

SB

87



Alaska State Legislature

Senator Con Bunde
Senate District P

Vice Chair: Senate Finance Committee
Chair: Senate Labor & Commerce Committee

Sponsor Statement

Senate Bill 87

“An Act relating to motor vehicle safety belt violations.”

Currently, Alaska state law requires *all* individuals to wear a seat belt while driving or riding in any vehicle. Senate Bill 87 changes the enforcement measures of this law to allow police officers and state troopers to pull over individuals who are not wearing their seat belt. Presently, officers may cite drivers only if they are pulled over for another violation. As a direct result of this legislation, we have the opportunity to save both lives and the state hundreds of thousands of dollars in emergency, rehabilitative and insurance costs annually.

Motor vehicle accidents are the *leading cause of death* for Americans of every age from 6 to 33 years of age and Alaska has one of the leading accident related death rates of all 50 states (National Safety Council, 2002; Kaiser Healthfacts: State Health Facts). Although seat belt use is required by statute and is the single most effective safety device in preventing injuries and fatalities, we are currently unable to enforce its use. In Alaska, a change in enforcement powers would lead to a 10-15% increase in seat belt use. That increase alone will prevent hundreds of injuries and save 6 lives each year (National Transportation Safety Board, 2002.)

The primary enforcement seat belt law has been proven to save billions of dollars that society bears annually from motor vehicle accidents. Eighty-five percent of all costs involved in a motor vehicle crash are borne by society (National Highway Traffic Safety Administration, 2002.) On a national level in 2003, the total cost of motor vehicle crashes was over *230 billion dollars* (Alaska paid nearly a half a billion dollars), a cost of \$820 per person (National Highway Traffic Safety Administration 2002.) Safety belt usage saves approximately 50 billion dollars annually; conversely we spend an *extra* 26 billion on non-use (MADD, 2003.)

Enacting a primary seat belt law may save more lives than any other single piece of legislation we consider this session. Currently, 21 states plus the District of Columbia have chosen to enforce a primary seat belt law (Insurance Journal, 2005.) If every state did, we would save lives, prevent injuries and save Americans billions of dollars in health care, taxes and insurance costs in the first year alone. This bill saves money and lives. I urge you to consider the evidence before you and support SB 87.

10-15% ↑
in seat belt year

24-LS0457F

Luckhaupt

4/11/05

HOUSE CS FOR SENATE BILL NO. 87()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY

Offered:

Referred:

Sponsor(s): SENATORS BUNDE, Wilken, Seekins, Wagoner, Cowdery

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to motor vehicle safety belt violations."

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 * Section 1. AS 28.05.095(a) is amended to read:

4 (a) Except as provided in (c) of this section, a person

5 (1) 16 years of age or older may not occupy a motor vehicle while
6 being driven on a highway unless restrained by a safety belt; and7 (2) may not drive [OPERATE] a motor vehicle on a highway unless
8 restrained by a safety belt.

9 * Sec. 2. AS 28.05.095(c) is amended to read:

10 (c) Subsections (a) and (b) of this section do not apply to11 (1) passengers in a school bus, unless the school bus is required to be
12 equipped with seat belts by the United States Department of Transportation, or an
13 emergency vehicle;14 (2) a vehicle operator acting in the course of employment delivering
mail or newspapers from inside the vehicle to roadside mail or newspaper boxes;

1 (3) a person or class of persons exempted by regulation under
2 AS 28.05.096; [OR]

3 (4) a person required to be restrained by safety belts under (a) or (b) of
4 this section if the motor vehicle is not equipped with safety belts; or

5 (5) operators or passengers of motorcycles, motor-driven cycles,
6 off-highway vehicles, electric personal mobility vehicles, snowmobiles, and
7 similar vehicles not designed to be operated on a highway.

8 * Sec. 3. AS 28.05.095(e) is repealed.

24-LS0457F.1
Luckhaupt
4/11/05

AMENDMENT

OFFERED IN THE HOUSE

TO: HCS SB 87(), Draft Version "F"

- 1 Page 2, line 8:
- 2 Delete all material.

24-LS0457.F.2
Luckhaupt
4/11/05

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE GARDNER

TO: HCS CSSB 87(), Draft Version "F"

1 Page 2, following line 7:

2 Insert a new bill section to read:

3 "* Sec. 3. AS 28.05.099(a) is amended to read:

4 (a) A person convicted of a violation of AS 28.05.095(a) or (d) is guilty of an
5 infraction and may be fined up to \$100, [\$15] or the court may waive the fine if the
6 person convicted donates \$100 [\$15] to the emergency medical services entity
7 providing services in the area in which the violation occurred."
8

9 Renumber the following bill section accordingly.

Louie Flora

From: POMS@legis.state.ak.us
Sent: Wednesday, April 13, 2005 6:19 AM
To: Ian Laing
Subject: New Pom:SB 87 Seat Belt Violation As Primary Offense

Matthew Erickson
Po Box 70335

Fairbanks 99707-0335,look412
look412_2001@hotmail.com

Everyone knows cigaretts kill. Government mandated a warning label and collects a hefty tax from thier sale.

Many people debate seat belts save lives, and government would force us to wear them or pay fines.

Is the government really trying to save lives? (or generate more money?).
Dont sell us out!



March 18, 2005

The Honorable Paul Seaton, Chair
House State Affairs Committee
Alaska State Capitol, Room 102
Juneau, Alaska 99801-1182

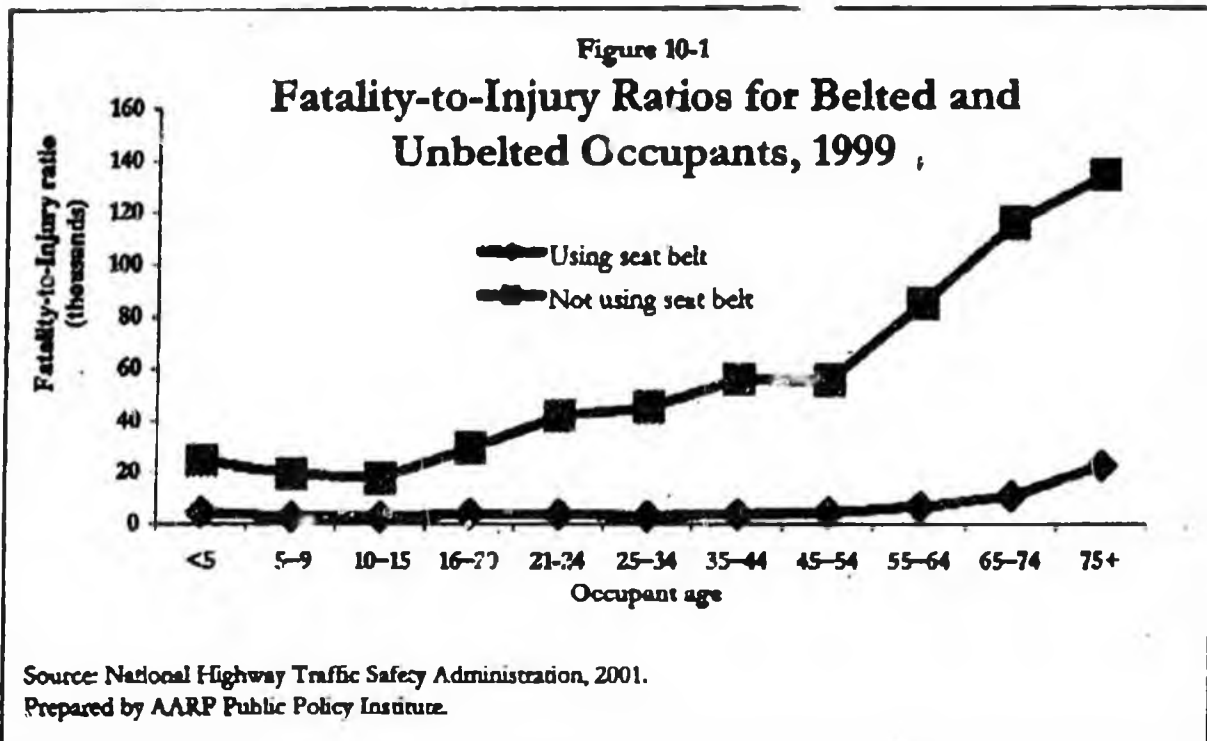
Dear Chair Seaton:

RE: SB 87 (Bunde) – Support

On behalf of the AARP members in Alaska, we encourage your colleagues on the House State Affairs Committee to support SB 87, authored by Senator C. Bunde and co-sponsored by Senators Wilken, Seekins, Wagoner, and Cowdery.

SB 87 would allow an Alaska peace officer to ticket an individual who is not wearing a seat belt. Not wearing a belt would move from a secondary to a primary offense and a driver could be pulled over simply for not being "belted."

In crashes of the same severity, older individuals are more likely to die than younger people. Increased seat belt use will reduce fatalities and the severity of injuries. Research from the National Highway Traffic Safety Administration shows a clear correlation between seat belt use and a reduced likelihood of crash fatalities for individuals age 55 and older.



AARP recommends an "AYE" vote on SB 87.

Should you have any questions about our position, please feel free to contact me (586-3637) or Patrick Luby, AARP Advocacy Director (907-762-3314).

Thank you for your consideration.

Sincerely,

Marie Darlin

Marie Darlin, Coordinator
AARP Capital City Task Force
415 Willoughby Avenue, Apt. 506
Juneau, AK 99801
586-3637 (voice)
463-3580 (fax)

CC: Representative Jim Elkins
Representative Berta Gardner
Representative Carl Gatto
Representative Max Gruenberg
Representative Bob Lynn
Representative Jay Ramras
Senator Con Bunde

Louie Flora

From: POMS@legis.state.ak.us
Sent: Wednesday, April 13, 2005 5:54 AM
To: Ian Laing
Subject: New Pom:SB 87 Seat Belt Violation As Primary Offense

Matthew Erickson
Po Box 70335

Fairbanks 99707-0335,look412
look412_2001@hotmail.com

Bunde said the state will receive \$2 million a year for nine years in federal highway safety funds if the bill is approved this year.

How many more rights will you sell away? How much to buy our gun rights?
home privacy? Who will OK law suits for injuries/deaths caused by seat belts that the state mandates?

Louie Flora

From: Don Smith [don_smith@dot.state.ak.us]

Sent: Tuesday, April 05, 2005 3:12 PM

To: Louie Flora

Subject: Three Million Dollar Mistake

Louie,

I made a mistake in my last email. The \$15 million dollar figure should have been \$18 million. The email should read as follows:

Louie Flora
Staff to Representative Paul Seaton
State Affairs Committee

Louie,

Thanks for the call this morning.

The legislation proposed (SAFETEA) by the Bush administration for re-enactment of the US Transportation Administration has a section in the Highway Safety part of the bill that creates a \$100 million dollar fund to distribute to states that enact a primary seat belt law. It also provides funding for states that have maintained a 90% seat belt use rate for two consecutive years. It also rewards states that currently have a primary seat belt law on the books. (I distributed a copy to all House State Affairs Committee members of Dr. Rungee's (NHTSA) presentation to the US Senate Commerce Committee this morning - please look at page 2 & 3 for his official statement on this issue....copy attached)

In respect to Alaska:

Were we to enact a Primary Seat Belt Law, the State of Alaska under this law would receive at least \$12 million over the next 5 years. The year of enactment would call for an award of \$4 million. Each year for 4 years after that we would receive \$2 million per year. The bill calls for this fund to be in existence until FY 2010. After that it would have to be re-authorized by Congress. If we were able to raise our usage rate to 90% - after the 2nd year at that rate we would receive \$4 million each year instead of the proposed \$2 million. That 90% seatbelt use rate would mean that Alaska would receive \$6 million in additional funds or a total of **\$18 million**. These funds would be available for appropriation for highway safety projects.

Please let me know if the Chairman schedules SB 87 for consideration on Thursday.

Don Smith
Alaska Highway Safety Office

4/5/2005

See pg 243

THE HONORABLE JEFFREY W. RUNGE, M.D.
ADMINISTRATOR
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
Before the
SUBCOMMITTEE ON SURFACE TRANSPORTATION AND
MERCHANT MARINE
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION
UNITED STATES SENATE

April 5, 2005

Chairman Lott, Senator Inouye, Members of the Subcommittee: Thank you for the opportunity to appear before you today to discuss the Administration's proposal to reauthorize our highway safety programs in the "Safe, Accountable, Flexible and Efficient Transportation Equity Act of 2003" or "SAFETEA." My staff and I look forward to working with this Subcommittee and the rest of the Senate to shape the proposals that will reauthorize our programs and address the highway safety challenges facing the Nation.

The National Highway Traffic Safety Administration's (NHTSA) mission is to save lives and prevent injuries. Motor vehicle crashes are responsible for 95 percent of all transportation-related deaths and 99 percent of all transportation-related injuries. They are the leading cause of death for Americans for every age from 3 through 33. Although we are seeing improvements in vehicle crash worthiness and crash avoidance technologies, the numbers of fatalities and injuries on our highways remain staggering. In 2003, the last year for which we have complete data, an estimated 42,643 people were killed in motor vehicle crashes. This number represents a slight decrease of 362 fatalities from 2002 (43,005), but we need to continue and accelerate that downward trend.

The economic costs associated with these crashes seriously impact the Nation's fiscal health. The annual cost to our economy of all motor vehicle crashes is \$230.6 billion in Year 2000 dollars, or 2.3 percent of the U.S. gross domestic product. This translates into an average of \$820 for every person living in the United States. Included in this figure is \$81 billion in lost productivity, \$32.6 billion in medical expenses, and \$59 billion in property damage. The average cost to care for a critically injured survivor is estimated at \$1.1 million over a lifetime, a figure that does not begin to account for the physical and psychological suffering of the victims and their families.

The fatality rate per 100 million vehicle miles traveled (VMT) in 2003 was at an all-time low of 1.48. Secretary Mineta has set a goal of reducing this rate even further, to no more than 1.0 fatality for every 100 million VMT by 2008. President Bush and Secretary Mineta have made reducing highway fatalities the number one priority for the Department of Transportation and for the reauthorization of NHTSA's programs.

As the statistics indicate, traffic safety constitutes a major public health problem. But unlike a number of the complex issues facing the Nation today, we have at least one highly effective and simple remedy to combat highway deaths and injuries. Wearing safety belts is the single most effective step individuals can take to save their lives. Buckling up is not a complex vaccine, doesn't have unwanted side effects and doesn't cost any money. It's simple, it works and it's lifesaving.

Safety belt use cuts the risk of death in a severe crash in half. Most passenger vehicle occupants killed in motor vehicle crashes are unrestrained. If safety belt use were to increase from the 2004 national average of 80 percent to 90 percent—an achievable goal—nearly 2,700 lives would be saved each year. For every 1 percentage point increase in safety belt use—that is 2.8 million more people buckling up—we would save hundreds of lives, suffer significantly fewer injuries, and reduce economic costs by hundreds of millions of dollars a year.

