo area of pickup trucks.

The Blue Ribbon Panel established by U.S. Department of Transportation Secretary Rodney Slater recommended the promotion of booster seats for children ages 4 to 8. I would add that promoting and encouraging the use of booster seats may not be enough. As we have seen with adult seat belt use, it often takes strong primary laws and enforcement of those laws to create significant increases in restraint use. In that vein, states ought to be looking at expanding their child restraint laws to include the forgotten children.

These are issues that those of you who administer and manage state and Federal funds must recognize and address. And we are happy to know that NHTSA, through TEA-21, provides many funding sources to address occupant protection. And rest assured that the National Safety Council will support you in your efforts any way we can.

One of our most important priorities is to enhance our Air Bag and Seat Belt Safety Campaign and support Operation ABC mobilizations, in which law enforcement officers write tickets for non-compliance. And we will continue to work with all interested parties to educate people on the proper use of child restraints and to keep children under age 12 in the back seat -- out of the way of air bags.

Our concern for children extends through the teenage years, as well, and leads me to talk about the next high-risk group -- teenagers. Teen drivers make up seven percent of licensed drivers, but are involved in 16% of police-reported crashes and 14% of all fatal crashes. In 1998, over 6,000 people between the ages of 15 and 20 were killed in motor vehicle crashes, the leading cause of death for this age group.

We believe graduated licensing for teens is an effective way to help teens adjust to the responsibilities of driving. We strongly support graduated licensing in the 35 states that have it. If you are in one of the other 15 states, I strongly encourage you to work to enact such legislation in your state.

No discussion of highway safety would be complete without emphasizing drunk driving. Thirty-eight percent of all motor-vehicle fatalities involve alcohol. The National Safety Council has recommended a return to a high-visibility nationwide enforcement crackdown on drunk drivers. We are encouraging the use of emerging technologies to detect impaired drivers. And we strongly support enacting .08 blood alcohol content legislation in the 32 states that today presume drivers are impaired only at higher levels.

Combining drunk drivers with unbelted children presents us with the highest-risk group of all. A recent study in the Journal of the American Medical Association children found that the highest number of fatalities of any one segment of our population occurred to unbelted children that were passengers in cars driven by drunk drivers.

We are involved in campaigns aimed at changing the behavior of repeat drunk drivers. We also are working with legislators and law enforcement officials to encourage the strengthening and vigorous enforcement of existing impaired-driving legislation and to ensure that sentences for drunk driving are as serious as the offense. We believe a national debate is needed to identify other ways to improve prosecution of drunk drivers and to increase effective sentencing options for repeat offenders.

The final key high-risk group relates to large truck safety. Large trucks represent 3% of registered vehicles, 7% of vehicle miles traveled and 9% of all vehicles involved in fatal crashes. While the number of large trucks involved in fatal crashes per miles traveled is actually going down, the fatality rate is unacceptably high. Driver error or behavior is a major factor in all vehicle crashes, but it is especially true in those involving large trucks.

In two-thirds of all accidents involving large trucks, drivers of other vehicles were cited for infractions. That is why the Council supports the DOT and its Office of Motor Carriers in the "No-Zone" campaign to educate motorists about the proper way to drive around trucks. The Council also is working with all involved parties to conduct a national symposium to discuss all the issues related to truck safety.

The actions and initiatives I've talked about today are part of the National Safety Council's Safety Agenda for the Nation. We issued this Agenda six months ago to address what we believe are the key safety issues in America today. We have not identified every problem and every solution. Instead, we have focused on what we believe to be the most serious injury problems. The ones I spoke about today head the list of our highway-related issues.

And that is a point I want to emphasize today. I believe that it is critical that each of us remember the importance of focus. Most of you at the Federal level, in every state and in various other organizations are involved in a number of important issues that are competing for your and your leaders' time, attention and priorities.

Sometimes, I believe we all must step back and consider the big picture. I believe we must periodically re-check ourselves and ensure that our focus is on the things that save the most lives.

Let me give you an example. Over the last ten years, 103 people have died from incidents involving Firestone tires. That number will probably increase, but I believe we must keep it in context. Over that same time, 90,000 people not wearing seat belts have died on our highways. That's right. About one thousand times more people have died not wearing seat belts than have died because of defective Firestone tires.

We see a lot of state, Federal and in particular, news media attention rightfully being devoted to Firestone tires and Ford Explorers. However, I believe it is always our responsibility as safety professionals to provide context.

Do you think the day will ever come when we see 1,000 times the media attention that has been given to the tire recall given to seat belts, child restraints and the forgotten children? That's our challenge. We have to make it happen.

If you want to remember two things from my talk, and leave here with a renewed focus on the most important issues, then let me emphasize that the first priority would be to strengthen and enforce seat belt and occupant protection laws, with particular focus on those relating to children. A close second priority is to enact and enforce .08 drunken driving laws. I can confidently say that if heightened focus were placed on these issues, and all states passed and enforced these laws, we would see dramatic reductions in highway fatalities.

You know it. I know it. Now we must do what we can to help everyone in your states to know it.

Again, thank you very much for the invitation to be with you today. I hope you have a very informative and productive conference.

Speech Archive | News Center | NSC Home | Directory | Comments

December 16, 2000

Air Bag & Seat Belt Safety Campaign

The Evidence Is In: Adults Who Don't Buckle Up Have a Dangerous Impact on Children's Safety

Nationwide Crash Data

- Driver restraint use is the strongest predictor of child restraint use.
- A restrained driver is three times more likely to restrain a child.[i]

Nationwide Observation Research

- When a driver is **buckled**, restraint use for children (birth to 15) is **87%**.
- When a driver is **unbuckled**, restraint use for children (birth to 15) is **24%**.[ii]

State Research *

California

- When a driver is **buckled**, restraint use for children is **94%**.
- When a driver is **unbuckled**, restraint use for children is **30%**.[iii]

Colorado

- When a driver is **buckled**, restraint use for children (birth to 3) is **93%**.
- When a driver is **unbuckled**, restraint use for children (birth to 3) is **56%**.
- When a driver is **buckled**, restraint use for children (4 to 15) is **72%**.
- When a driver is **unbuckled**, restraint use for children (4 to 15) is **11%**.[iv]

Connecticut

- When a driver is **buckled**, restraint use for children (birth to 3) is **80%**.
- When a driver is **unbuckled**, restraint use for children (birth to 3) is **56%**.[v]

Georgia

- When a driver is **buckled**, restraint use for children (birth to 4) is **85%**.
- When a driver is **unbuckled**, restraint use for children (birth to 4) is **15%**.[vi]

Illinois

- When a driver is **buckled**, restraint use for children is **71%**.
- When a driver is **unbuckled**, restraint use for children is **28%**.[vii]

Kenbucky

- When a driver is **buckled**, restraint use for children (birth to 15) is **87%**.
- When a driver is **unbuckled**, restraint use for children (birth to 15) is **24%**.[viii]

Michigan

- When a driver is **buckled**, restraint use for children (birth to 3) is **81%**.
- When a driver is **unbuckled**, restraint use for children (birth to 3) is **52%**.[ix]

Mississippi

- When a driver is **buckled**, restraint use for children (birth to 4) is **86%**.
- When a driver is **unbuckled**, restraint use for children (birth to 4) is **26%**.[x]

New Mexico

- When a driver is **buckled**, restraint use for children (birth to 4) is **79%**.
- When a driver is **unbuckled**, restraint use for children (birth to 4) is **25%**.[xi]

North Carolina

- When a driver is **buckled**, restraint use for children (birth to 12) is **95%**.
- When a driver is **unbuckled**, restraint use for children (birth to 12) is **44%**.[xii]

Oklahoma

- When a driver is **buckled**, restraint use for children (birth to 5) is **77%**.
- When a driver is **unbuckled**, restraint use for children (birth to 5) is **19%**.[xiii]

Washington

- When a driver is **buckled**, restraint use for children (birth to 2) is **97%**.
- When a driver is **unbuckled**, restraint use for children (birth to 2) is **56%**.
- When a driver is **buckled**, restraint use for children (3 to 10) is **89%**.
- When a driver is **unbuckled**, restraint use for children (3 to 10) is **24%**.[xiv]

[i] Agran, Phyllis F., et al. "Factors Associated with Restraint Use of Children in Fatal Crashes," *Pediatrics*, Sept. 1998. (http://www.pediatrics.org/cgi/content/full/102/3/e39)

[ii] "National Occupant Protection Use Survey: Controlled Intersection Study," National Center for Statistics Analysis (U.S. Department of Transportation National Highway Traffic Safety Administration, Washington, D.C.) Aug. 1997.

[iii] Data obtained by the California Office of Traffic Safety.

[iv] "Seat Belt and Car Seat Use for Colorado Children: Findings of a Study Conducted by Colorado State University for the Colorado Department of Transportation," Jan. 1998.

[v] Preusser Research Group. "Connecticut Belt and Child Seat Observation Data - Wave 1," Study conducted for Connecticut Department of Transportation, May 1997.

[vi] "Occupant Protection Survey," University of Georgia Cooperative Extension Program, Spring 1997.

[vii] "Nassirpour, Mehdi and Brad Alewelt, "Child Safety Seat Usage Rate and Its Correlates in Illinois," Illinois Department of Transportation, Division of Traffic Safety, Oct. 1997.

[viii] Agent, Kenneth R. "1989 Usage Rates and Effectiveness of Safety Belts and Child Safety Seats in Kentucky," Kentucky

Transportation Center, College of Engineering, University of Kentucky, Sept. 1989.

[ix] Eby, David W., Lidia P. Kostyniuk and Carl Christoff. "Child Restraint Device Use and Misuse in Michigan," The University of Michigan Transportation Research Institute, Sept. 1997.

[x] "1997 Child Restraint Survey," Social Science Research Center, Mississippi State University, Oct. 1997.

[xi] "Birth to 11," New Mexico Office of Epidemiology, Oct. 1997.

[xii] 1996 crash data, provided by the University of North Carolina Highway Safety Research Center.

[xiii] Data obtained by the Oklahoma Highway Safety Office, Oklahoma City, Oklahoma.

[xiv] Saibel, Charlie, Philip Salzberg and Richard Thurston. "Observational Survey of Safety Restraint and Car Safety Seat Use for Children," Washington Traffic Safety Commission Report, June 1995.

* Research includes all states that have reported data to the Air Bag & Seat Belt Safety Campaign to date. Many states do not track or report these data.

June 10, 2003

Air Bag & Seat Belt Safety Campaign | NSC Home | Disclaimer | Comments

Legislation

Primary Seat Belt Laws Save Kids
New Messages That Can Redefine the Debate

Primary enforcement seat belt laws allow police to stop and ticket a driver for not wearing a seat belt, just like any other routine traffic violation. Eighteen states and the District of Columbia have enacted these laws. The remaining 31 states have secondary laws that allow law enforcement to ticket a driver for not belting up only after the person has been stopped, or ticketed, for another violation, and one state does not have any seat belt law.

States with primary laws have seat belt use that is consistently 10 to 15 percentage points higher than secondary law states. States that actively enforce their laws have achieved additional seat belt use increases in the range of 10 to 15 percentage points. These laws work and their effectiveness is easily measured.

Focus group research (including groups with legislators and other opinion leaders) in five U.S. cities shows that the seat belt debate is calcified. The debate revolves around old, familiar arguments that people think they have already heard. Many of these arguments work against passing primary enforcement seat belt laws. And the issue has no urgency. Absent new information, opinion leaders and legislators come to the debate with their minds largely made up.

Research shows the most powerful arguments we have are new and are not widely known or understood. Most important is the fact that adults who don't buckle up are far less likely to buckle kids. Also important, for example in the African American and Hispanic communities, are the facts that crashes are the leading killer of all children including African American and Hispanic children. Car crashes are the second leading killer of African American young men, and support for primary enforcement is higher among African Americans than the population as a whole.

As we have seen in other states - notably Indiana - these and other messages have the power to reinvigorate the debate, generate positive editorial and news coverage, and help produce greater support for action. Before state legislatures begin to debate whether to upgrade seat belt laws in their states, it is important we present legislators and opinion leaders this new information.

Adults who don't buckle up don't buckle up kids. We won't get kids buckled until we get everyone buckled.

Every state has primary enforcement seat belt laws covering children, but still six out of every ten children killed in crashes are unbelted. The evidence is clear...if we are going to protect children in cars we must get adults buckled up. That's right, adults. Research shows that the most effective way to get

adults to wear belts is to pass primary enforcement seat belt laws. And getting adults buckled up truly does get kids buckled up.

- Crashes are the leading killer of children ages 0 to 14.
- A University of California, Irvine study report in the journal Pediatrics found "driver restraint use was the strongest predictor of child restraint use," and "a restrained driver was three times more likely to restrain a child."
- A study conducted by the Ford Motor Company found that when a driver is buckled children riding with them are buckled 94 percent of the time. When drivers are unbuckled, child restraint use plummets to 30 percent.
- After Louisiana passed a primary law, child restraint use rose from 45-82 percent even though the law covering children remained the same.
- The Congressional Black Caucus said increasing belt use among African Americans is an "urgent national health priority."

Primary laws benefit African Americans

Primary seat belt laws get broad support from African American voters. Primary seat belt laws can effectively fight the leading killer of African American kids-car crashes. They must include strong protections against potential harassment and be coupled with a coordinated education effort to alert minority communities to the law and its provisions.

- Motor vehicle crashes are the leading killer of African American children, 0 to 14. Crashes are the second leading killer of African American young men 15 to 24 surpassed only by homicides.
- According to a study conducted by the National Black Caucus of State Legislators and the Air Bag & Seat Belt Safety Campaign, African Americans who live in the states with a primary seat belt law overwhelmingly favor the law by more than a 3-to-1 margin. Less than one-half of one percent of African Americans report race-related harassment problems as a result of their state's seat belt law.
- The National Black Caucus of State Legislators, National Urban League and the Children's Defense Fund support strong laws that increase seat belt use and include safeguards for uniform enforcement.
- There have been no reported incidents of harassment as a result of primary seat belt laws in the 14 states that have enacted them.
- According to the CDC and NHTSA, African Americans report belt use about 10 percent lower than the rest of the population.
- A study conducted by Johns Hopkins University and the Insurance Institute for Highway Safety found African American male teenagers are nearly twice as likely to die in a motor vehicle crash as male teens who are white. The risk to black children ages five to 12 dying in a crash are almost three times as great as that of white children.