States recognize these lifesaving benefits, and have enacted safety belt laws. However, as of March 2005, only 21 States plus the District of Columbia and Puerto Rico have primary laws, which allow police officers to stop and issue citations to motorists upon observation that they are not buckled up. Other safety belt laws, known as secondary laws, do not allow such citations unless a motorist is stopped for another offense. In 2004, belt use in States with primary safety belt laws averaged 84 percent, 11 points higher than in States with secondary laws—a statistically significant difference. If all States enacted primary safety belt laws, we would prevent 1,275 deaths and 17,000 serious injuries annually. Enacting a primary safety belt law is the single most effective action a State with a secondary law can take to decrease highway deaths and injuries.

The Administration's SAFETEA proposal builds on the tremendous successes of previous surface transportation legislation by taking some important next steps. I'd like to highlight one very important component of this proposal that creates a strong incentive for States to enact primary safety belt laws or achieve high safety belt use rates, while at the same time streamlining NHTSA's grant programs to make them more performance-based.

The Administration's SAFETEA proposal, transmitted to Congress in 2003 and adjusted this February, proposes a major consolidation of NHTSA highway safety grant programs that would provide authorizations over the 6-year period to fund the basic formula grant program to the States under Section 402, but add two important new elements—a Safety Belt Performance Grant and a General Performance Grant.

The Safety Belt Performance Grant provides up to \$100 million each year to reward States for passing primary safety belt laws or achieving 90 percent safety belt use rates in two consecutive years. Under our proposal, a State that has already enacted a primary safety belt use law for all passenger motor vehicles (effective by December 31, 2002) would receive a grant equal to 2.5 times the amount of its FY 2003 formula grant for highway safety. A State that enacts a new primary belt law or achieves 90 percent belt use for two consecutive years will receive a grant equal to five times the amount of

its FY 2002 formula grant for highway safety. This significant incentive is intended to prompt State action needed to save lives. States achieve high levels of belt use through primary safety belt laws, public education using paid and earned media, and high visibility law enforcement programs, such as the *Click it or Ticket* campaign.

A State that receives a Safety Belt Performance Grant for the enactment of a primary safety belt law can elect to use all of those funds for a wide range of highway safety programs, including infrastructure investments eligible under the Federal Highway Administration's (FHWA) Highway Safety Improvement Program in accordance with the State's Comprehensive Strategic Highway Safety Plan.

Under another provision of the Safety Belt Performance Grant, a State can receive additional grants by improving its safety belt use rates. This incentive, alone, would provide up to \$182 million over the 6-year authorization period. Any State that receives a grant for improved safety belt use rates is permitted to use up to 50 percent of those funds for activities eligible under the new Highway Safety Improvement Program.

The six-year General Performance Grant component of our consolidated highway safety grant program not only eases the administrative burdens of the States but also rewards States with increased Federal funds for measurable improvements in their safety performance in the areas of overall motor vehicle fatalities, alcohol-related fatalities, and motorcycle, bicycle, and pedestrian crash fatalities. Any State that receives a General Performance Grant is permitted to use up to 50 percent of those funds for activities eligible under the new Highway Safety Improvement Program.

These grants reflect a different approach to addressing the Nation's substantial highway safety problems. While formulating the Department's reauthorization proposal, the FHWA and NHTSA embraced the guiding principle that States should receive resources to address their own, unique transportation safety issues, should be strongly encouraged to increase their safety belt use rates—the single most effective means of decreasing deaths and injuries—and should be rewarded for performance with increased funds and greater flexibility to spend those funds on either infrastructure safety or behavioral safety programs.

But with the flexibility comes the accountability. States will be held accountable for setting realistic and appropriate performance goals, devising corresponding plans, and ultimately improving performance and achieving the goals.

These guiding principles of flexibility and accountability underlie all aspects of the Administration's highway safety reauthorization proposal. In fact, our Nation's governors speak with one voice on this issue – and they all want maximum flexibility to distribute highway safety funds where the need is the greatest.

Mr. Chairman, the single most important safety measure Congress could pass this decade is SAFETEA's proposal to provide incentive grants for States to pass primary belt laws. As the Nation's chief highway safety official, I urge you to pass a bill that gives

States the strongest incentives possible to enact primary belt laws. No vehicle safety mandate, no elaborate rulemaking, no public relations campaign that NHTSA could undertake would have the life-saving impact of Congress providing meaningful incentives to the States to pass primary belt laws.

I'd like to give you a brief overview of some of the other provisions of our SAFETEA proposal transmitted to Congress in 2003.

SAFETEA would establish a new core highway safety infrastructure program, in place of the existing Surface Transportation Program safety set-aside. This new FHWA program, called the Highway Safety Improvement Program (HSIP), would more than double funding over comparable TEA-21 levels, providing more funds for safety projects over the 6-year authorization period. In addition to increased funding, States would be encouraged and assisted in their efforts to formulate comprehensive highway safety plans. Those States with such comprehensive plans could flex up to 50 percent of their HSIP funds for behavioral safety programs.

SAFETEA also is designed to help the States deter impaired driving. Reducing the number of impaired drivers on our roadways is a complex task requiring interconnected strategies and programs. In 2003, an estimated 17,013 people died in alcohol-related crashes (40 percent of the total fatalities for the year), a 29-percent reduction from the 23,833 alcohol-related fatalities in 1988, and a decline of 3 percent over 2002. Our data show that 2003 was the first year since 1999 that the number of alcohol-related fatalities decreased. The proportion of traffic deaths of individuals with a blood-alcohol content above .08—the legal limit in every State—was highest in 2003 for 21-24 year olds, at 32 percent, followed by 25-34 year olds, at 27 percent.

A component of our revised Section 402 program would focus significant resources on a small number of States with particularly severe impaired driving problems by creating a new \$50-million-a-year impaired driving discretionary grant program. The grant program would include support for up to 10 States with an especially high number of alcohol-related fatalities and a high rate of alcohol-related fatalities relative to vehicle miles traveled and population. A team of outside experts would conduct detailed reviews of the impaired driving systems of these States to assist them in developing a strategic plan for improving programs and reducing impaired driving-related fatalities and injuries. Additional support would be provided for training, for technical assistance in the prosecution and adjudication of driving while intoxicated (DWI) cases, and to help licensing and criminal justice authorities close legal loopholes.

NHTSA believes that this targeted State grant program and supporting activities, together with continued nationwide use of high-visibility enforcement and paid and earned media campaigns, would lead to a continuation of the downward trend in alcohol-related fatalities. Also, through the comprehensive safety planning process, all States could elect to use a significant amount of their FHWA Highway Safety Infrastructure funding, in addition to their consolidated highway safety program funds, to address impaired driving.

SAFETEA's highway safety title includes a key provision to authorize a comprehensive national motor vehicle crash causation survey to enable us to determine the factors responsible for the most frequent causes of crashes on the Nation's roads. This comprehensive survey would be funded at \$10 million a year out of the funds authorized for our highway safety research and development program. The last comprehensive update of crash causation data was generated in the 1970s. Congress has recognized the importance of this survey and so far has appropriated \$14 million for this effort. Appropriations have been used to develop protocols and methodology, procure equipment, hire and train new researchers, establish data collection methodology and structure and begin field data collection.

SAFETEA also would create a new \$50-million-a-year incentive grant program that builds upon a TEA-21 program to encourage States to improve their traffic records data. Accurate State traffic safety data are critical to identifying local safety issues, applying focused safety countermeasures, and evaluating the effectiveness of countermeasures. Improvements are needed for police reports, driver licensing, vehicle registration, and citation/court data to provide essential information. Additionally, deficiencies in data negatively impact national databases including the Fatality Analysis Reporting System, General Estimates System, National Driver Register, Highway Safety Information System, and Commercial Driver License Information System.

For the past 20 years, Federal support for Emergency Medical Services (EMS) has been both scarce and uncoordinated. As a result, the capacity of this critical public service has seen little growth, and support for EMS has been spread among a number of agencies throughout the Federal government, including NHTSA. Except for NHTSA, most of the support offered by these agencies has focused only on specific system functions, rather than on overall system capacity, and has been inconsistent and ineffectively coordinated.

SAFETEA would establish a new \$10 million-a-year State formula grant program to support EMS systems development, including 9-1-1 nationwide, and would provide for a Federal Interagency Committee on EMS to strengthen intergovernmental coordination of EMS with NHTSA providing staff support. The States would administer the grant program through their State EMS offices and coordinate it with their highway safety offices. Enactment of this section would result in comprehensive support for EMS systems, and improved emergency response capacity nationwide.

SAFETEA also would provide a total of over \$500 million for NHTSA's highway safety research and development program. This program supports State highway safety behavioral programs and activities by developing and demonstrating innovative safety countermeasures and by collecting and disseminating essential data on highway safety. The results of our Section 403 research provide the scientific basis for highway safety programs that States and local communities can tailor to their own needs, ensuring that precious tax dollars are spent only on programs that are effective. The States are

encouraged to use these effective programs for their ongoing safety programs and activities.

Highway safety behavioral research focuses on human factors that influence driver and pedestrian behavior and on environmental conditions that affect safety. This research addresses a wide range of safety problems through various initiatives, such as impaired driving programs, safety belt and child safety seat programs and related enforcement mobilizations, pedestrian, bicycle, and motorcycle safety initiatives, enforcement and justice services, speed management, aggressive driving countermeasures, emergency medical services, fatigue and inattention countermeasures, and data collection and analysis efforts. These efforts have produced a variety of scientifically sound data and results.

Finally, SAFETEA would provide a total of over \$23 million for the National Driver Register. This system facilitates the exchange of driver licensing information on problem drivers among the States and various Federal agencies to aid in making decisions concerning driver licensing, driver improvement, and driver employment and transportation safety.

Overall, SAFETEA is a groundbreaking proposal that offers States more flexibility than they have ever had before in how they spend their Federal-aid safety dollars. It reduces State administrative burdens by consolidating multiple categorical grant programs into one. It would reward States for accomplishing easily measurable goals and encourage them to take the most effective steps to save lives. It is exactly the kind of proposal that is needed to more effectively address the tragic problem of highway fatalities.

On the motor vehicle safety side of NHTSA's mission, we focus our efforts on actions offering the greatest potential for saving lives and preventing injury. In 2003, we published the first ever NHTSA multi-year vehicle safety rulemaking priorities and supporting research plan. It sets forth the agency's rulemaking goals for 2003 through 2006. We have transmitted to Congress the January 2005 update of the plan, which covers the years 2005 through 2009.

In addition, we are committed to reviewing all Federal Motor Vehicle Safety Standards systematically over a 7-year cycle. NHTSA is a data-driven and science-driven agency, and we decided that such a review is needed in light of changing technology, vehicle fleet composition, safety concerns and other issues that may require changes to a standard. Our regulatory reviews are in keeping with the goals of the Government Performance and Results Act, to ensure that our rulemaking actions produce measurable safety outcomes. Several decades of vehicle safety rulemaking have demonstrated that quality data and research produce regulations that are technically sound, practicable, objective, and repeatable. Our rulemaking priorities plan was crafted with these principles in mind.

NHTSA's priority rulemakings for the immediate future include enhanced side crash protection; improved rollover crash protection through advanced prevention technologies, reduced occupant ejection, and upgraded roof crush protection; reduction in light vehicle tire failures; and shorter stopping distances for heavy trucks. Our longer-term priorities include research and rulemaking decisions to address vehicle "aggressivity" toward other vehicles; improved visibility through enhanced mirrors and other technologies; reduction in crashes associated with driver distraction; improved heavy truck tires; ensuring the safety of hydrogen, fuel cell, and alternative-fueled vehicles; and advancing crash avoidance technologies, such as driver-assist systems. We have integrated our rulemaking priorities plan and our supporting research plan to ensure that research is available when needed to conduct rulemakings that advance safety.

I would ask the Subcommittee not to include rulemaking mandates in your bill to reauthorize NHTSA's programs. Mandates take away NHTSA's ability to prioritize its work based on its most important safety priorities, to revise those priorities as circumstances change, and to have the time needed to ensure that our regulations are based on sound science. Mandates that dictate timelines and the regulatory approach impair our ability to provide the public with the best safety solutions.

Mr. Chairman, the Secretary named the Administration's proposal "SAFETEA" for a very good reason. This Subcommittee literally has the power to save thousands of lives in the years to come at no cost to the consumer. I urge you to support the Administration's SAFETEA proposal, and especially to give the States the necessary incentives to pass primary belt laws. It is worth repeating that nothing Congress will do in this bill will have a greater and a more lasting impact on safety.

Thank you for your consideration of my views. I will be pleased to answer any questions you may have.

**Kenai Peninsula SAFE KIDS For The Central Peninsula Area
Central Peninsula General Hospital
250 Hospital Place
Soldotna, Alaska 99669
907-714-4539
safekids@cpqh.org**

April 1, 2005

Dear Representative:

Please support (SB 87) making Seat Belt violation a Primary Offense in the State of Alaska. This will allow law enforcement officers to stop and issue tickets or warn people who are not wearing their seat belts.

According to recent studies, the most effective way of reducing the number of deaths in traffic crashes is through primary enforcement seat belt laws. The average increase in usage has been around 10-15 percent. In Alaska, this would mean lives saved and injuries lessened or prevented. It would, also, mean money saved. Most of the costs of serious injury are taken on by the state or by the public. It is estimated that by increasing seat belt usage by 10% in Alaska it would mean five lives saved, 58 major injuries prevented, and a savings of \$10,000,000 in medical care, rehabilitation, lost productivity, and funeral expenses, annually.

People argue that safety belt laws infringe on personal freedom, but I believe wearing a safety belt is a **responsibility**. Deciding not to wear a safety belt is not a decision to exercise personal freedom, but one to gamble huge amounts of family and taxpayer money. Plus, the person whom is not wearing their safety belt (exercising their personal freedom) puts other passengers in the vehicle at risk of serious injury and death due to the unbuckled passenger's body becoming a lethal weapon during a crash.

Please act to improve safety and save lives on the road. Please support SB 87 for primary enforcement of seat belts.

Thank you for your continued service to our state.

Jane B. Fellman RN
Coordinator Kenai Peninsula SAFE KIDS
For The Central Peninsula Area

Louie Flora

From: Rep. Paul Seaton
Sent: Monday, April 11, 2005 10:25 AM
To: Louie Flora
Subject: FW: SB 87

seatbelts

Ian Laing
Rep. Paul Seaton
Legislative Staff
(907) 465-2689

-----Original Message-----

From: Robin and Pete Eagan [mailto:peagan@mosquitonet.com]
Sent: Sunday, April 10, 2005 10:46 PM
To: Rep. Paul Seaton
Subject: SB 87

Dear Representative Seaton --

I pasted my earlier e-mail to you below this one. Here are a few more thoughts ...

As for a primary seat belt law, please allow me a couple of statements and analogies. Driving on our public roads is a privilege, not a right. One needs a license to do so, but you do not need one to drive on your own private "back forty" -- there you may pretty much do as you please, but you still cannot be negligent and injure someone else.

In order to get and keep a drivers license, one needs to pass a test and adhere to the rules of the road. No one (lawmakers or the public) seems to argue personal choice when told that they must all drive on the right side of the road, use headlights after dark, or obey a reasonable speed limit (although this last one is often ignored). These are relatively undisputed rules of the road -- they are common-sense, and they protect all road users. A primary seat belt bill would do the same. It would also be a tool to help troopers get drunk drivers off of the road.

Also, from a financial standpoint, it is no secret that the state eats a lot of the cost of uninsured drivers requiring hospitalization, or of services for families devastated by the death of a head of household or other family member, etc. There are definitely more deaths and injuries with unbelted drivers and passengers.