- An eight-year study by the American Journal of Public Health offers dramatic evidence of the power of primary enforcement laws to save lives in the African American community. Even among the very hard-to-move group of 18-29 year old African American men, belt use is higher in states with primary laws -- 58 percent versus 46 percent in states with secondary laws.

- A July 1997 survey of 1,000 Americans shows that support for primary seat belt laws among African Americans is extremely strong and higher than support among the population as a whole - 69 percent of African Americans support primary laws versus 61 percent of the population as a whole.

- Support for primary laws among African Americans runs deep - 60 percent say they strongly favor such laws. By a four-to-one margin, African Americans say they are more likely to vote for an elected official who supports primary seat belt laws.

Primary laws benefit Hispanics

- Motor vehicle crashes are the leading killer of Hispanic children, ages 0 to 14.

- A study conducted by Johns Hopkins University and the Insurance Institute for Highway Safety found Hispanic male teenagers are nearly twice as likely to die in a motor vehicle crash as other male teens.

- Hispanic children, ages five to 12, chances of dying in a crash are twice as great as that of other children.

Other compelling reasons to support primary seat belt laws

- We all pay higher health care and insurance costs because of unbelted drivers and passengers. For example, on average, inpatient hospital care costs for an unbelted crash victim are 50 percent higher than those for a crash victim who was wearing seat belt. And society picks up 85 percent of those costs, not the individuals involved in the crash.

- Failure to buckle up contributes to more fatalities than any other single traffic safety-related behavior.

- Everyone would agree that protecting lives with seat belts is at least as important as a broken tail light or littering. Yet, while virtually every state has primary laws that allow enforcement officers to stop and ticket a violator for having a broken tail light or for tossing trash out the window, not all states have primary laws for seat belt use.

- If every state adopted a primary seat belt law, we would save 1,900 lives, prevent 49,000 injuries and save Americans $3 billion in health care, taxes and insurance costs in just the first year alone.

For more information, contact the Air Bag & Seat Belt Safety Campaign, National Safety Council, 1025 Conn. Ave., NW, Suite 1200, Washington, DC 20036; (202) 625-2570 (tel.); (202) 822-1399 (fax); E-mail: airbag@nsc.org.

Air Bags

WE ALL PAY ... AND IT COSTS TOO MUCH
The High Price of Not Buckling Up

How often do we hear, "It's nobody's business but my own, if I don't wear my seat belt."? How many of us believe the decision to wear or not to wear a safety belt is a personal matter that has no impact on anyone else?

Nothing could be further from the truth. It is our business because the decision of others not to buckle up hi*s us all right in the pocket book. The people who do the right thing and wear seat belts are paying for those who don't -- particularly since many people injured while not wearing a safety belt have inadequate insurance or none at all.

Think about this -- the inpatient hospital costs to treat an unbelted crash victim are at least 50 percent or higher than those for belted victims. And society pays 85 percent of those costs -- not the individual drivers involved. (See Note 1)

We all pay for:

- more emergency medical services
- more medical treatment and rehabilitation
- higher health care and automobile insurance premiums

Employers are especially hard hit with:

- higher taxes to fund emergency and other medical services
- increased health insurance costs
- higher worker compensation costs
- lost work time and productivity

THE BOTTOM LINE

Costs to the Public

Americans are paying $14.3 billion per year in injury-related costs for people who don't wear seat belts. On average, those injured pay for less than 30 percent of these total costs. The remaining 70 percent - $10.1 billion, is paid for by society through higher automobile and health insurance rates and through public assistance programs funded with federal and state tax revenues. (See Note 2)

By increasing seat belt use from the current 68 percent to 90 percent, we would save $356 million a year in Medicare and Medicaid costs alone. (See Note 3)

It is estimated that each driver who buckles up is paying an additional auto insurance premium of $40 per year to cover the costs of the drivers who don't buckle up.(See Note 4)

Costs to Employers

One-third of the $55 billion resulted from off-the-job injuries to workers and their dependents.

On-the-job motor vehicle crashes cost employers almost $22,000 per crash and $110,000 per injury.(See Note 5)

Costs to Our Children

Motor vehicle crashes are the leading cause of death among children, taking the lives of more than 2,100 child passengers ages 0 to15 and seriously injuring 327,000 more each year.(See Note 6)

In 1996, almost 60 percent of the children ages 15 and under who died in motor vehicle crashes were unrestrained.(See Note 7)

Adults who don't buckle up often put children at risk as well since they frequently don't ensure their child passengers are buckled up. Plus, because children mirror adult behavior, these adults send children a deadly message that it is all right not to wear a seat belt. Research shows that if a driver is unbuckled in a crash, 70 percent of the time children riding in that vehicle are unbuckled as well. Conversely, when a driver is buckled, 94 percent of the time children riding in that vehicle are buckled. (See Note 8)

THE SOLUTION

Today, despite intensive public education efforts over the past several decades, national seat belt use stands at only 68 percent. The only proven methods to increase seat belt use from current levels are to pass more primary or "standard" laws and enforce them in a highly visible manner. These standard laws allow police to stop and ticket a driver who is not belted just like any other routine traffic violation, such as having a broken tail light.

According to a survey by Public Opinion Strategies, Americans support standard seat belt laws by nearly a two to one margin. Currently, only 17 states and the District of Columbia have standard enforcement belt laws. (See Note 9)

In addition, more states must work to close current gaps in child passenger safety laws. These gaps leave children of certain ages unprotected while riding in vehicles.

The personal and financial benefits to buckling up are concrete. If the nation reaches its goals of 90 percent belt use and a 25 percent reduction in child fatalities by the year 2005, we would prevent more than 5,500 deaths and 132,000 injuries annually and save $8.8 billion annually.(See Note 10) The bottom line is we will save lives and dollars if more people buckle up. It's a goal worth achieving.

NOTES
(1) NHTSA, National Center for Statistics and Analysis.
(2) NHTSA, Office of Plans and Policy.
(3) Presidential Initiative for Increasing Seat Belt Use Nationwide. (Washington, DC: U.S. Department of Transportation, April 1997), p. 2.

(4) Personal communication with Ted Miller, National Public Services Research Institute, November 6, 1997.
(5)Total Costs to employers by State and Industry. (Washington, DC: U.S. Department of Transportation, December 1996), pp.1-7.
(6) NHTSA, National Center for Statistics and Analysis.
(7) NHTSA, National Center for Statistics and Analysis.
(8) Ford Motor Company. Society of Automotive Engineers, Inc. 1997 Report No. 971550.
(9) Public Opinion Strategies, 9/97.
(10) Presidential Initiative for Increasing Seat Belt Use Nationwide. (Washington, DC: U.S. Department of Transportation, April 1997), p.9.