I am a 3rd generation Alaskan, and am not one to invite more and more unneeded laws. But, some do make very good sense, and this is one. I do think that "personal choice" is used as a crutch for a lot of weak arguments (and it is a very effective one, as lawmakers do not want to be labeled as infringing on one's "rights" or "personal choice"). Apply it to speed limits, headlight use, driving on the right side of the road, and mandatory seat belt use, and this weak argument falls flat on its face.

I applaud faithfulness to a constituency, to a degree. However, while many of us have blinders on but for our own selfish views, you are in a position to see and appreciate the bigger picture, and to decide what is best for our entire state and for all of its citizens and visitors.

When viewed in that context, I believe that SB87 is a winner, hands down, and I hope that my views might help you decide to support it and pass it out of committee.

It deserves to make it out of your committee!

Thanks again for your time. Sincerely, Pete Eagan 451-5462w
455-4793h

Dear Representative Seaton :

Please support this bill. In other states that have enacted similar laws, statistics prove, quite positively, that lives will be saved, especially young lives. It will also help encourage lifelong safe driving habits, and it will be another tool for troopers to use to catch deadly drunk drivers on our roads and highways. There is no "big brother is watching" aspect to this bill. Seat belt usage is already the law, and this bill just enables law enforcement to enforce it as a primary offense.

This is a very good bill and it will save lives. Please pass it and make our roads safer.

Louie Flora

From: Rep. Paul Seaton
Sent: Tuesday, March 22, 2005 7:43 AM
To: Louie Flora
Subject: FW:

Ian Laing
Rep. Paul Seaton
Legislative Staff
(907) 465-2689

-----Original Message-----

From: Stephen Tower [mailto:sstower@gci.net]
Sent: Monday, March 21, 2005 10:29 PM
To: Rep. Paul Seaton
Subject:

Dear Representative Seaton,

As an orthopedic surgeon with 20 year of experience in Alaska treating trauma I can testify to the merit of reasonable measures to prevent trauma. I hope you will support primary seat belt legislation. It is will proven to reduce the carnage on our highways at little cost.

Sincerely,

Stephen Tower, M.D.
6761 Griffith Street
Anchorage
99506

Louie Flora

From: Marti Greeson [mgreeson@maddalaska.com]
Sent: Monday, March 21, 2005 4:17 PM
To: Rep. Berta Gardner; Rep. Bob Lynn; Rep. Carl Gatto; Rep. Paul Ceaton
Subject: SB 87 Primary Seat Belt

On behalf of the members, board of directors and staff of the Anchorage Chapter of Mothers Against Drunk Driving, I am writing to ask for your support of SB 87, Primary Seat Belt law in Alaska.

There are many public safety and health care cost reasons to support Primary Seat Belt legislation, but the strongest statement I can make is that we have all seen time and again that no one is immune to the ravages of critical injuries, medical care, and loss of life from a drunk driver. Seat Belts are the most effective defense against drunk drivers in Alaska.

I would like to hear your position on SB 87, and urge you to support it.

Sincerely,

Marti Greeson
Executive Director
MADD Anchorage Chapter

Alcohol-related injuries and fatalities are destructive in Alaska! Join us in "GETTING MADD ALL OVER AGAIN." Membership forms available in newsletters, by calling the office at 562-6890 or through our web site at www.maddalaska.com!

3/21/2005

Rep. Paul Seaton

From: Robin and Pete Eagan [peagan@mosquionet.com]
Sent: Saturday, March 19, 2005 12:20 AM
To: Rep. Paul Seaton
Subject: Please support SB87 (Primary Seat Belt bill)

Dear Representative Seaton:

Please support this bill. In other states that have enacted similar laws, statistics prove, quite positively, that lives will be saved, especially young lives. It will also help encourage lifelong safe driving habits, and it will be another tool for troopers to use to catch deadly drunk drivers on our roads and highways. There is no "big brother is watching" aspect to this bill. Seat belt usage is already the law, and this bill just enables law enforcement to enforce it as a primary offense.

This is a very good bill and it will save lives. Please pass it and make our roads safer.

Sincerely,

Pete Eagan 699 Yak Road Fairbanks, AK 99709 455-4793h 451-5462w

peagan@mosquionet.com

Rep. Paul Seaton

From: buddy4 [buddy4@alaska.net]

Sent: Saturday, March 19, 2005 8:52 AM

To: Rep. Bob Lynn; Rep. Jay Ramras; Rep. Berta Gardner; Rep. Max Gruenberg; Rep. Paul Seaton;
Rep. Carl Gatto; Rep. Jim Elkins

Subject: SB 87, Primary Seatbelt Law

State Affairs Committee.

I am writing for the Municipality of Anchorage, Department of Health and Human Services. The MOA supports SB 87, Primary Seatbelt Law. We encourage the committee to pass this bill out of State Affairs.

As escalating health care costs, investment losses, retirees living longer and other factors that are driving up state, municipal and school system retirement costs, lawmakers must look at changes to cut employer expenses. If this committee intends to reduce state costs then passing the Primary seatbelt law is one way to do it.

Working Alaskans are more often injured in a car crash and disabled with head injury and immobility problems that require expensive long term health costs. The most severe injuries are related to unbelted drivers and riders. We know that a primary seatbelt law would increase seatbelt use by 11-14% points and reduce the severity of injury.

This yes vote is a serious effort to cut employer expenses, public and private and reduce the burden of injury at the same time.

Thank you,
Joan Diamond
Municipality of Anchorage
Department of Health and Human Services
343-6583

Louie Flora

From: Rep. Paul Seaton
Sent: Tuesday, April 05, 2005 1:52 PM
To: Louie Flora
Subject: FW: Please support SB87 (Primary Seat Belt bill)

Ian Laing
Rep. Paul Seaton
Legislative Staff
(907) 465-2689

-----Original Message-----

From: Robin and Pete Eagan [mailto:peagan@mosquitonet.com]
Sent: Saturday, March 19, 2005 12:20 AM
To: Rep. Paul Seaton
Subject: Please support SB87 (Primary Seat Belt bill)

Dear Representative Seaton:

Please support this bill. In other states that have enacted similar laws, statistics prove, quite positively, that lives will be saved, especially young lives. It will also help encourage lifelong safe driving habits, and it will be another tool for troopers to use to catch deadly drunk drivers on our roads and highways. There is no "big brother is watching" aspect to this bill. Seat belt usage is already the law, and this bill just enables law enforcement to enforce it as a primary offense.

This is a very good bill and it will save lives. Please pass it and make our roads safer.

Sincerely,

Pete Eagan 699 Yak Road Fairbanks, AK 99709 455-4793h 451-5462w

peagan@mosquitonet.com

Louie Flora

From: John Bishop [jbishop@ptialaska.net]
Sent: Thursday, March 17, 2005 8:12 PM
To: Rep. Paul Seaton
Subject: Fw: Opposition to SB 87 - correction

Sorry, I mistyped my home phone, it's 790-3582. Thanks again.

----- Original Message -----

From: "John Bishop" <jbishop@ptialaska.net>
To: <Representative_Paul_Seaton@legis.state.ak.us>
Sent: Thursday, March 17, 2005 7:32 PM
Subject: Opposition to SB 87

> Honorable Representative Seaton,
>
> I am writing to let you know I am opposed to Senate Bill 87, Seat Belt
> Violation As Primary Offense.
>
> I could wax rhetorical, however I realize your time is limited. I would
> simply like to add that I do not personally need a paid (from someone's
> taxes) law enforcement officer to look after my own personal safety, in
> the form of a seatbelt "violation." Aside from the issue of personal
> liberty, I am insulted at the very thought of such an intrusive "state."
> I doubt this issue is something the authors of the Constitution of the
> United States ever imagined - if they did imagine it, I'm sure they tried
> to express their thoughts through the concept of limited government.
>
> I do not know of Senator Bunde's underlying motivation, I can only suspect
> that there is political influence involved among those who stand to gain
> \$4 Million from the federal government if this bill succeeds. It smacks
> of the other party and brings discredit to the Republican Party's claim to
> limited government.
>
> Thank you for your time and consideration, I will email the other
> Republican members of your committee as well.
>
> Sincerely,
>
> John Bishop
> 4229 Marion Drive
> Juneau, Alaska 99801
>
> 790-3592
>
>

Louie Flora

From: Rep. Paul Seaton
Sent: Tuesday, April 05, 2005 2:13 PM
To: Louie Flora
Subject: FW: SB87-SEAT BELT LAW-VOTE AGAINST!!

Ian Laing
Rep. Paul Seaton
Legislative Staff
(907) 465-2689

-----Original Message-----

From: Julie Christensen [mailto:jcspublishing@gci.net]
Sent: Thursday, March 17, 2005 5:39 PM
To: Rep. Paul Seaton
Subject: SB87-SEAT BELT LAW-VOTE AGAINST!!

To Rep. Seaton,

Please kill the SB 87 Seat Belt law in your committee. Too many people want our rights taken away just to help a few people. THIS IS ABSOLUTELY NOT RIGHT!!

We cannot allow our government or police to infringe on our privacy rights in the name of saving people from themselves! This is completely ludicrous. Whatever happened to personal responsibility!!! Just because Federal money is available for implementing this law, does not ever give a legislature the right to trample on our rights!!

Thank you, very sincerely, Rep. Seaton, for reading this email.

Yours,

David and Julie Christensen
907-333-3653
jcspublishing@gci.net

Loula Flora

From: Rep. Paul Seaton
Sent: Thursday, March 31, 2005 3:51 PM
To: Loula Flora
Subject: FW: SB 87 - Please Move this Bill out of Committee

Ian Laing
Rep. Paul Seaton
Legislative Staff
(907) 465-2689

-----Original Message-----

From: Richard Rainery [mailto:rrainery@hotmail.com]
Sent: Thursday, March 31, 2005 1:50 PM
To: Rep. Jim Elkins; Rep. Bob Lynn; Rep. Jay Ramras; Rep. Berta Gardner; Rep. Max Gruenberg; Rep. Paul Seaton; Rep. Carl Gatto
Subject: SB 87 - Please Move this Bill out of Committee

Committee Members_

As a founding member of the Alaska Traumatic Brain Injury Advisory Board, I urge you as House State Affairs Committee member to expeditiously move SB 87 - Seat Belt Violation as Primary Offense - out of committee. Alaska law requires all individuals to wear a seat belt while driving or riding in a vehicle. However police officers can only cite someone for failing to follow the law after they have been stopped for another violation. Senate Bill 87 changes that; police officers could pull someone over for not wearing a seat belt.

A primary enforcement seat belt law will significantly increase the use of seat belts in Alaska. This has been the result in the 21 states that have adopted primary enforcement - seat belt use has increased by an average of 10%. The most resistant to seat belt use fall into this group. Education and overwhelming evidence that seat belts save lives has not moved these folks. A 10% increase seat belt use in Alaska translates to an estimated 5 lives saved, 58 major injuries prevented, and \$10,000,000 savings in medical, rehabilitation, lost productivity, and funeral costs annually. Most of the costs of serious injury are borne by the State or indirectly by the public.

Alaska has one of the highest accidental death rates in the nation and motor vehicle crashes are a leading cause of head injury and disability. Seat belts are the most effective protection in a crash and primary enforcement of seat belt laws can significantly increase usage. This bill creates incentives for people to abide by the law before any additional enforcement activities are necessary, effectively enforces the laws that are on the books, and saves police from the time-consuming and emotionally draining activities of cleaning up after a fatal crash.

Please pass this bill out of committee so that the entire House may vote on this important issue.

Richard Rainery

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<http://toolbar.msn.click-url.com/go/onm00200415ave/direct/01/>

Louie Flora

From: Rep. Paul Seaton
Sent: Friday, April 01, 2005 12:31 PM
To: Louie Flora
Subject: FW: Automotive Coalition for Traffic Safety, Inc. report Primary Seat Belt vs Increased Penalties

Ian Laing
Rep. Paul Seaton
Legislative Staff
(907) 465-2689

-----Original Message-----

From: Marti Greeson [mailto:mgreson@maddalaska.com]
Sent: Friday, March 25, 2005 12:29 PM
To: Rep. Bob Lynn; Representative_Jim_Elkins@legis.state.ak.us; Rep. Jay Rammas; Rep. Berta Gardner; Rep. Max Gruenberg; Rep. Paul Seaton; Rep. Carl Gatto
Cc: Sen. Con Bunde
Subject: Automotive Coalition for Traffic Safety, Inc. report Primary Seat Belt vs Increased Penalties

Dear Committee Members,

In regard to discussion about the impact of increased penalties for seat belt violations versus a Primary Seat Belt law, I ask you to check the research done by the Automotive Coalition for Traffic Safety at the web site listed below. I believe we are all looking for the most effective safety actions for all Alaskans, and look forward to hearing if or how this additional research may encourage you to support HB 87 for Primary Seat Belt law.

I look forward to hearing your response to this additional information.

Sincerely,

Marti Greeson
MADD Anchorage Chapter

<http://www.actsinc.org/penalties.cfm>

**Kenai Peninsula SAFE KIDS For The Central Peninsula Area
Central Peninsula General Hospital
250 Hospital Place
Soldotna, Alaska 99669
907-714-4539
safekids@cpqh.org**

April 1, 2005

Dear Representative:

Please support (SB 87) making Seat Belt violation a Primary Offense in the State of Alaska. This will allow law enforcement officers to stop and issue tickets or warn people who are not wearing their seat belts.

According to recent studies, the most effective way of reducing the number of deaths in traffic crashes is through primary enforcement seat belt laws. The average increase in usage has been around 10-15 percent. In Alaska, this would mean lives saved and injuries lessened or prevented. It would, also, mean money saved. Most of the costs of serious injury are taken on by the state or by the public. It is estimated that by increasing seat belt usage by 10% in Alaska it would mean five lives saved, 58 major injuries prevented, and a savings of \$10,000,000 in medical care, rehabilitation, lost productivity, and funeral expenses, annually.

People argue that safety belt laws infringe on personal freedom, but I believe wearing a safety belt is a **responsibility**. Deciding not to wear a safety belt is not a decision to exercise personal freedom, but one to gamble huge amounts of family and taxpayer money. Plus, the person whom is not wearing their safety belt (exercising their personal freedom) puts other passengers in the vehicle at risk of serious injury and death due to the unbuckled passenger's body becoming a lethal weapon during a crash.

Please act to improve safety and save lives on the road. Please support SB 87 for primary enforcement of seat belts.

Thank you for your continued service to our state.

Jane B. Fellman RN
Coordinator Kenai Peninsula SAFE KIDS
For The Central Peninsula Area

Louie Flora

From: Rep. Paul Seaton
Sent: Wednesday, April 06, 2005 12:46 PM
To: Louie Flora
Subject: FW: SB87

Ian Laing
Rep. Paul Seaton
Legislative Staff
(907) 465-2689

From: Ron Perkins [mailto:asc1@alaska.net]
Sent: Wednesday, April 06, 2005 12:44 PM
To: Rep. Paul Seaton
Subject: SB87

RE: SB87

A few facts for your debate:

I am the primary research investigator for seat belt use and the economic cost analysis of seat belt use in Alaska.

Police can stop a vehicle (primary offense) if their dog is unrestrained in the back of a pickup, their turn signal is not used, they have a broken tail light, etc.

- Our surveys show that only 23% of the state's population is not buckled, but 60% of the deaths were not buckled.
- 50% of the hospital costs for unbelted occupants are paid by the public (Medicare, Medicaid, military, Native Health, no pays).
- 67% of a random sample of 800 people in Anchorage in 2003-2004 said yes on primary enforcement of seat belt use.
- Many of our criminals are caught during traffic stops (Timothy McVey for one).
- Drunk drivers and red-light runners have a lower rate of seat belt use.
- One of the most dangerous objects inside a vehicle during a crash are the unrestrained occupants. Several belted people have died or were crippled due to their unbelted passengers.
- Occupants are 200 times more likely to die in a rollover crash if not belted.
- Most of the kids who are unbuckled belong to adults who are unbuckled.

Ron Perkins, MPH
Exec. Director,
Alaska Injury Prevention Center
Anchorage, AK
907-929-3941

Louie Flora

From: Sandy Wassilie [swassilie@seward.net]
Sent: Monday, March 14, 2005 12:14 PM
To: Louie Flora
Subject: HB 186 and SB 87

Louie,
My votes:

HB 186 No--expensive to implement and does not encourage personal responsibility; too bad if people are fiscally undisciplined; the state cannot take on that responsibility.

SB 87--No--although I appreciate the safety aspects, again this bill dictates the state take on personal responsibility. Also may be expensive and unnecessarily intrusive if only pulled over to check for seat belt usage.

Thanks, Sandy

Sandra P. Wassilie
High Tide Writing
P.O. Box 1576
Seward, AK 99664

Phone: 907-224-3950
Fax: 907-224-3950 (call first)
Cell: 907-362-1568

swassilie@seward.net

3/18/2005

Ian Laing

From: Larry Johnson [akgift@yahoo.com]
Sent: Monday, March 07, 2005 9:34 PM
To: Rep. Paul Seaton
Subject: Seat Belts

Hi Paul,

I realize that this issue is pretty far down on the importance scale. But I wanted to let you know that I am dead set against making not wearing seat belts a primary infraction. It's bad enough the way it is now.. We don't need a Nanny State government up here. I'd like to think that as adults we are able to make decisions of this nature on our own. Additionally, the argument that there is a financial gain to the State by adopting this measure is a Red Herring and does not stand up under rational scrutiny.

Thank You

Larry Johnson
Seward, AK
Email akgift@yahoo.com

Celebrate Yahoo!'s 10th Birthday!

Yahoo! Netrospective: 100 Moments of the Web <http://birthday.yahoo.com/netrospective/>

Louie Flora

From: Rep. Paul Seaton
Sent: Thursday, March 10, 2005 7:53 AM
To: Louie Flora
Subject: FW: Seatbelts

Ian Laing
Rep. Paul Seaton
Legislative Staff
(907) 465-2889

From: Ernest Dean [mailto:edean@gci.net]
Sent: Thursday, March 10, 2005 7:25 AM
To: Rep. Paul Seaton
Subject: Seatbelts

Please vote against SB 87. The seat belt law as it stands now is adequate. It gives a level of enforcement without turning us into a police state. I believe that seat belts do save lives but feel that education in this matter is much more effective than enforcement.

Thanks

3/10/2005

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: SB087-LAW-CDCO-2-14

Bill Version: _____

() Publish Date: _____

Revision Date/Time (Note if correction): _____

Dept. Affected: LAW

Title: Safety Belt Violations

RDU: CRIMINAL

Sponsor: Senator Bunde

Component: CDCO

Requester: Judiciary

Component No.: _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
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						
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CHANGE IN REVENUES ()						
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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 (FY2005) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The bill repeals that portion (AS 28.05.095(e)) of Alaska's seatbelt law that prohibits peace officers from stopping or detaining a motor vehicle for the sole purpose of determining compliance. The Department of Law does not anticipate any fiscal impact from passage of this legislation.

Prepared by: Robert Meiners, Dep. Director
 Division: Administrative Services
 Approved by: Robert Meiners for Scott Nordstrand, Acting Attorney General
 Agency: Department of Law

Phone 465-5427
 Date/Time 2/14/05 11:43 AM
 Date 2/14/2005

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB087-DPS-AST-2-15-05
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dep. Affected: Public Safety
 Title Seat Belt Violation as Primary Offense RDU Alaska State Troopers
 Component AST Detachment
 Sponsor Senator Bunde
 Requester _____ Component No. 2325

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
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						
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CHANGE IN REVENUES ()						
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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 (FY2005) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Passage of this bill will have no fiscal impact on the Department of Public Safety. The provision in the bill repealing AS 28.05.095(e) will allow law enforcement officers to contact motorists, when they are observed to be driving their vehicle without properly wearing their seat belt.

Prepared by: Captain Al Storey Phone 269-5682
 Division: Alaska State Troopers Date/Time 2/15/05 11:50 AM
 Approved by: Commissioner William Tandeske Date 2/15/2005
 Agency: Department of Public Safety

FISCAL NOTE

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: SB 87
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: _____
 Title: Seat belt violations BRU: Alaska Court System
 Component: Trial Courts
 Sponsor: Senator Bunne
 Requester: _____ Component No.: 768

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
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						
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CHANGE IN REVENUES ()						
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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 (FY2005) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2006 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 SB 87.

Prepared by: Douglas Wooliver, Administrative Attorney Phone: 463-4750
 Division: Alaska Court System Date/Time: 2/15/05 4:34 PM
 Approved by: Doug Wooliver for Stephanie Cole, Administrative Director Date: 2/15/2005
 Agency: Alaska Court System

STATE OF ALASKA
2005 LEGISLATIVE SESSION

Fiscal Note Number: _____
Bill Version: SB 87
() Public Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: DOT&PF
Title: Primary seat belt use RDU: Administration & Support
Component: Commissioner's Office
Sponsor: Burde
Requester: _____ Department No: 550

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include information unless otherwise noted below

OPERATING EXPENDITURES	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
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						
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CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1007 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 (FY2005) cost: 0.0
Mark this box (X) if funding for this bill is included in the Governor's FY 2006 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
DOT public information efforts will be conducted by Traffic Safety Office and will change only to emphasize primary use and enforcement, as well as continuing current message that seat belt use saves lives.

Prepared by: John Manly Phone: 465-3904
Division: Communications DOT&PF Date/Time: 2/11/05 1:10 PM
Approved by: Mike Barton Date: 2/11/2005
Agency: Commissioner, DOT&PF

- (2) "commercial motor vehicle" means a motor vehicle or a combination of a motor vehicle and one or more other vehicles
- (A) used to transport passengers or property;
 - (B) used upon a land highway or vehicular way; and
 - (C) that
 - (i) has a gross vehicle weight rating or gross combination weight rating greater than 26,000 pounds;
 - (ii) is designed to transport more than 15 passengers, including the driver; or
 - (iii) is used in the transportation of materials found by the United States Secretary of Transportation to be hazardous for purposes of 49 U.S.C. 5101 — 5127;
 - (D) except that the following vehicles meeting the criteria in (A) — (C) of this paragraph are not commercial vehicles:
 - (i) emergency or fire equipment that is necessary to the preservation of life or property;
 - (ii) farm vehicles that are controlled and operated by a farmer; used to transport agricultural products, farm machinery, or farm supplies to or from that farmer's farm; not used in the operations of a common or contract motor carrier; and used within 150 miles of the farmer's farm; and
 - (iii) recreational vehicles used exclusively for purposes other than commercial purposes;
- (3) "commercial purposes" means activities for which a person receives direct monetary compensation or activities for which a person receives no direct monetary compensation but that are incidental to and done in furtherance of the person's business;
- (4) "commissioner" means the commissioner of administration;
- (5) "custom collector vehicle" means a vehicle whose body and frame were manufactured before 1949 or a replica of a vehicle whose body and frame were manufactured before 1949 and that has been modified for safe road use; in this paragraph, "modified" includes a material alteration of the drive-train, suspension, brake system, or dimensions of the body;
- (6) "department" means the Department of Administration;
- (7) "driver" means a person who drives or is in actual physical control of a vehicle;
- (8) "driver's license" or "license," when used in relation to driver licensing, means a license, provisional license, or permit to drive a motor vehicle, or the privilege to drive or to obtain a license to drive a motor vehicle, under the laws of this state whether or not a person holds a valid license issued in this or another jurisdiction;
- (9) "electric personal motor vehicle" means an electric personal assistive mobility device that is a self-balancing vehicle with two non-tandem wheels, designed to transport only one person, has an electric propulsion system, and has a maximum speed of not more than 15 miles an hour;
- (10) "gross combination weight rating" means the value specified by the manufacturer as the loaded weight of a combination vehicle, except that if a value has not been specified by the manufacturer, the gross combination weight rating is determined by adding the gross vehicle weight rating of the power unit and the total weight of the towed unit and the load on the towed unit;
- (11) "gross vehicle weight rating" means the value specified by the manufacturer as the loaded weight of a single vehicle;
- (12) "highway" means the entire width between the boundary lines of every way that is publicly maintained when a part of it is open to the public for purposes of vehicular travel, including but not limited to every street and the Alaska state marine highway system but not vehicular ways or areas;
- (13) "highway work zone" means an area identified by advance signing where road construction, repair, or maintenance work is being done on or adjacent to a highway, whether or not work is actually being done at that time;
- (14) "motor vehicle" means a vehicle which is self-propelled except a vehicle moved by human or animal power;

- (15) "motorcycle" means designed to travel on not does not include a tractor
- (16) "motor-driven cyc similar conveyance with centimeters of displacem
- (17) "official traffic-con inconsistent with this titl or official having jurisdic
- (18) "owner" means a p a vehicle, including but i vehicle subject to a secur lease not intended as sec
- (19) "revoke" means tl Safety or the Departm certification, registration or regulations adopted u privilege may not be reis however, after that time, or privilege may be mad
- (20) "roadway" mean: vehicular travel, exclusiv berm, or shoulder is use and in the event that a h to each roadway separat
- (21) "serious physical
- (22) "suspend" means of Public Safety or the D certificate, registration, regulations adopted un specifically designated b
- (23) "traffic" means pe ances either singly or to open to public use for p
- (24) "underinsured m respect to ownership, op property damage insur amount of insurance or is less than the amount or property damage fro
- (25) "vehicle" means transported or drawn u "vehicle" does not includ
- (A) devices used excl
 - (B) mobile homes;
- (26) "vehicular way c private property, that is and that is open to the way or area may be res vehicles as determined jurisdiction over the wa
- (b) The commissione appropriate, shall adopt

- (15) "motorcycle" means a vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground; the term does not include a tractor;
- (16) "motor-driven cycle" means a motorcycle, motor scooter, motorized bicycle, or similar conveyance with a motor attached and having an engine with 50 or less cubic centimeters of displacement;
- (17) "official traffic-control device" means a sign, signal marking, or other device not consistent with this title, placed or erected by authority of a state or municipal agency or official having jurisdiction, for the purpose of traffic regulating, warning, and guiding;
- (18) "owner" means a person, other than a lienholder, having the property in or title to a vehicle, including but not limited to a person entitled to the use and possession of a vehicle subject to a security interest in another person, but exclusive of a lessee under a lease not intended as security;
- (19) "revoke" means the termination, by formal action of the Department of Public Safety or the Department of Administration or by formal action of a court, of a certification, registration, license, permit, or privilege issued or allowed under this title or regulations adopted under this title; the certification, registration, license, permit, or privilege may not be reissued, renewed, or restored during the time for which revoked; however, after that time, an application for a new certificate, registration, license, permit, or privilege may be made;
- (20) "roadway" means that portion of a highway designed or ordinarily used for vehicular travel, exclusive of the sidewalk, berm, or shoulder, even though the sidewalk, berm, or shoulder is used by persons riding bicycles or other human powered vehicles; and in the event that a highway includes two or more separate roadways, the term refers to each roadway separately but not to all such roadways collectively;
- (21) "serious physical injury" has the meaning given in AS 11.81.900(b);
- (22) "suspend" means the temporary withdrawal, by formal action of the Department of Public Safety or the Department of Administration or by formal action of a court, of a certificate, registration, license, permit, or privilege issued or allowed under this title or regulations adopted under this title, effective for a period of time which must be specifically designated by the appropriate department or by the court;
- (23) "traffic" means pedestrians, ridden or herded animals, vehicles, and other conveyances either singly or together while using a highway or vehicular way or area that is open to public use for purposes of travel;
- (24) "underinsured motor vehicle" means a motor vehicle licensed for highway use with respect to ownership, operation, maintenance, or use for which there is a bodily injury or property damage insurance policy or a bond applicable at the time of an accident and the amount of insurance or bond is less than the amount the covered person is legally entitled to recover for bodily injury or property damage from the owner or operator of the underinsured motor vehicle;
- (25) "vehicle" means a device in, upon, or by which a person or property may be transported or drawn upon or immediately over a highway or vehicular way or area; "vehicle" does not include
- (A) devices used exclusively upon stationary rails or tracks;
- (B) mobile homes;
- (26) "vehicular way or area" means a way, path, or area, other than a highway or private property, that is designated by official traffic control devices or customary usage and that is open to the public for purposes of pedestrian or vehicular travel, and which way or area may be restricted in use to pedestrians, bicycles, or other specific types of vehicles as determined by the Department of Public Safety or other agency having jurisdiction over the way, path, or area.
- (b) The commissioner of public safety or the commissioner of administration, as appropriate, shall adopt regulations to define other terms that are used in this title and

NOTES TO DECISIONS

Applied in *State v. Siverly*, 822 P.2d 1389 (Alaska Ct. App. 1991).

Sec. 28.05.095. Use of seat belts and child safety devices required. (a) Except as provided in (c) of this section a person

(1) 16 years of age or older may not occupy a motor vehicle while being driven unless restrained by a safety belt; and

(2) may not operate a motor vehicle unless restrained by a safety belt.

(b) Except as provided in (c) of this section, a driver may not transport a child under the age of 16 in a motor vehicle unless the driver has provided the required safety device and properly secured each child as described in this subsection. If the child is less than four years of age, the child shall be properly secured in a child safety device meeting the standards of the United States Department of Transportation for a child safety device for infants. If the child is four but not yet 16 years of age, the child shall be properly secured in a child safety device approved for a child of that age and size by the United States Department of Transportation or in a safety belt, whichever is appropriate for the particular child.

(c) Subsections (a) and (b) do not apply to

(1) passengers in a school bus, unless the school bus is required to be equipped with seat belts by the United States Department of Transportation, or an emergency vehicle;

(2) a vehicle operator acting in the course of employment delivering mail or newspapers from inside the vehicle to roadside mail or newspaper boxes;

(3) a person or class of persons exempted by regulation under AS 28.05.096; or

(4) a person required to be restrained by safety belts under (a) or (b) of this section if the motor vehicle is not equipped with safety belts.

(d) A person may not remove a safety belt from a vehicle solely to be exempted under (c)(4) of this section.

(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. (§ 1 ch 99 SLA 1984; am § 1 ch 98 SLA 1990; am § 6 ch 168 SLA 1990; am § 35 ch 35 SLA 2003)

Effect of amendments. — The first 1990 amendment, effective September 12, 1990, rewrote this section.