For more information, contact the Air Bag & Seat Belt Safety Campaign, National Safety Council, 1025 Conn. Ave., NW, Suite 1200, Washington, DC 20036; (202) 625-2570 (tel.); (202) 822-1399 (fax); E-mail: airbag@nsc.org.

Main Menu | Media Center | Enforcement | Public Outreach | Legislation

National Safety Council
A Membership Organization Dedicated to Protecting Life and Promoting Health
1121 Spring Lake Drive, Itasca, IL 60143-3201
Voice: (630) 285-1121; Fax: (630) 285-1315

August 28, 2000

Air Bag & Seat Belt Safety Campaign

State by State Breakdown of Child Fatalities, Age 15 and Under, By Restraint Use

State	Unrestrained	Restrained	Unknown	Total
Alabama	23	26	1	50
Alaska	2	4	0	6
Arizona	31	13	5	49
Arkansas	19	19	1	39
California	61	72	17	150
Colorado	25	12	0	37
Connecticut	3	3	1	7
Delaware	2	1	1	4
D.C.	3	1	0	4
Florida	67	22	1	90
Georgia	31	33	19	83
Hawaii	3	1	0	4
Idaho	15	3	0	18
Illinois	26	16	6	48
Indiana	13	18	2	33
Iowa	16	11	2	29
Kansas	22	2	6	30
Kentucky	17	16	0	33
Louisana	30	8	8	46
Maine	2	2	0	4
Maryland	2	10	2	14
Massachusetts	4	1	3	8
Michigan	19	30	7	56
Minnesota	11	13	3	27
Mississippi	29	15	2	46

Missouri	32	13	5	50
Montana	9	6	1	16
Nebraska	5	4	1	10
Nevada	7	3	0	10
New Hampshire	2	1	2	5
New Jersey	8 7	1 8	16 1	16
New Mexico	23	5	1	29
New York	14	18	1	33
North Carolina	31	36	5	72
North Dakota	1	3	0	4
Ohio	14	24	6	44
Oklahoma	22	19	0	41
Oregon	10	21	1	32
Pennsylvania	27	8	8	43
Rhode Island	2	0	0	2
South Carolina	20	13	2	35
South Dakota	7	4	2	13
Tennessee	27	21	3	51
Texas	121	81	3	205
Utah	13	3	0	16
Vermont	1	1	0	2
Virginia	22	6	0	28
Washington	13	15	2	30
West Virginia	11	6	1	18
Wisconsin	13	17	3	33
Wyoming	7	5	0	12
Total	**693**	**937**	**135**	**1,765**

Source: F.A.R.S. National Highway Traffic Safety Administration, 2001

June 10, 2003

Air Bag & Seat Belt Safety Campaign

State by State Breakdown of Teen Fatalities, Age 16-19 Years Old, By Restraint Use

State	Unrestrained	Restrained	Unknown	Total
Alabama	69	43	0	112
Alaska	6	4	1	11
Arizona	67	9	8	84
Arkansas	46	12	10	68
California	141	181	54	376
Colorado	53	22	0	75
Connecticut	17	12	8	37
Delaware	9	5	0	14
D.C.	1	0	2	3
Florida	150	57	5	212
Georgia	76	58	28	162
Hawaii	8	1	2	11
Idaho	29	8	2	39
Illinois	98	43	24	165
Indiana	62	27	15	104
Iowa	14	26	5	45
Kansas	53	17	5	75
Kentucky	62	23	0	85
Louisana	65	18	14	97
Maine	16	8	1	25
Maryland	35	33	1	69
Massachusetts	41	8	6	55
Michigan	50	62	13	125
Minnesota	31	15	12	58
Mississippi	57	14	0	71

Missouri	88	32	16	136
Montana	10	4	0	14
Nebraska	10	8	10	28
Nevada	17	7	1	25
New Hampshire	9	3	3	15
New Jersey	40	13	5	58
New Mexico	15	14	0	29
New York	68	60	13	141
North Carolina	64	68	13	145
North Dakota	11	2	0	13
Ohio	102	42	11	155
Oklahoma	58	22	1	81
Oregon	26	16	1	43
Pennsylvania	91	44	29	164
Rhode Island	8	3	0	11
South Carolina	76	26	4	106
South Dakota	12	3	1	16
Tennessee	95	29	3	127
Texas	225	161	8	394
Utah	22	8	3	33
Vermont	3	2	0	5
Virginia	65	37	2	104
Washington	46	24	3	73
West Virginia	22	10	2	34
Wisconsin	42	29	5	76
Wyoming	9	1	0	10
Total	**2,490**	**1,374**	**350**	**4,214**

Source: F.A.R.S. National Highway Traffic Safety Administration, 2001

June 10, 2003

Air Bag & Seat Belt Safety Campaign

State by State Breakdown of Adult Fatalities, Age 20 and Above, By Restraint Use

State	Unrestrained	Restrained	Unknown	Total
Alabama	345	294	33	672
Alaska	26	19	2	47
Arizona	329	201	71	601
Arkansas	259	94	33	386
California	784	1,093	326	2,203
Colorado	273	172	1	446
Connecticut	94	66	19	179
Delaware	55	32	1	88
D.C.	15	12	14	41
Florida	1,055	645	28	1,728
Georgia	497	395	153	1,045
Hawaii	30	27	10	67
Idaho	100	52	6	158
Illinois	407	266	138	811
Indiana	304	219	76	599
Iowa	143	111	32	286
Kansas	202	79	31	312
Kentucky	405	172	8	585
Louisiana	330	196	68	594
Maine	60	48	15	123
Maryland	169	202	32	403
Massachusetts	150	53	65	268
Michigan	351	388	89	828
Minnesota	212	117	40	369
Mississippi	368	163	13	544

Missouri	452	202	80	734
Montana	114	46	2	162
Nebraska	92	40	21	153
Nevada	124	62	7	193
New Hampshire	45	31	13	89
New Jersey	211	165	20	396
New Mexico	156	102	14	272
New York	334	376	80	790
North Carolina	471	429	88	988
North Dakota	55	19	1	75
Ohio	523	308	72	908
Oklahoma	301	131	2	434
Oregon	107	174	11	292
Pennsylvania	508	255	123	886
Rhode Island	38	11	0	49
South Carolina	445	217	23	685
South Dakota	66	27	5	98
Tennessee	583	242	48	873
Texas	1,151	1,074	39	2,264
Utah	93	66	6	165
Vermont	36	22	3	61
Virginia	356	214	46	616
Washingon	208	179	13	400
West Virginia	164	75	6	245
Wisconsin	309	158	41	508
Wyoming	101	39	2	142
Total	**14,011**	**9,780**	**2,070**	**25,861**

Source: F.A.R.S. National Highway Traffic Safety Administration, 2001

June 10, 2003

Alaska Injury
Prevention Center

Alaska Injury Prevention Center
PO Box 210736
Anchorage, AK 99521-0736
Tel. 907-929-3941
FAX 907-929-3940
Email: asc1@alaska.net

Ju, 2003

Automotive Coalition for Traffic Safety, Inc.
Phil Haseltine
1110 North Glebe Rd., Suite 1020
Arlington, VA 22201

Dear Mr. Haseltine,

I would like to take this opportunity to thank you and the Automotive Coalition for Traffic Safety, Inc. for the opportunity to conduct this desperately needed research of the hospital costs associated with seat belt use in Alaska. The research is already getting statewide recognition as an argument to be used for primary enforcement of seat belt laws.