The second 1990 amendment, effective June 22, 1990, substituted "is four through six years" for "between four and six years" in the final sentence in subsection (a) (this amendment was superseded by the first 1990 amendment, above).

The 2003 amendment, effective June 3, 2003, inserted "the required safety device" in the first sentence in subsection (b).

Collateral references. — Liability of owner or

operator of motor vehicle or aircraft for injury or death allegedly resulting from failure to furnish or require use of seat belt, 49 ALR3d 295.

Nonuse of seat belt as failure to mitigate damages, 80 ALR3d 1033.

Automobile occupant's failure to use seat belt as contributory negligence, 92 ALR3d 9.

Nonuse of automobile seat belts as evidence of comparative negligence, 95 ALR3d 239.

Equipment and devices directly relating to passenger's standing or seating safety in land carriers, 35 ALR4th 1050.

~~**Sec. 28.05.096. Exemptions and alternative safety devices.** (a) The commissioner of public safety may adopt regulations to exempt a person or a class of persons from the requirements of AS 28.05.095 if the commissioner determines that the use of a safety belt or child safety device is impractical because of physical or medical conditions of the person or class of persons.~~

~~(b) The commissioner of public safety shall specify alternative means of protection for children exempted under this section. (§ 1 ch 99 SLA 1984; am § 2 ch 98 SLA 1990; am E.O. No. 99 § 34 (1997))~~

(2) "commercial motor vehicle" means a motor vehicle or a combination of a motor vehicle and one or more other vehicles

(A) used to transport passengers or property;

(B) used upon a land highway or vehicular way; and

(C) that

(i) has a gross vehicle weight rating or gross combination weight rating greater than 26,000 pounds;

(ii) is designed to transport more than 15 passengers, including the driver; or

(iii) is used in the transportation of materials found by the United States Secretariat of Transportation to be hazardous for purposes of 49 U.S.C. 5101 — 5127;

(D) except that the following vehicles meeting the criteria in (A) — (C) of this paragraph are not commercial vehicles:

(i) emergency or fire equipment that is necessary to the preservation of life or property;

(ii) farm vehicles that are controlled and operated by a farmer; used to transport agricultural products, farm machinery, or farm supplies to or from that farmer's farm; used in the operations of a common or contract motor carrier; and used within 150 feet of the farmer's farm; and

(iii) recreational vehicles used exclusively for purposes other than commercial purposes;

(3) "commercial purposes" means activities for which a person receives direct monetary compensation or activities for which a person receives no direct monetary compensation but that are incidental to and done in furtherance of the person's business;

(4) "commissioner" means the commissioner of administration;

(5) "custom collector vehicle" means a vehicle whose body and frame were manufactured before 1949 or a replica of a vehicle whose body and frame were manufactured before 1949 and that has been modified for safe road use; in this paragraph, "modified" includes a material alteration of the drive-train, suspension, brake system, or dimensions of the body;

(6) "department" means the Department of Administration;

(7) "driver" means a person who drives or is in actual physical control of a vehicle;

(8) "driver's license" or "license," when used in relation to driver licensing, means a license, provisional license, or permit to drive a motor vehicle, or the privilege to drive a motor vehicle, to obtain a license to drive a motor vehicle, under the laws of this state whether or not the person holds a valid license issued in this or another jurisdiction;

(9) "electric personal motor vehicle" means an electric personal assistive mobility device that is a self-balancing vehicle with two nontandem wheels, designed to transport only one person, has an electric propulsion system, and has a maximum speed of not more than 15 miles an hour;

(10) "gross combination weight rating" means the value specified by the manufacturer as the loaded weight of a combination vehicle, except that if a value has not been specified by the manufacturer, the gross combination weight rating is determined by adding the gross vehicle weight rating of the power unit and the total weight of the towed unit and the load on the towed unit;

(11) "gross vehicle weight rating" means the value specified by the manufacturer as the loaded weight of a single vehicle;

(12) "highway" means the entire width between the boundary lines of every way that is publicly maintained when a part of it is open to the public for purposes of vehicular travel, including but not limited to every street and the Alaska state marine highway system but not vehicular ways or areas;

(13) "highway work zone" means an area identified by advance signing where road construction, repair, or maintenance work is being done on or adjacent to a highway, whether or not work is actually being done at that time;

(14) "motor vehicle" means a vehicle which is self-propelled except a vehicle moved by human or animal power;

(15) "motorcycle" means a vehicle designed to travel on not more than two wheels and does not include a tractor;

(16) "motor-driven cycle" means a similar conveyance with a displacement of not more than 350 centimeters of displacement;

(17) "official traffic-control device" means a device inconsistent with this title, or official having jurisdiction over the way;

(18) "owner" means a person who owns a vehicle, including but not limited to a vehicle subject to a security lease not intended as security;

(19) "revoke" means the Department of Public Safety or the Department of Transportation certification, registration, license, or regulations adopted under this title and privilege may not be reissued, however, after that time, a license or privilege may be made;

(20) "roadway" means a way for vehicular travel, exclusive of a median, berm, or shoulder is used and in the event that a highway is used to each roadway separately;

(21) "serious physical injury" means a physical injury;

(22) "suspend" means the Department of Public Safety or the Department of Transportation certificate, registration, license, or regulations adopted under this title specifically designated by the commissioner;

(23) "traffic" means pedestrians, bicycles, or other conveyances either singly or together, whether or not open to public use for purposes of this title;

(24) "underinsured motor vehicle" means a vehicle with respect to ownership, operation, or use, the amount of insurance or bond is less than the amount that is required for property damage from this title;

(25) "vehicle" means a conveyance transported or drawn upon a way, but "vehicle" does not include

(A) devices used exclusively for off-highway purposes;

(B) mobile homes;

(26) "vehicular way or area" means a way or area, whether or not private property, that is dedicated to the use of vehicles and that is open to the public, whether or not the way or area may be restricted to the use of vehicles as determined by the commissioner under his jurisdiction over the way;

(b) The commissioner of Administration, upon the advice of the Department of Public Safety, shall adopt rules

PUBLIC SAFETY

No injuries



STAR PHOTO BY GREG DART

Chugiak resident Tim McCrory, 40, talks to an Anchorage police officer after he was involved in a single-vehicle rollover on the northbound Glenn Highway between the south Birchwood and north Birchwood exits. McCrory said he swerved to avoid a vehicle changing lanes, lost control of his Subaru Brat and exited the road on the right, rolling the vehicle once. McCrory, who was wearing a seatbelt, said he walked away from the accident with only a few bruises.

Overtaken semi, diesel spill shuts down Glenn

Alaska Star staff

Leaking diesel fuel from an overturned semi truck prompted the closure of the Glenn Highway Sunday night.

State officials say less than 300 gallons spilled.

Anchorage police spokesman Ron McGee said a pick-up truck southbound on the Glenn Highway near Thunderbird Falls lost control on icy roads, crossed the center median and collided with a semi truck headed northbound at about 10 p.m.

The truck and its two trailers tipped over and rested on their side, blocking lanes of traffic in both directions, said Chugiak Volunteer Fire Department spokesman Jeff Hartley.

John Brown, environmental specialist with the Alaska Department of Environmental Conservation, said both saddle tanks of the truck were leaking diesel fuel at a rate of about a gallon a minute. The two tanks' combined capacity is 300 gallons, but Brown said less than that was likely spilled.

Brown said when the snow melts the DEC will coordinate with the trucking company and the Department of Transportation to ensure the spill is cleaned up. Brown said there was not a risk for ground contamination.

Traffic flow both northbound and southbound was limited to one lane and at times diverted until 8:19 a.m. when the semi truck was taken from accident site, said McGee.

Both drivers suffered non-life threatening injuries and were transported via ambulance to hospitals. Hartley said.

Reach the reporter at greg.dart@alaskastar.com.

Briefs

Compiled by GREG DART

Snow blamed for accidents

had made entry through a window, ransacked the

**The Need for a
Primary
Seatbelt Law**



In 2002:

- **89** people died in car crashes in Alaska
- **19** of them would have survived if they had been wearing their seatbelt.*

*Based on national averages.





In 2003:

- **97** people died in car crashes in Alaska.
- **20** of them would have survived if they had been wearing their seatbelt.*

*Based on national averages.



In 2004:

- **93** people died in car crashes in Alaska.
- **19** of them would have survived if they had been wearing their seatbelt.*

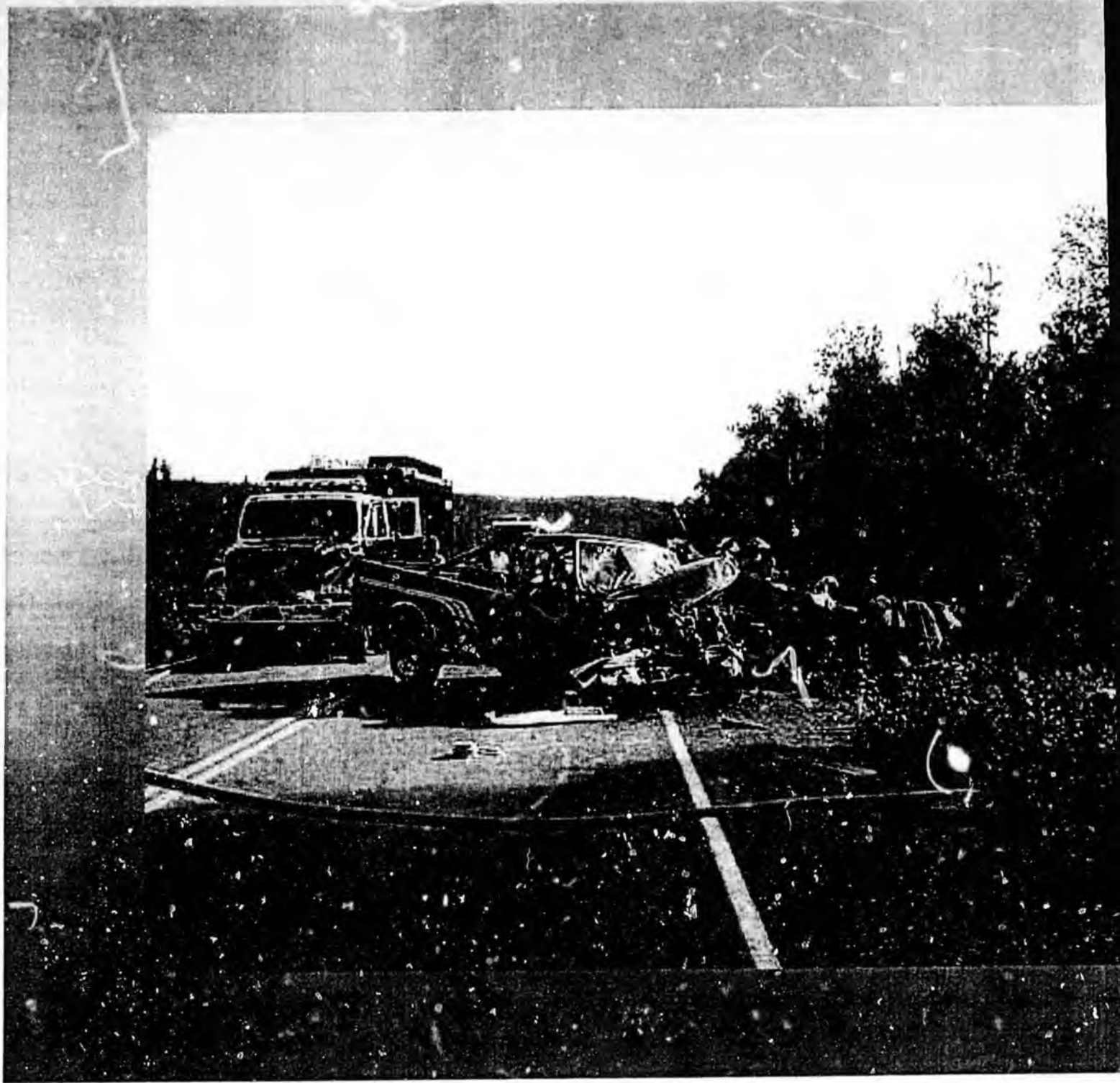
*Based on national averages.

If a primary seatbelt law had been passed in 2002...

17

people who died in car crashes since then would still be alive today.*

*Based on national averages.



If Alaska's seatbelt law had been passed as a primary law when first introduced in 1991...

78

Alaskans would not have died in car crashes.* Why?

*Based on national averages.

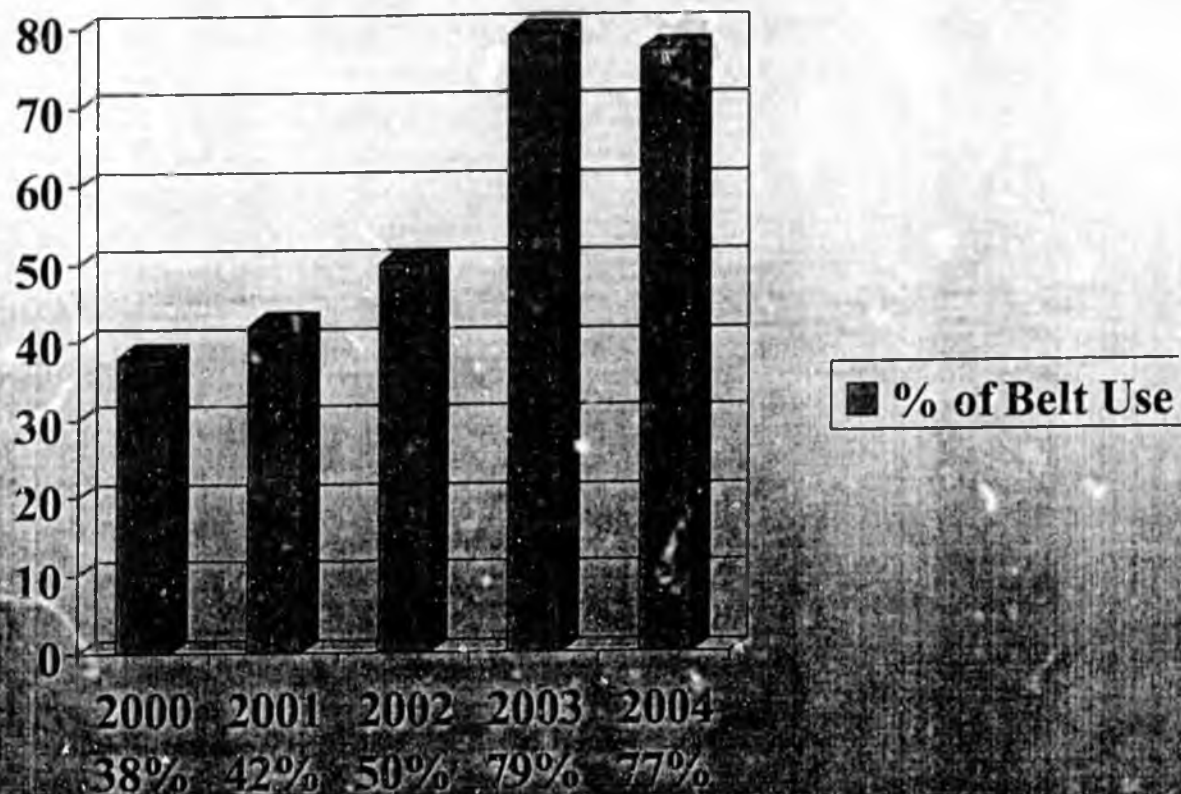
Because...