Fairbanks was the first city in Alaska to pass an ordinance giving police the authority to stop someone for not wearing a seat belt – primary enforcement. There was considerable public backlash over the new ordinance and it was eventually repealed, but the fine for the existing law was significantly increased. Anchorage is now considering a similar municipal ordinance that would allow primary enforcement of seat belt use within the city limits, and the Anchorage Assembly has asked for a summary of our research when completed.

Alaska was recently chosen by the National Highway Safety Administration as one of 13 states to receive special initiatives to reduce our DUI deaths, and to increase our seat belt usage. At 66%, Alaska's seat belt usage rate has improved but is still one of the lowest in the U.S. If we are able to get a primary enforcement law passed (or even ordinances for the major cities), we would expect to see the seat belt usage rate climb to around 80%.

Thanks again for the opportunity to contribute to the pool of scientific knowledge concerning the costs of restraint use in Alaska and for the chance to begin the paradigm shift toward higher usage rates in Alaska.

Ron Perkins, MPH
Executive Director, AIPC

The Alaska Seat Belt Cost Analysis

Introduction

Motor vehicle crashes are the leading cause of death for Americans of every age from 6 to 33 years. Every 13 minutes, someone in America dies in a traffic crash; every 10 seconds, someone is injured. Each year in the U.S., traffic crashes claim about 41,000 lives and result in more than three million injuries. These crashes cost every person in the U.S. an average of $580 each. The financial costs are minor compared with the pain and suffering of the victims or the loss of a loved one.[1]

Dr. Jeffrey Runge, Director of the National Highway Traffic Safety Administration, stated that in the year 2000, at least 41,821 people were killed in motor vehicle related crashes, 5.3 million were injured and 27.6 million vehicles were damaged for a total cost of $230.6 billion[2]. Dr. Runge also said that failure to wear seat belts led to approximately 9,200 of the deaths and 143,000 of the injuries, costing the U.S. economy $26 billion each year.

In a 1995 NHTSA study, *Safety Belt Use Laws: An Evaluation of Primary Enforcement and Other Provisions*, showed that states with primary enforcement laws has significantly higher safety belt usage than states with secondary laws. Belt use was about 15% higher in the states with primary enforcement laws.

In 1999, Alaska had the highest unintentional injury death rate of all the 50 states. Of these unintentional injury deaths, motor vehicle related fatalities were over twice as high as the next leading cause.[3] Seat belts are the single most effective safety device in preventing serious injuries and reducing fatalities in motor vehicle crashes. Research has shown that lap and shoulder safety belts, when used properly, reduce the risk of fatal injury to front-seat occupants by 45% and the risk of moderate-to-critical injury by 50%. Child safety seats, when properly used for infants, reduced fatalities by 71%.[4]

The purpose of this research project was to quantify the hospital costs associated with seat belt use and non-use in Alaska and to identify what portions of those costs are supported by public funding.

Methods

The Alaska Seat Belt Cost Analysis project used data from the Department of Transportation (DOT) (1990-2001) were used to compare seat belt usage patterns for all Alaskan motor vehicle occupants. The DOT data are taken from police

reports and document seat belt use, property damage, fatalities, time of day, weather conditions, passenger seat belt use, etc.

Another data base, from Medicaid, was explored but found to be of limited use because it didn't track the cause of injury. If the Medicaid data could be linked with DOT and ATR by age, sex, date of injury, etc. we might be able to track some of the long term expenses beyond the hospital stay.

The Alaska Trauma Registry (ATR) documents every trauma case resulting in at least one overnight stay in an Alaskan hospital. The ATR contains information about the length of stay, costs for treatment, source of payment, reported seat belt use, age, sex, severity on injury, etc. The ATR does not contain information about outpatient visits, private physician contacts, chiropractor visits, and ther costs for motor vehicle related injuries.

The costs of hospitalization (from the Alaska Trauma Registry) for belted and unbelted occupants, injured in a motor vehicle crash in Alaska, for the years 1996 – 1999 were compared. The hospital costs were analyzed by seat belt use, source of payment, days spent in the hospital, discharge location, and fatalities.

Restraint use terms had to be categorized into either the YES group or the NO group, which was done in the following manner:

YES	NO
Airbag/Safety Belt	Airbag only
Safety Belt	None
Infant/Child restraint	

There were many entries that listed restraint use as UNKNOWN. The case narrative field in the ATR was used to re-categorize a few of the unknowns, but most had to be left as they were.

Results

In a landmark publication, The Cost of Injury in the United States, Rice and MacKenzie[5] documented motor vehicle related injuries per victim as the most costly of all unintentional injury categories. For example they listed the average cost for each person hospitalized for MV related injuries at $43,409. Several publications have estimated the loss of productivity or quality of life costs for various types of injury, but for this analysis we chose to analyze only the quantifiable hospital related costs.

Observational surveys completed by the University of Alaska's Institute for Social and Economic Research in 2000 and 2001, showed that 62% and 63% respectively, of the front seat occupants of motor vehicles were wearing seat belts. These statistically valid surveys represent the driving population of the state and are important when looking at seat belt use percentages among victims who are injured, hospitalized, or merely involved in a crash.

According to Alaska DOT data from 1998 through 2000, there was an annual average of 39,613 motor vehicle occupants involved in traffic crashes, and approximately 62 of these occupants lost their lives each year[6]. Only 6% of the occupants were not wearing a restraint, 66% were wearing a restraint, and 28% had unknown restraint use (see Table 1). When all of the cases where restraint use was documented, were analyzed separately, 9% were reported to NOT be wearing a seat belt, while 60% of the fatals were NOT wearing a seat belt.

Table 1

ALASKA SEAT BELT USE

DOT Data

1998, 1999, 2000 combined and averaged

	All MV Occupants	All Occupants Where Seat Belt use documented	All Fatals	Fatals Where Seat Belt use documented	Major Injuries	Minor Injuries	No Injuries
No Restraint	6% (7641)	9%	54% (34)	60%	37%	15%	5%
Restraint Used	66% (77936)	91%	37% (23)	40%	49%	74%	65%
Unknown Use	28% (33263)		9% (5)		12%	11%	31%
	39,613 per year		62 per yr				

Once the more seriously injured occupants were admitted to a hospital, the Alaska Trauma Registry provided additional information. Of all the MV occupant hospitalizations, 48% were not wearing a restraint, 43% were wearing a restraint, and 9% had unknown restraint use (see Table 2). When all of the cases where restraint use was documented were analyzed separately, 53% were NOT restrained and of the fatals who died in the hospital, 56% were NOT restrained.

Table 2

Alaska Trauma Registry Data

1996 -1999 combined

	All MV Occupant Hospitalizations	Cases with Seatbelt Use documented	Fatals	Fatals with Seatbelt Use documented
No Restraint	48% (887)	53%	49% (30)	56%
Restraint Used	43% (790)	47%	39% (24)	44%
Unknown Use	9% (167)	0%	11% (7)	

Another measure of severity that was used in this analysis was total number of hospital days sorted by restraint use. There is an average of 2,672 days spent in hospitals every year for motor vehicle occupant injuries in Alaska. Of the total hospital days where restraint use was documented, 58% were NOT restrained and 42% were restrained (see Table 3).

Table 3

Hospital Days

1996 - 1999 average

	Ave. Hospital Days per year	%	% by "Known" use
No Restraint	1402	52%	58%
Restraint Used	1009	38%	42%
Unknown Use	261	10%	

When comparing the AIS (Abbreviated Injury Severity) scores by seat belt use for Alaska, the lowest score of 1 listed 60% of the patients as using their restraints. The most severe injuries, having scores of 5, had the lowest percentage of restraint users at 45%. In 1994, the Federal Highway Administration published a technical advisory report, *Motor Vehicle Accident*, and included the following lifetime injury costs by AIS score:

Severity	Descriptor	Cost per Injury
AIS 1	Minor	$ 5,000
AIS 2	Moderate	$ 40,000
AIS 3	Serious	$ 150,000
AIS 4	Severe	$ 490,000
AIS 5	Critical	$1,980,000
AIS 6	Fatal	$2,600,000

We also looked at were the patient was discharged after their hospital stay, as another indicator of cost and severity. The most severe non-fatal cases, are discharged to "skilled nursing" facilities which typically requires round-the-clock monitoring. There were 13 non-restrained patients discharged to skilled nursing and 6 restrained patients. The hospital costs for these 19 patients before they were discharged were nearly $1million, of which 77% was from public sources. The greater costs could have come after hospitalization, but we had no way to track those expenditures.

Costs

The costs for hospitalized motor vehicle occupants in Alaska were analyzed by the source of payment data in the ATR. These costs are not to be considered complete, since some of the costs are billed by sources outside of the hospital, such as medical specialists, chronic care facilities, pharmacies, medical and prosthetic equipment, etc. Generally, the costs were paid by one or more of the following sources: Automotive insurance, Private insurance, CHAMPUS insurance for military dependents, Military, Medicaid, Medicare, IHS – for Alaska Native beneficiaries, and Workers compensation insurance.

A research project was recently completed by the Alaska Department of Health and Social Services, Section of Community Health and EMS, which analyzed injuries among Medicaid eligible youth ages 0-20[7]. The report compiled hospital costs for various types of injuries for the years 1995-1999. Motor vehicle occupant injuries cost Medicaid the most money of all the injury categories and revealed some other important information. For motor vehicle occupant injuries among 0-20 year old Medicaid eligible Alaskans:

- The average cost per case was $20,000.
- Average cost per hospital day was $3,300.
- Average number of days in the hospital was 6 days per case.
- Total number of Medicaid patients was 83, with a total estimated cost of $1.6 million.

For the years 1996 – 1999, we analyzed total ATR hospital costs for MV occupant injuries and found that over $22.2 million was spent on direct medical care. Fifty-nine percent of this total was for people who were not wearing seat belts (see Table 4).

Table 4

Alaska MV Hospital Costs

1996 -1999

	Total Costs	Total Cases	Average Costs per Case	% of Total
No Restraint	$13,039,797	534	$24,419	59%
Restraint Used	$9,177,849	460	$19,952	41%

Of the total ATR costs for motor vehicle related hospitalizations, 44% were paid by the general public through programs such as Medicaid, Medicare, Indian Health Service, military, CHAMPUS, and no-pay patients. ***Of this 44% paid by the public, 69% of the costs were for unrestrained occupants*** (see Table 5).

Table 5

Public Costs for Alaska MV Hospitalizations

1996 -1999

	Total Costs	Total Cases	Average Costs per Case	% of Total
No Restraint	$6,514,907	181	$35,994	69%
Restraint Used	$3,226,035	263	$12,266	31%

There is well over $2.6 million dollars spent each year for beneficiaries of public programs who are hospitalized for motor vehicle related injuries. This number excludes the very costly pedestrian and bicycle victims injured by motor vehicles.

Conclusions

According to the National Highway Traffic Safety Administration, highway traffic fatalities in the U.S. increased slightly in 2002 to an estimated 42,850 people, with an additional 2,914,000 people injured. No single intervention has saved more lives since the 1960's than the seat belt. As with many good interventions, seat

belts are only useful when used properly. Air bags have also saved thousands of lives but are designed to be used in combination with seat belts.

The results of this research project clearly show that using seat belts reduces the number of fatalities, the number of hospitalizations, the severity of injuries, length of stay in the hospital, and the overall cost of hospitalizations. It also shows that 44% of the hospital costs are borne by the general public.

The most effective injury prevention interventions use a combination of Engineering, Education, Environmental modification, and Enforcement:

- **Engineering** examples include air bags, break-away steering wheels, 3-point restraint systems, impact absorbing bumpers/ engine compartments, etc. In the early 1960's, some cars had a feature which required the seat belt to be buckled before the ignition would start. This feature was extremely unpopular and forced the manufacturers to eliminate the interlock device.
- **Education** examples include public service announcements about the value of wearing seat belts, classroom presentations, incentive programs for buckling up, etc. Signs and billboards have very limited effect on increasing seat belt usage.
- **Environmental modification** examples include fencing and lighting highways to reduce moose/car collisions, removing trees from roadsides, making light poles that breakaway at impact, etc. These are very successful in reducing injuries.
- **Enforcement** examples are sobriety checkpoints, saturation patrols, "Click It or Ticket", "You Drink, You Drive, You Lose", and other special enforcement campaigns. Changing laws to provide for primary enforcement of seat belts laws would also increase usage by about 15%.

Enforcement and education initiatives around special events (Memorial Day weekend, 4th of July) tend to be effective for a short period of time, while the public feels vulnerable for getting caught. Ongoing enforcement and education with special emphasis efforts during high crash seasons seems to be the most productive in saving lives.

The Alaska Seat Belt Cost Analysis has been extremely useful in documenting the costs associated with an individual's decision to wear a seat belt or not when traveling our highways. The decision to wear seat belts should be shared by the individual MV occupant as well and the people who pay the bill.

REFERENCES

[1] NHTSA, Status of Occupant Protection in America, Buckle Up America Report, Nov. 2001
[2] Nedra Pickler, Press Release, May 9, 2002 AP online.
[3] CDC, WISQARS, Injury Mortality Report, All Injury Deaths and Rates per 100,000 by State.
[4] NHTSA, Traffic Safety Facts 2001 – Occupant Protection, DOT HS 809 474.
[5] Rice DP, MacKenzie EJ, et. al., Cost of Injury in the United States. Report to Congress 1989.
[6] Alaska Traffic Accidents. Annual reports from the Alaska Department of Transportation and Public Facilities.
[7] Report on Injury Prevention Activities of Community Health and EMS Targeting Medicaid-Eligible Youth,
by Martha Moore and the State Injury Prevention staff, 2003.