A primary seatbelt law (where a driver can be pulled over if observed NOT wearing a seatbelt) has been shown to automatically increase seatbelt use by **11 percent!**

Increased seatbelt use = lives saved!

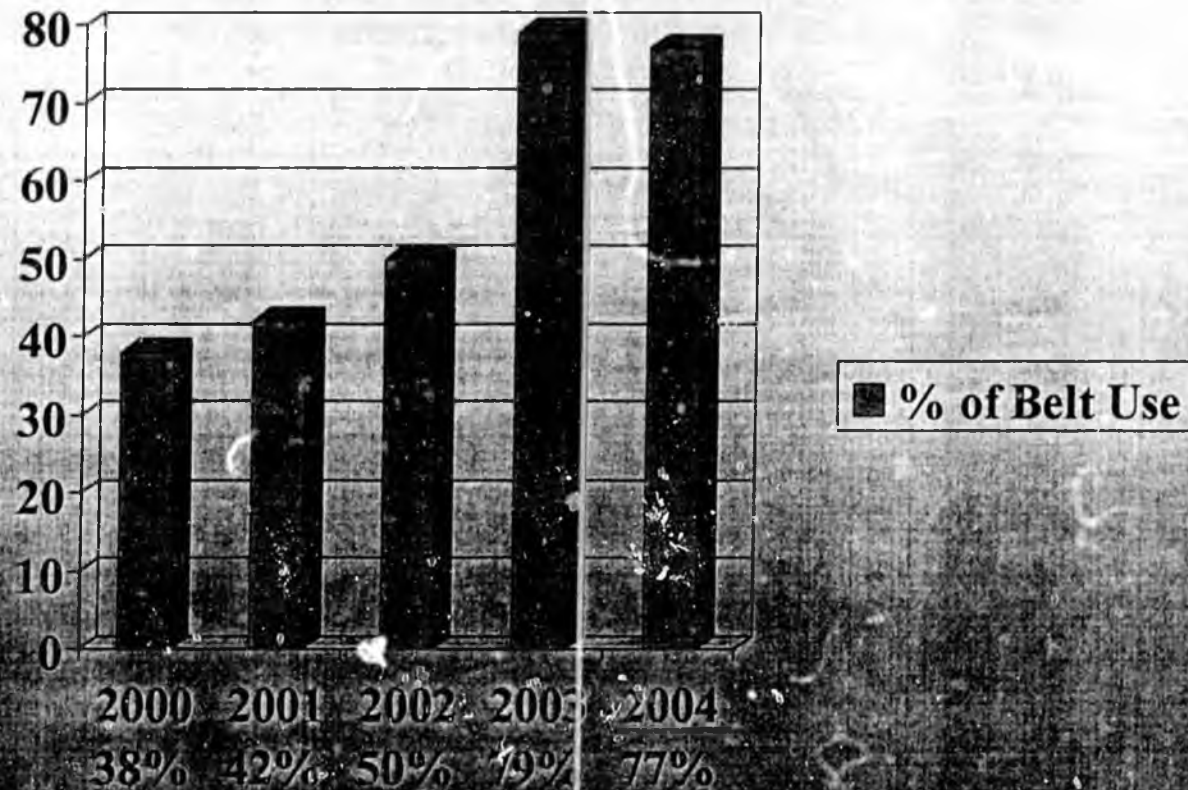
- Both nationally and in Alaska, seatbelt use during 2003 was at 79%, the highest percentage ever!
- In 2004 Alaska's seatbelt use dropped back to 77% while the national average increased to 80%.
- That still leaves 23% of the drivers in Alaska that don't Buckle Up!

High visibility enforcement combined with intense advertising has proven to be an effective way to increase seatbelt use.



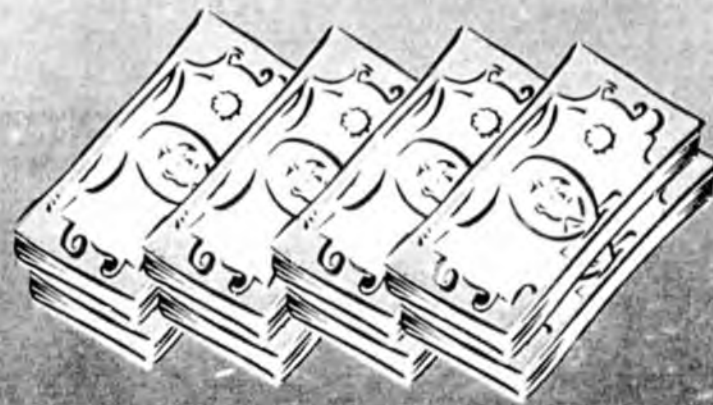
Campaign started in 2002

But we've hit a "glass ceiling" on seatbelt use. A primary seatbelt law would increase use to nearly 90%.*



Primary seatbelt laws do more than save
lives....

THEY SAVE TAXPAYER MONEY!



- More than 39,000 people per year in Alaska are involved in car crashes.
- Medical costs are over \$14.5 million per year.
- **50%** of the medical costs for people unrestrained at the time of the crash was paid by public funds.

(Sept. 2003 Alaska Injury Prevention Center)

- From 1996 – 1999 the State of Alaska paid **\$6.5 million** on hospital costs for the unrestrained...more than twice the amount spent on those using seatbelts.

- The average cost of hospitalization when a seatbelt was used was \$12,266.

- The average cost of hospitalization when **no** seatbelt was used was **\$35,994**.
That's nearly 3 times the cost!

•Add to medical costs the public funds spent on

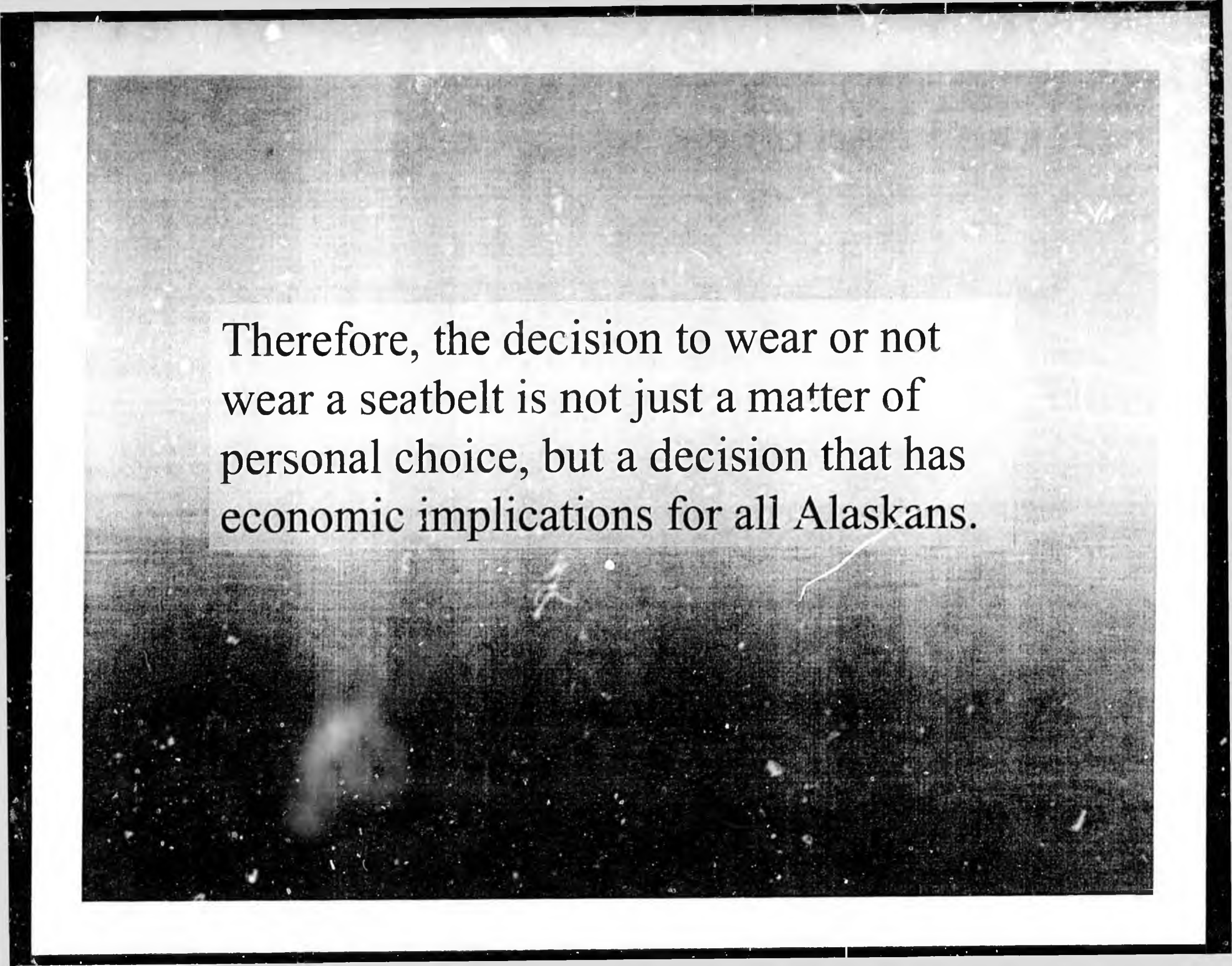
- Law enforcement personnel

- Emergency Medical Personnel

 - Fire, ambulance, helicopters

- Hospital Emergency Personnel

and a substantial amount of public funds could be saved if more people Buckled Up!



Therefore, the decision to wear or not wear a seatbelt is not just a matter of personal choice, but a decision that has economic implications for all Alaskans.

SEATBELTS REDUCE THE RISK OF INJURY.

SEATBELTS REDUCE THE RISK OF DEATH.

SEATBELTS KEEP YOU FROM BEING EJECTED.

SEATBELTS HELP YOU MAINTAIN CONTROL.

A primary seatbelt law,

ALREADY EXISTS IN 21 STATES AND DC.

WOULD SAVE TAXPAYERS \$12 MILLION A YEAR.

WOULD PREVENT 71 MAJOR INJURIES A YEAR.

WOULD SAVE 6 LIVES A YEAR.

(BELTUSE software program, NHSTA)



**National
Transportation
Safety Board**

Safety Information

Washington, D.C. 20594

TESTIMONY OF

KEVIN E. QUINLAN

CHIEF, SAFETY ADVOCACY DIVISION

NATIONAL TRANSPORTATION SAFETY BOARD

BEFORE THE STATE AFFAIRS COMMITTEE

ALASKA HOUSE OF REPRESENTATIVES

ON

SENATE BILL 87

PRIMARY SEAT BELT ENFORCEMENT

JUNEAU, ALASKA

MARCH 19, 2005

Good afternoon Chairman Seaton and members of the State Affairs Committee. I regret that I cannot be with you in Juneau today.

The Safety Board wants to commend you for considering this measure that will so easily save so many lives by better protecting 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 passenger 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 80 percent. Although 49 States require motor vehicle occupants to use seat belts, 28 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 primary enforcement seat belt laws. First, seat belts are effective in reducing motor vehicle injuries and fatalities. Second, the remaining 20 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, while 29 percent of unrestrained vehicle occupants are ejected. In 2003, 74 percent of passenger vehicle occupants who were totally ejected from a vehicle were killed. Finally, seat belts can protect other occupants in the vehicle. Two separate studies have determined that restrained occupants, particularly when seated in the front, face a risk of injury or death from unrestrained occupants, particularly when unrestrained occupants are seated in the back.

From 1975 through 2003, seat belts saved almost 180,000 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. Unfortunately, some motor vehicle occupants fail to understand the benefits of seat belts.

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 an 80 percent (daytime) seat belt use rate, use in fatal crashes is significantly lower. From 1994 through 2003, 887,261 vehicle

occupants were involved in fatal crashes. Of those 887,261 occupants, 337,537 died. Approximately 59 percent of the vehicle occupants who died were unrestrained. In Alaska, 670 vehicle occupants died, and over 62 percent were unrestrained.

Alcohol-related crashes cause approximately 40 percent of motor vehicle fatalities and are responsible for 22 percent of the total economic cost of motor vehicle crashes. Impaired drivers are notorious for not using seat belts. In fact, seat belt use among fatally injured drivers in alcohol-related crashes is the lowest of any group, including young novice drivers. Use rates as low as 17 percent have been reported. 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. Primary enforcement can even affect alcohol-related crashes. California and Michigan achieved a significant reduction in alcohol-related fatalities with adoption of a primary safety belt law. A roadside survey in Southern California indicated a greater increase in belt use among drinking drivers than in the general population when their primary belt law was adopted.

Teenagers are generally considered high-risk drivers because of their inexperience and immaturity. Teen drivers and their teen passengers have one of 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. Primary belt laws are associated with substantially increased use among teens. 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 2003, more than 6,000 lives could have been saved if everyone had used a seat belt. Society would have saved almost \$6 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.

The emotional and financial costs to Alaska are just as staggering. In 2003, more than 37 people died while riding unrestrained in motor vehicles on Alaska roads and for an additional 13 people restraint use is not known. 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 17 of the unrestrained occupants would have survived crashes in 2003, saving almost \$17 million if they had buckled up. This estimate does not include the reduced costs from reducing the severity and frequency of injury crashes. Our review of the Alaska Injury Prevention Center report "Alaska Seat Belt Cost Analysis" indicates that they have provided a conservative estimate of these costs.

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 2004), seat belt use in primary enforcement law States was 84 percent, while the belt use rate in secondary enforcement law States was only 73 percent. States that recently enacted primary enforcement seat belt laws experienced increased seat belt use rates ranging from almost 5 percent to almost 18 percentage points. The increases were greater for minorities, males, youth, and those driving pickup trucks. The increased use is based on the perceived risk of being stopped.

Another important benefit of increased safety belt use is the increased use of child safety seats by parents. Research has shown that parents who use their

seatbelts are significantly more likely to put their children in child safety or booster seats appropriate to the child's age and weight. Conversely, the same research indicated that parents who do not routinely use seat belts are less likely to use appropriate vehicle restraints for their children.

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.

Senate Bill 87 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 allowing the Safety Board to testify about this important problem. I would be happy to answer any questions you may have.

###

Committee Meetings



(H)FINANCE
Mar 19 Saturday 9:00 AM

STANDING COMMITTEE *
HOUSE FINANCE 519

=+ HB 66
=+ HB 67

APPROP: MENTAL HEALTH BUDGET
APPROP: OPERATING BUDGET/LOANS/FUNDS/CBR

TELECONFERENCED
TELECONFERENCED

Bills Previously Heard/Scheduled
Public Testimony:
9:00 am - 10:00 am Kenai, Valdez,
Ketchikan, Kodiak, Seward
10:00 am - 11:00 am Sitka, Wrangell,
Petersburg, Homer, Dillingham
11:00 am - 12 pm Matsu, Delta Junction,
Tok, Glennallen, Cordova
12:00 pm - 1:00 pm Bethel, Kotzebue,
Barrow, Nome, Offnets
1:00 pm - 2:00 pm Break
2:00 pm By Invitation Only

(H)STATE AFFAIRS
Mar 19 Saturday 9:00 AM

STANDING COMMITTEE *
CAPITOL 106

= HE 114

<Subcommittee Meeting>
TERM. PARENTAL RTS/CINA/DELINQUENCY CASES

(H)STATE AFFAIRS
Mar 19 Saturday 9:30 AM

STANDING COMMITTEE *
CAPITOL 106

=+ HB 114

TERM. PARENTAL RTS/CINA/DELINQUENCY CASES
<Rescheduled from 3/15/05>

TELECONFERENCED

*+ HB 152

STATE INFO SYSTEM PLAN: LEGISLATURE
<Rescheduled from 3/15/05>

TELECONFERENCED

+ SB 87

SEAT BELT VIOLATION AS PRIMARY OFFENSE

TELECONFERENCED

*+ HB 186

PERMANENT FUND: QUARTERLY PAYMENTS
<Rescheduled from 3/17/05>

TELECONFERENCED

* HB 23

CONSTRUCTION OF LEGISLATIVE HALL
<Bill Hearing Postponed>
Bills Previously Heard/Scheduled

Bill Root: Display Bill Root

To Report Problems with Basis Inquiry

Live KTOO Streams

2005 ALASKA HIGHWAY FATALITIES

6 YEAR STATISTICS as of 3/18/05

	38% 59% / 63	42% 62% / 55	50% 61% / 54	79% 52% / 52	77% 54% / 53	Overall Seat Belt Use % of deaths not using SB/Deaths
Month	2000	2001	2002	2003	2004	2005
Total Injury Crashes	4,245	4,570	4,249			
January	12	11	9	9	8	2
February	7	6	2	5	3	3
March	3	12	6	8	3	2
April	6	4	3	5	7	
May	7	3	6	6	9	
June	13	11	7	8	12	
July	14	11	8	14	10	
August	10	7	6	12	12	
September	8	6	6	8	14	
October	8	5	11	8	5	
November	5	6	14	9	6	
December	13	7	11	8	10	
TOTAL	106	89	89	100	99	7
% alcohol	53%	53%	41%	13%	% not calculated yet	

* The reported numbers do change from month to month due to late accident reports.

Seat Belts Save Lives.....

Since 1964 – 3,794 Alaskans Have Lost Their Lives in Highway Accidents

Alaska Highway Safety Office – 3132 Channel Drive #145 – Juneau, Alaska 99801
 Phone 907-465-4374 Fax 907-465-4030 Email Don_Smith@dot.state.ak.us
 Don Smith - Administrator

ALASKA HIGHWAY STATISTICS

AS OF 3/18/2005

Year	Population	Drivers Lic	Reg. V. A.	Million Miles Traveled	Accidents	Injuries	Fatalities	Fatality Rate	% Alcohol	Total Belt Use
1964	255,607	113,400	93,525	7.50	—	—	42	5.60	—	—
1965	262,253	119,021	101,249	8.17	—	—	51	6.20	—	—
1966	271,505	116,981	107,600	8.55	—	—	68	8.00	—	—
1967	277,806	124,266	112,055	9.13	—	—	46	5.00	—	—
1968	284,880	128,080	119,327	10.28	—	—	78	7.60	—	—
1969	294,560	135,169	134,914	11.52	—	—	72	6.30	—	—
1970	302,173	148,957	143,100	13.87	—	—	101	7.30	—	—
1971	313,000	165,118	153,500	14.70	—	—	60	4.10	—	—
1972	324,000	153,631	153,500	15.28	—	—	59	3.90	—	—
1973	330,365	185,704	162,000	16.28	—	2,752	74	4.60	—	—
1974	351,159	192,906	220,866	20.95	—	3,108	85	4.10	—	—
1975	404,634	222,471	235,749	25.60	—	3,918	119	4.60	—	—
1976	413,289	216,079	259,615	30.67	18,154	5,765	124	4.10	60.4%	—
1977	411,211	194,926	283,793	30.34	15,086	5,085	136	4.50	49.2%	—
1978	411,600	283,733	276,918	27.50	12,971	4,695	127	4.68	46.5%	—
1979	413,700	299,818	262,549	26.40	13,519	4,580	91	3.61	75.8%	—
1980	419,800	272,427	257,491	28.10	13,162	4,992	88	3.23	72.7%	—
1981	433,800	293,733	299,700	29.11	14,100	5,783	100	3.76	76.0%	—
1982	463,400	316,797	359,792	34.67	16,743	6,047	107	3.21	50.5%	—
1983	497,600	349,203	418,241	33.58	18,120	6,705	150	3.67	42.7%	—
1984	522,000	394,930	455,388	38.50	19,365	6,852	137	3.69	51.1%	—
1985	541,300	385,401	464,184	40.10	17,700	6,038	127	3.69	54.3%	22.7%
1986	547,600	385,186	470,735	40.08	14,858	5,424	101	3.07	49.5%	30.3%
1987	537,800	376,873	455,440	39.00	13,290	4,984	78	2.55	57.9%	35.1%
1988	531,000	372,419	452,327	38.41	13,300	5,215	97	2.33	49.5%	37.9%
1989	534,400	364,989	465,035	38.87	14,364	5,550	84	2.21	54.8%	39.2%
1990	553,600	365,000	486,443	39.11	16,290	5,859	98	2.40	49.0%	46.4%
1991	570,300	391,672	494,477	40.21	15,890	5,669	101	2.39	49.5%	54.1%
1992	586,900	393,821	512,661	38.31	15,601	5,561	108	2.61	58.5%	52.8%
1993	599,200	393,931	523,158	39.19	14,509	5,706	118	2.78	41.5%	53.0%
1994	600,622	436,000	545,000	41.48	15,395	—	85	2.05	—	—
1995	601,581	435,000	630,000	44.03	15,244	6,059	87	2.10	54.0%	52.0%
1996	605,212	430,000	629,000	42.20	14,962	5,851	61	1.87	53.1%	56.0%
1997	609,655	464,000	652,000	41.20	13,804	6,257	77	1.86	53.2%	59.6%
1998	617,082	474,000	676,000	45.15	13,499	6,163	70	1.58	44.3%	61.0%
1999	622,000	478,000	712,000	45.46	14,691	6,081	79	1.69	50.6%	60.6%
2000	627,571	477,787	737,377	—	14,127	6,120	106	2.20	52.8%	61.3%
2001	632,643	483,385	747,822	—	—	6,543	89	1.80	52.8%	62.6%
2002	641,482	490,586	775,223	—	—	—	89	1.82	40.2%	65.8%
2003	648,818	497,842	801,339	—	—	—	100	—	33.0%	78.9%
2004	—	500,153	—	—	—	—	99	—	31.0%	77.0%
2005	—	—	—	—	—	—	7	—	—	—

3,794

Deaths on Alaska's Highways - 2004

Name	Date of Birth	Area of Accident	Road
Aaron	6/24/1980	Barrow	Eben Hopson St
Alpine	1/20/1968	Tonsina	Mi 79 Glenn Hwy
Andrew	5/4/1928	Glennallen	MP 165 Glenn Hwy
Angela	11/15/1968	Juneau	Douglas Highway
Anna Rose	8/14/1982	Houston	Mi 55.5 Parks Hwy
Arlin	9/4/1989	Healy	Mi.2 Tope Rd
Betty	4/30/1939	Wasilla	Palmer-Wasilla Hwy
Beverly	12/30/1964	Denali	Mi 298 Parks Hwy
Bobby	10/19/1993	Kenai	Willow St
Brant	10/24/1985	Juneau	Mile 32 Egan Drive
Bruce	10/28/1961	Anchor Point	Sterling Hwy
Charles	4/16/1943	Juneau	Glacier Hwy/Arika St
Charles	8/22/1975	Fairbanks	MP 344.7 Richardson Hwy
Charlie	9/7/1952	Wasilla	Lucille Street/Forest Ave
Chester	5/12/1964	Soldotna	Milepost 76.7 Sterling Highway
Christian	9/10/1971	Wasilla	2.5 mile Pittman Road
Christopher	1/1/1967	Anchorage	Brayton
Christopher	9/21/1980	Anchorage	Old Seward Rd
Clarence	6/19/1958	Anchorage	O'Malley Road
Clyde	?	Cooper Landing	Milepost 15.5 Seward Highway
Dana	8/10/1957	Ketchikan	North Tongass Hwy
David	8/21/1979	Wasilla	1/2 Mi Pittman Rd
David	7/8/1965	Soldotna	Echo Lake Road
David	7/21/1984	Kenai Pen	MP 90 Sterling Hwy
Desiree	5/30/1986	Anchorage	5th Avenue-Sitka Street
Douglas	4/17/1956	Fairbanks	23.6 Mi Dalton Hwy
Dustin	11/19/1983	Cooper Landing	Mi 47.5 Sterling Hwy
Edward	8/15/1929	Cantwell	Mi 206.6 Parks Hwy
Floyd	6/15/1931	Fairbanks	Old Rich Highway
Gail	3/2/1957	Anchorage	O'Malley Road
Gary	11/5/1950	Wasilla	Mi 0.2 Pittman Rd
George	10/23/1941	Anchorage	Raspberry Road
Glynn	2/14/1921	Nikiski	19.5 Kenai Spur Highway
Hannah	8/18/1950	Cantwell	Mi 206.6 Parks Hwy
Ignacio	7/31/1938	Anchorage	Tudor Rd
Jame	1/30/1946	Anchorage	Lake Otis
James	6/18/1970	Fairbanks	Mile 18 Chena Hot Springs

James	12/3/1958	Fairbanks	Peger Road
James	4/12/1944	Wasilla	Mi 11.8 Knik Goose Bay Rd
Jeffrey	?	Klawock	
Jesse	3/2/1988	Girdwood	Mi 96 Seward Hwy
John	4/3/1973	Matsu	Mi 105 Parks Hwy
John	4/4/1941	Petersburg	Mitkof Hwy
John	11/20/1952	Palmer	96.5 Glenn Highway
John	12/24/1952	Fairbanks	Mi 32 Dalton Highway
Joseph	11/17/1950	Anchorage	Old Seward
Joseph	10/23/1968	Kenai Pen	Seward Highway
Joseph	10/16/1980	Delta Junction	Mile 307.5 Rich Highway
Joshua	1/2/1981	Delta Junction	Mile 311 Richardson
Justin	5/11/1969	Anchorage	A Street
Karl	7/7/1980	Anchorage	Glenn Hwy
Kenneth	7/4/1958	Copper Center	MP 109.2 Rich Highway
Kenneth	7/14/1967	Delta Junc	Mp 239.5 Rich Hwy
Kerry	6/14/1955	Wasilla	Parks Hwy
Keven	3/10/1978	Kenai Pen	Mi 15 Seward Hwy
Kevin	11/24/1972	Fairbanks	Sheep Creek Rd
Korrine	?	Yakutat	Lost River Road
Kristine	9/26/1984	Eagle River	Eagle River Loop
Laurie	7/11/1986	Point Hope	Airport Road
Lynn	11/8/1946	Haines	Lutak Rd
Lyubov	?	Delta Junction	Mile 300 Richardson Highway
Marchita	12/13/1958	Anchorage	MP 109.8 Seward Hwy
Margaret	7/20/1963	Sutton	Mi 60.6 Glenn Hwy
Mark	3/13/1974	Anchorage	Tudor Rd
Mark	5/24/1972	Homer	M 160 Sterling Hwy
Mary Louise	3/8/1929	Kenai Pen	Kenai Spur Road
Mathew	3/14/1982	Anchorage	Raspberry Road
Matthew	4/15/1979	Anchorage	Glenn Highway
Matthew	12/18/1988	Palmer	West Arctic Ave
Maurice	6/20/1986	Anchorage	Minnesota Dr
Michael	3/8/1960	Girdwood	Mi 96.5 Seward Hwy
Norman	7/25/1926	Glennallen	Milepost 134.5 Glenn Highway
Patrick	3/29/1980	Chignik Lagoon	
Paul	9/18/1965	Nikiski	Mi 28 Spur Hwy
Phillip	8/18/1959	Houston	Big Lake Road/Kenlar
Ralph	3/5/1954	Yakutat	Lost River Road
Rance	2/5/1954	Anchorage	Upper O'Malley
Randolph	9/23/1978	Palmer	Mi 12.3 Glenn Hwy
Rodney	9/13/1977	Anchorage	Glenn Highway/Muldoon

Ronald	1/2/1958	Palmer	Mile 33 Glenn Highway
Sabrina	9/12/2002	Anchorage	Foothill Dr
Scott	5/22/1982	Anchorage	36th Avenue
Sean	8/1/1984	Houston	Mi 61.8 Parks Hwy
Shaeleen	11/19/1990	Sitka	Sawmill Creek Rd
Shane	5/7/1949	Anchorage	Minnesota
Shannon	5/17/1967	Delta Junction	Mile 307.5 Rich Highway
Sheldon	6/16/1959	Kenai Pen	Mile 3 Coho Loop
Stephen	10/15/1947	Fairbanks	Airport Way Rewak Dr
Steven	2/8/1959	Wasilla	Knik Goose Bay Rd
Tidal	6/3/2001	Eagle River	Eagle River Road #25000 blk
Tina	7/16/1975	Kenai Pen	MP 90 Sterling Hwy
Tokim	11/13/1953	Fairbanks	Farmers Loop Road
Trey	4/24/1994	Tok	Mi 116 Tok Cutoff
Ulysses	11/18/1985	Anchorage	Minnesota Dr
Vaun	5/3/1952	Anchorage	Glenn Hwy near Eagle Rv Exit
Vince	2/18/1957	Anchorage	Glenn Highway/Bragaw
William	6/2/1962	Denali	Mi 277.3 Parks Hwy
William	9/4/1988	Wasilla	Bogard Road
Zoe	6/12/1955	Soldotna	Mi 132.5 Sterling Hwy

Alaska Seat Belt Cost Analysis

EXECUTIVE SUMMARY

OBJECTIVES

An average of more than 39,000 Alaskans are involved in motor vehicle crashes every year. It is an expensive and painful problem with no single cause. For the citizens of Alaska, the medical costs alone are estimated to be over \$14.5 million per year, while property damage and long-term disabilities add millions more to this figure. Alaskans pay a significant portion of these costs through publicly funded programs.

It is well documented that wearing a seat belt significantly reduces the severity of injury and decreases the risk of death in a motor vehicle crash. The *Alaska Seat Belt Cost Analysis* attempted to quantify the medical costs associated with restrained and unrestrained occupants involved in motor vehicle crashes and the sources of payment for these hospitalizations.

RESULTS

With data supplied by the Alaska Department of Transportation and Public Facilities and the Alaska Trauma Registry (ATR), a thorough analysis of the health care costs to treat restrained and unrestrained vehicle occupants was undertaken. The data covered the years 1996 through 1999.

The study revealed that the decision not to wear a seat belt has economic consequences for everyone:

- ✓ During the time period analyzed, medical costs for those who were not wearing a seat belt at the time of the crash totaled \$13 million. Of this amount, 50% was paid with public funds.
- ✓ Victims of crashes in Alaska spent a cumulative average of 2,672 days in the hospital each year. The majority of these individuals - 58% - were unrestrained at the time of the crash.
- ✓ Medicaid costs to treat 83 crash victims under the age of 20 totaled \$1.6 million.
- ✓ Post-hospitalization care for victims of motor vehicle crashes is also expensive. Nineteen crash survivors were placed in "skilled nursing facilities" at a cost of \$1 million, of which 77% was paid by public sources. Of those 19 individuals, 13 were not wearing a seat belt at the time of their crash.