NSC News Center

NSC Home > NSC News Center > *News Release*

For Immediate Release, November 17, 2003
Contact: John Chambers at 202.338.8700 or 202.285.0448 (cell)

AS NATIONWIDE SEAT BELT CRACKDOWN BEGINS, NEW DATA UNDERSCORES DEADLY IMPACT OF FAILURE TO ADOPT PRIMARY SEAT BELT LAWS

More than 12,000 Deaths Since 1995 Because States Have Failed To Enact Primary Enforcement Seat Belt Laws Proven To Increase Belt Use

Washington, D.C. - As more than 12,000 law enforcement agencies begin a nationwide crackdown to enforce seat belt and child passenger safety laws this Thanksgiving holiday, a new study shows that more than 12,000 people have needlessly died due to the failure of states to follow a 1995 National Transportation Safety Board recommendation to enact primary enforcement seat belt use laws. Today, the NTSB reissued that call to states.

"A primary seat belt law is likely to save more lives than possibly any single piece of legislation a state will consider," said NTSB Chairman Ellen G. Engleman. "It is why the Safety Board recommended states adopt these laws in 1995, and why we continue to urge enactment of these laws as a safety priority. It is tragic that 30 states have failed to act to implement this safety countermeasure that costs nothing, but could save so many."

Also see:

- Lost Lives by States' (pdf; 182kb)
- Participating Law Enforcement Agencies (MS Word; 135kb)

Primary seat belt laws enable law enforcement officers to ticket motorists based solely on an observed seat belt violation, just as they do any other motor vehicle law. Primary laws cover 60 percent of the U.S. population. Currently, 29 states have secondary laws (New Hampshire does not have an adult seat belt law), which means officers can only enforce the seat belt law if the motorist is first stopped for some other violation such as speeding.

According to the study released today by the National Safety Council, states that have enacted primary laws since 1995 on average experienced a 15-percentage point increase in belt use. Seat belts are proven to reduce the risk of serious injury or death in a crash by 45 percent, and the study shows 12,177 lives have been lost since 1995 because 30 states have failed to enact the stronger laws.

"We have a vaccine for the leading cause of death for Americans from ages two through 33 - safety belts. Primary safety belt laws are our most effective public policy tool," said Jeffrey W. Runge, M.D., Administrator for the National Highway Traffic Safety Administration. "If all states moved right now to enact them, 1,400 more lives could be saved next year alone in preventable traffic injury."

On November 13, 2003, Chairman Engleman on behalf of the NTSB sent a letter to the governors and legislative leadership of the 29 states with secondary laws and New Hampshire, reminding them of the Safety Board's recommendation and encouraging them to step-up their efforts to enact a primary law in their state.

The national Click It or Ticket Mobilization, which runs from November 17 - 30, is based on a public health model proven to increase belt use, and places specific emphasis on teens and young adults who are least likely to buckle up and most likely to die in a traffic crash.

According to NHTSA, nearly 4,530 teens and young adults, ages 16-19, died in traffic crashes last year and thousands more were injured. Of the 32,519 people killed in crashes in 2002, nearly 60 percent were not wearing a safety belt.

If the situation remains the same as in 2002, the study, conducted by Neil K. Chaudhary and David F. Preusser of PRG Research Group, Inc., estimated an additional 1,400 motorists will be killed next year alone. (State-by-state results are available online, at www.nsc.org)

"Law enforcement officers all over this country are doing a great job saving lives through seat belt enforcement, but in 30 states they are doing it with one hand tied behind their back," said Chuck Hurley, Executive Director of the National Safety Council's Air Bag & Seat Belt Safety Campaign. "We would be saving far more lives if state legislators in the states with secondary laws would respond to the overwhelming majority of voters who support primary laws."

A national survey of 800 Americans conducted by Public Opinion Strategies for the Air Bag & Seat Belt Safety Campaign in May, 2003, showed people in states with secondary laws support enactment of primary laws in their states by a 2-to-1 margin.

"It's especially tragic that teens and young adults are suffering the most as a result of this government inaction," added Hurley. This year, Illinois and Delaware became the 19th and 20th states to pass a primary law respectively.

"At the Naval Safety Center, our job is to look out for all our Sailors, Marines, and civilians," said RADM Brooks. "It's our priority to ensure as safe a working environment as possible, to identify the hazards we all face in both our professional and personal lives, to educate everyone in the vital importance of risk management in everything we do, and to improve readiness. Across our force it's up to the leaders of every Navy and Marine Corps command to promote awareness and set the example, for traffic safety truly is a matter of life and death."

During the Mobilization, law enforcement officers will intensify enforcement of seat belt and child passenger safety laws by setting up checkpoints or saturation patrols across the country. Seat belt violators and drivers failing to restrain their child passengers will be ticketed.

Thanksgiving is one of the most dangerous holidays for motorists. The National Safety Council predicts that 544 people will die and 28,300 people will suffer disabling injuries resulting from traffic crashes during the Thanksgiving holiday period.

"Thanksgiving is a joyous holiday for many Americans, but it is also traditionally one of the deadliest on the roadways," said Lynne Goughler, Vice President of Public Policy at Mothers Against Drunk Driving. "Impaired driving and lack of safety belt usage are the leading killers in automobile crashes, especially during the holiday season."

Mobilizations are conducted twice yearly by the Air Bag & Seat Belt Safety Campaign of the National Safety Council in conjunction with law enforcement agencies, state highway safety offices, NHTSA, the National Transportation Safety Board and MADD. Following the Mobilization in May, 2003, national belt use reached a record high of 79 percent, according to NHTSA.

The Air Bag & Seat Belt Safety Campaign, a program of the National Safety Council, is a public/private partnership of automotive manufacturers, insurance companies, child safety seat manufacturers, government agencies, health professionals and child health and safety organizations. The goal of the Campaign is to increase the proper use of safety belts and child safety seats and to inform the public about how to maximize the lifesaving capabilities of air bags while minimizing the risks.

For additional information about the National Safety Council, visit www.nsc.org.

The National Safety Council is a nonprofit, nongovernmental, international public service organization dedicated to protecting life and promoting health. Members of NSC include more than 45,000 businesses, labor organizations, schools, public agencies, private groups and individuals. Founded in 1913, and chartered by the U.S. Congress in 1953, the primary focus of the NSC is preventing injuries in workplaces,

in transportation and in homes and communities.

News Center | NSC Home | Comments

National Safety Council
A Membership Organization Dedicated to Protecting Life and Promoting Health
1121 Spring Lake Drive, Itasca, IL 60143-3201
Tel: (630) 285-1121; Fax: (630) 285-1315

November 25, 2003

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: HB392-DOT-CO-2-9-04
() Publish Date:

Revision Date/Time (Note if correction):
Dept. Affected: DOT&PF
Title: Seat Belt Violation as Primary Offense
RDU: Administration & Support
Component: Commissioner's Office
Sponsor: Heinze
Requester: Governor's Office
Component No.: 530

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ( )						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

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

Because Alaska does not yet have a primary seat belt law, 3% of DOT's federal funding (approx. $10 million) is diverted to highway safety programs. Currently, these are soft federal sanctions. By having a primary seat belt law, Alaska could avoid the future possibility of hard sanctions.

Prepared by: Nona Wilson
Phone 465-3904
Division: Legislative Liaison
Date/Time 2/9/04 9:45 AM
Approved by: John MacKinnon, Deputy Commissioner
Date 2/9/2004
Agency: Department of Transportation and Public Facilities

(Revised 12/2003 OMB)

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: HB392-ACS-TC-2-5-04
() Publish Date:

Revision Date/Time (Note if correction):
Dept. Affected:

Title: Motor Vehicle Safety Belt Violations
BRU: Alaska Court System
Component: Trial Courts

Sponsor: Representative Heinze
Requester:
Component No.:

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ( )						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2004) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

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

The court system does not anticipate any fiscal impact from the passage of HB 392.

Prepared by: Doug Wooliver Administrative Attorney
Phone 463-4750
Division: Alaska Court System
Date/Time 2/5/04 12:53 PM
Approved by: Stephanie Cole Administrative Director by Doug Wooliver
Date 2/5/2004
Agency: Alaska Court System

(Revised 9/2003 OMB)

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: HB392-DPS-ASTD-2-12-04
() Publish Date:

Revision Date/Time (Note if correction):
Dept. Affected: Public Safety
Title: Motor Vehicle Seat Belt Violations
RDU: Alaska State Troopers
Component: AST Detachments
Sponsor: Rep. Heinze
Requester: (H) Trans
Component No.: 2325

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ( )						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 Gr Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

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

This bill will repeal AS 28.05.095(e) that will, in affect, change seat belt violations from a "secondary" violation to a "primary" violation. This will allow law enforcement officers to contact motorists when a seatbelt violation is observed. As the law is now, the officer must have another reason to contact the violator before enforcement action can be taken for the seatbelt violation.

It is anticipated the implementation of this bill will have no fiscal impact on the Department of Public Safety.

Prepared by: Lt Al Storey
Phone 269-4532
Division: Alaska State Troopers
Date/Time 2/12/04 11:44 AM
Approved by: Commissioner William Tandeske
Date 2/12/2004
Agency: Department of Public Safety

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: HB392-LAW-CDCO-2-6-
Bill Version: HB392
() Publish Date:

Revision Date/Time (Note if correction):
Dept. Affected: LAW

Title: "An Act relating to motor vehicle safety belt violations."
RDU: CRIMINAL
Component: Criminal Justice Litigation

Sponsor: Representative Heinze
Requester: House Transportation
Component No.

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ( )						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2004) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

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

This bill repeals AS 28.05.095(e) the effect of which would be to allow a peace officer to stop or detain a motor vehicle to determine compliance with safety belt and child safety devices in motor vehicles.

Passage of this legislation will have no foreseeable fiscal impact on the Department of Law.

Prepared by: Kathryn A. Daughhetee, Director
Phone 465-3673
Division: Administrative Services
Date/Time 2/6/04 4:14 PM
Approved by: Kathryn Daughhetee for Gregg D. Renkes, Attorney General
Date 2/6/2004
Agency: Department of Law

(Revised 12/2003 OMB)

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: HB392-DOT-CO-2-9-04
() Publish Date:

Revision Date/Time (Note if correction):
Dept. Affected: DOT&PF
Title: Seat Belt Violation as Primary Offense
RDU: Administration & Support
Component: Commissioner's Office
Sponsor: Heinze
Requester: Governor's Office
Component No.: 530

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ( )						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2004) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

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

Because Alaska does not yet have a primary seat belt law, 3% of DOT's federal funding (approx. $10 million) is diverted to highway safety programs. Currently, these are soft federal sanctions. By having a primary seat belt law, Alaska could avoid the future possibility of hard sanctions.

Prepared by: Nona Wilson — Phone 465-3904
Division: Legislative Liaison — Date/Time 2/9/04 9:45 AM
Approved by: John MacKinnon, Deputy Commissioner — Date 2/9/2004
Agency: Department of Transportation and Public Facilities

(Revised 12/2003 OMB)

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: HB392-ACS-TC-2-5-04
() Publish Date:

Revision Date/Time (Note if correction):
Dept. Affected:
Title: Motor Vehicle Safety Belt Violations
BRU: Alaska Court System
Component: Trial Courts
Sponsor: Representative Heinze
Requester:
Component No.:

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ( )						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

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

The court system does not anticipate any fiscal impact from the passage of HB 392.

Prepared by: Doug Wooliver Administrative Attorney
Phone 463-4750
Division: Alaska Court System
Date/Time 2/5/04 12:53 PM
Approved by: Stephanie Cole Administrative Director by Doug Wooliver
Date 2/5/2004
Agency: Alaska Court System

(Revised 9/2003 OMB)

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number:
Bill Version: HB392-DPS-ASTD-2-12-04
() Publish Date:

Revision Date/Time (Note if correction):
Dept. Affected: Public Safety
Title: Motor Vehicle Seat Belt Violations
RDU: Alaska State Troopers
Component: AST Detachments
Sponsor: Rep. Heinze
Requester: (H) Trans
Component No.: 2325

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ( )						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2004) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

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

This bill will repeal AS 28.05.095(e) that will, in affect, change seat belt violations from a "secondary" violation to a "primary" violation. This will allow law enforcement officers to contact motorists when a seatbelt violation is observed. As the law is now, the officer must have another reason to contact the violator before enforcement action can be taken for the seatbelt violation.

It is anticipated the implementation of this bill will have no fiscal impact on the Department of Public Safety.

Prepared by: Lt. Al Storey
Phone 269-4532
Division: Alaska State Troopers
Date/Time 2/12/04 11:44 AM
Approved by: Commissioner William Tandeske
Date 2/12/2004
Agency: Department of Public Safety

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: HB392-LAW-CDCO-2-6-
Bill Version: HB392
() Publish Date:

Revision Date/Time (Note if correction):
Dept. Affected: LAW
Title "An Act relating to motor vehicle safety belt violations."
RDU CRIMINAL
Component Criminal Justice Litigation
Sponsor Representative Heinze
Requester House Transportation
Component No.

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**
CAPITAL EXPENDITURES						
CHANGE IN REVENUES ( )						

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**

Estimate of any current year (FY2004) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

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

This bill repeals AS 28.05.095(e) the effect of which would be to allow a peace officer to stop or detain a motor vehicle to determine compliance with safety belt and child safety devices in motor vehicles.

Passage of this legislation will have no foreseeable fiscal impact on the Department of Law.

Prepared by: Kathryn A. Daughhetee, Director
Phone 465-3673
Division Administrative Services
Date/Time 2/6/04 4:14 PM
Approved by: Kathryn Daughhetee for Gregg D. Renkes, Attorney General
Date 2/6/2004
Agency Department of Law

(Revised 12/2003 OMB)