More than \$2.6 million in public funds is spent each year to care for unbuckled victims of motor vehicle crashes, and these are just the documented economic costs. Death and long-term disabilities involving the brain or spinal cord take their own toll on individuals and families and are very difficult to quantify.

CONCLUSIONS AND RECOMMENDATIONS

The *Alaska Seat Belt Cost Analysis* makes a compelling economic case for the use of seat belts. The most recent observational survey of seat belt use conducted in July 2003 showed that Alaskans are buckling up at a rate of 78.9%. While higher than previous years, there is a substantial segment of the population who is still not wearing a seat belt. Introduction and implementation of programs and public policies to encourage seat belt use will result in fewer injuries and deaths, ultimately reducing the financial burden on the taxpayers of Alaska.

Alaska Seat Belt Cost Analysis

**Alaska Injury
Prevention Center**



Ron Perkins, MPH

**Anchorage, Alaska
September 2003**

This research was made possible with funding from the Automotive Coalition for Traffic Safety, Inc.

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Introduction

Motor vehicle crashes are the leading cause of death for Americans between the ages of 2 to 33 years.¹ Every 13 minutes, someone in America dies in a traffic crash, and every 10 seconds, someone is injured.² Each year in the U.S., traffic crashes claim about 42,000 lives and result in approximately three million injuries. These crashes cost every person in the U.S. an average of \$820 each.³ The financial costs are minor compared with the pain and suffering of the victims or the loss of a loved one.

According to the National Highway Traffic Safety Administration (NHTSA), in the year 2002, 42,815 people were killed in motor vehicle-related crashes and 2.92 million were injured. The total cost was \$230.6 billion.⁴ NHTSA also reported that failure to wear seat belts led to approximately 9,200 deaths and 143,000 injuries, costing the U.S. economy \$26 billion.

In 1999, Alaska had the highest unintentional injury death rate of all the 50 states. Of these deaths, motor vehicle-related fatalities were over twice as high as the next leading cause.⁵ 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 used properly, reduced infant fatalities in passenger cars by 71%.⁶

A 1995 NHTSA study, *Safety Belt Use Laws: An Evaluation of Primary Enforcement and Other Provisions*, showed that states with primary enforcement laws have significantly higher safety belt usage than states with secondary laws. Belt use was about 15% higher in the states with primary enforcement laws. Primary enforcement allows a police officer to stop a vehicle when occupants are unrestrained, while secondary enforcement allows for citing the unbelted motorist only if another infraction resulted in the stop.

Given the documented effectiveness of seat belts in reducing fatalities, the severity of injuries in traffic crashes and, therefore, medical costs associated with those injuries, the Alaska Injury Prevention Center decided to investigate the economic implications of unrestrained vehicle occupants involved in crashes.

This report attempts to quantify the hospital costs associated with seat belt use and non-use in Alaska, as well as to determine what portions of those costs are borne by taxpayers. The research was conducted by the Alaska Injury Prevention Center with funding support from the Automotive Coalition for Traffic Safety, Inc.

Methods

The *Alaska Seat Belt Cost Analysis* project used data from the Department of Transportation and Public Facilities (DOT&PF) from 1990-2001, to compare seat belt usage patterns for all Alaskan motor vehicle occupants. The DOT&PF data are taken from police reports that document seat belt use, property damage, fatalities, time of day, weather conditions, passenger seat belt use, contributing factors, etc.

The Alaska Trauma Registry (ATR) was used extensively for this study because it 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, injury severity, etc. The ATR does not contain information about outpatient visits, scene deaths, private physician contacts, chiropractor visits, and other costs for motor vehicle-related injuries.

Another database maintained by Medicaid, was explored but found to be of limited use because it did not track the cause of injury. If the Medicaid data could be linked with DOT&PF and ATR by age, sex, date of injury, etc., some of the long-term expenses beyond the hospital stay could potentially be tracked.

Hospitalization costs (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. Hospital costs were analyzed by seat belt use or non-use, source of payment, days spent in the hospital, discharge location, and fatalities.

Restraint use was categorized into either the YES group or the NO group in the following manner:

YES	NO
Air Bag and Seat Belt	Air Bag Only (not restrained)
Seat Belt only	None
Infant/Child Restraint	

Many of the entries listed restraint use as UNKNOWN. The case narrative field in the ATR was used to re-categorize a few of the unknowns, but restraint use or non-use could not be determined for most of the unknowns, therefore they were analyzed separately.

In a landmark publication, *The Cost of Injury in the United States*, Rice and MacKenzie documented motor vehicle-related injuries per victim as the most costly of all unintentional injury categories. The average cost for each person

hospitalized for motor vehicle-related injuries was calculated to be \$43,409.⁷ Several studies have estimated the loss of productivity or quality of life costs for various types of injury, but for this analysis only the quantifiable hospital related costs were examined.

Costs attributed to the "general public" included payments from programs such as Medicaid, Medicare, Indian Health Service, military, CHAMPUS (military dependents), and no-pay patients. We could not adequately define uninsured motorists' costs which could also be attributed to public costs.

Results

Observational surveys completed by the University of Alaska's Institute for Social and Economic Research showed that in the Year 2000, 62% of the front seat occupants of motor vehicles were wearing seat belts. In the Year 2001, 63% 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 examining seat belt use percentages among motor vehicle crash victims who are injured, hospitalized, or merely involved in a crash.

According to Alaska DOT&PF data from 1998 through 2000, an annual average of 39,613 motor vehicle occupants were involved in traffic crashes, and approximately 62 of these occupants lost their lives each year.⁸ Of all the motor vehicle occupants involved in a crash, only 6% reported not wearing a restraint, 66% were wearing a restraint, and 28% had unknown restraint use (see Table 1). When all of the cases with documented restraint use were analyzed separately, 9% were reportedly not wearing a seat belt, while 60% of the fatalities were unrestrained.

Table 1
Alaska Seat Belt Use (DOT&PF Data)
1998, 1999, 2000 Combined and Averaged

	All Motor Vehicle Occupants	All Occupants Where Seat Belt use Documented	All FataIs	FataIs Where Seat Belt use Documented	Major Injuries	Minor Injuries	No Injuries
No Restraint	6% (7,641)	9%	54% (34)	60%	37%	15%	5%
Restraint Used	66% (77,936)	91%	37% (23)	40%	49%	74%	65%
Unknown Use	28% (33,263)		9% (5)		12%	11%	31%
<i>Annual Average</i>	39,613		62				

The Alaska Trauma Registry provided additional information on the more seriously injured occupants after they were admitted to a hospital. Of all the motor vehicle occupant hospitalizations, 48% were not wearing a restraint, 43% were wearing a restraint, and 9% had unknown restraint use (see Table 2). When all cases with documented restraint use were analyzed separately, 53% were unrestrained, and of the fatalities who died in the hospital, 56% were unrestrained.

Table 2

**Alaska Trauma Registry Data
Hospitalizations
1996 - 1999 Combined**

	All Motor Vehicle 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 used in this analysis was total number of hospital days for restrained and unrestrained occupants. An average of 2,672 days was spent in hospitals every year for motor vehicle occupant injuries in Alaska. Of the total hospital days where restraint use was documented, 58% of the patients had been unrestrained at the time of their crash and 42% were restrained (Table 3).

Table 3

**Hospital Days
1996 - 1999 Average**

	Avg. Hospital Days per Year	%	% by "Known" Use
No Restraint	1402	52%	58%
Restraint Used	1009	38%	42%
Use Unknown	261	10%	

In 1994, the Federal Highway Administration published a technical report, *Motor Vehicle Accident*, and included the following lifetime injury costs by Abbreviated Injury Severity (AIS) score:

<u>Severity</u>	<u>Descriptor</u>	<u>Cost per Injury</u>
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

When correlating the AIS scores with seat belt use in Alaska, 60% of the patients with the lowest score of AIS 1, were wearing restraints at the time of their crash. The most severely injured patients, having scores of AIS 5, had the lowest percentage of restraint use at 45%.

Post-hospitalization costs are substantial, but difficult to measure. The most severe non-fatal cases are discharged to "skilled nursing" facilities which typically require round-the-clock monitoring. Of the patients discharged to skilled nursing, 13 had been unrestrained and 6 were restrained during the motor vehicle crash. The hospital costs for these 19 patients before they were discharged were nearly \$1 million, of which 77% was derived from public sources. Unfortunately, it was impossible to track post-hospitalization costs.

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 considered to be 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 companies, etc. Generally, costs were paid by one or more of the following sources: motor vehicle property and casualty insurance, private health and medical insurance, CHAMPUS insurance for military dependents, military branches, Medicaid, Medicare, IHS for Alaska Native beneficiaries, and workers compensation insurance.

The Alaska Department of Health and Social Services, Section of Community Health and EMS recently completed a research project that analyzed injuries among Medicaid-eligible youth ages 0-20.⁹ The report compiled hospital costs for various types of injuries for the years 1995-1999.

Motor vehicle occupant injuries are the most expensive injury category for Medicaid. During the four-year period, there were 83 Medicaid-eligible Alaskans who were 0-20 years old and involved in motor vehicle crashes.

The breakdown of the medical costs to treat these individuals included:

- 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 through 1999, an analysis of hospital costs documented in the ATR for motor vehicle occupant injuries was undertaken. Only 66% of the patients had medical costs reported in the ATR because several of the hospitals serving federal beneficiaries and a few of the public hospitals did not report costs associated with individuals. Of the cases where costs were reported, over \$22.2 million was spent on direct medical care. When extrapolating average costs per case, the four-year costs were:

- \$21.8 million for unrestrained occupants and
- \$15.8 million for restrained occupants.

When including the "unknowns," an additional \$6.1 million is added, for a total of \$43.6 million. Of the total hospital costs reported, 59% represented unrestrained occupants (see Table 4).

Table 4

Alaska MV Hospital Costs

1996 - 1999

	Total Costs	Total Cases	Average Costs per Case	% of Total
No Restraint Used	\$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% was 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 Used	\$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 on 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

A substantial body of research demonstrates that seat belt use greatly reduces the number of traffic crash-related fatalities and the severity of injuries. In general, the more severe the injury, the less likely it will be that the individual was buckled up. The *Alaska Seat Belt Cost Analysis* shows that restraint use or non-use also affects the number of hospitalizations, length of stay in the hospital, and the overall cost of hospitalizations for motor vehicle occupants involved in crashes.

The analysis also shows that 44% of motor vehicle crash-related hospital costs are borne by the citizens of Alaska. Close to 40,000 vehicle occupants are involved in traffic crashes each year in Alaska. More than \$2.6 million dollars is spent each year for beneficiaries of public programs who are hospitalized for motor vehicle related injuries. Thus, the decision to wear or not wear a seat belt is not just a matter of personal choice, but a decision that has economic implications for all Alaskans.

This study only analyzed hospitalization costs of vehicle occupants involved in crashes. For those suffering some types of injuries, including those to the brain and spinal cord, long-term care and rehabilitation costs vastly exceed the initial hospitalization costs. Thus, the total cost to the public is significantly higher than those documented in this study.

Fortunately, seat belt use in Alaska is on the rise. The most recent observed seat belt use survey found that belt use was 78.9% in 2003 up from 66% in 2002. Still, experience from other states and Canada suggests that the largest reductions in

fatalities, injury severity (and thus medical costs) do not occur until belt use rates reach the 90 percent range.¹⁰

Most frequently, those who refuse to buckle up also tend to exhibit other high-risk behaviors like speeding and driving while impaired. It is critical that all drivers and passengers use seat belts and child restraints, as appropriate, if hospital and other medical costs resulting from motor vehicle crashes are to be substantially reduced. Programs and policies that result in higher restraint use will reduce traffic crash fatalities as well as the severity of injuries and costs to individuals and to the taxpayers of Alaska.

References

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- ¹ NHTSA, Traffic Safety Facts, 2002
 - ² NHTSA, Status of Occupant Protection in America, Buckle Up America Report, Nov. 2001.
 - ³ USDOT&PF, News Release, July 17, 2003.
 - ⁴ Ibid.
 - ⁵ CDC, WISQARS, Injury Mortality Report, All Injury Deaths and Rates per 100,000 by State
 - ⁶ NHTSA, Traffic Safety Facts 2001 – Occupant Protection, DOT&PF HS 809 474.
 - ⁷ Rice DP, MacKenzie EJ, et. al., Cost of Injury in the United States. Report to Congress 1989.
 - ⁸ Alaska Traffic Accidents. Annual reports from the Alaska Department of Transportation and Public Facilities.
 - ⁹ Report on Injury Prevention Activities of Community Health and EMS Targeting Medicaid-Eligible Youth, by Martha Moore and the State Injury Prevention staff, 2003.
 - ¹⁰ NHTSA, Status of Occupant Protection in America, Buckle Up America Report, Nov. 2001.

ALASKA PUBLIC OPINION RESEARCH SURVEY

February 5th to 23rd, 2005

Sample size = 586; margin of error \pm 4.05%

HELLENTHAL AND ASSOCIATES
2200 Vanderbilt Circle
Anchorage, Alaska 99508
(907) 276-1001 or
277-2315 (fax)
hellenthal@gci.net (e-mail)

Hello, I am _____ from Hellenenthal and Associates. We are conducting a public opinion research survey of Alaskans. Your telephone number was randomly selected. The questions I need to ask will only take a couple of minutes. All of your responses will be completely confidential.

- S1. Is this telephone number _____?
- S2. Is this a residential telephone?
- S3. Are you registered to vote in the State of Alaska?

IF YES, THEN PROCEED TO QUESTION #1

IF NO, THEN ASK...

Is there anyone home who is registered to vote in the State of Alaska?

IF YES THEN ASK...

May I speak with them?

IF NO, THEN ASK...

When will someone be home who is registered to vote?

THE FOLLOWING VARIABLE IS CALCULATED USING THE TELEPHONE PREFIX

AREAS OF ALASKA	UNWEIGHTED FREQUENCY	WEIGHTED PERCENT	MARGIN OF ERROR
Southeast.....	55.....	15.3%.....	\pm 13.2%
Kenai Peninsula.....	101.....	6.9%.....	\pm 9.8%
Anchorage.....	169.....	43.0%.....	\pm 7.5%
Matsu.....	102.....	9.1%.....	\pm 9.7%
Greater Fairbanks.....	108.....	13.6%.....	\pm 9.4%
Rural/Bush.....	51.....	12.1%.....	\pm 13.7%
TOTALS.....	586.....	100.0%.....	\pm 4.05%

HELLENTHAL AND ASSOCIATES
ALASKA PUBLIC OPINION RESEARCH
SURVEY

1. Do you wear your seat belt all of the time, some of the time, not often, or never?

WEAR SEAT BELT	FREQUENCY	PERCENT
All of the time.....	492.....	84.0%
Some of the time.....	66.....	11.3%
Not often.....	22.....	3.7%
Never.....	6.....	0.9%

2. Why don't you wear a seat belt all of the time?

WHY DON'T WEAR SEAT BELT	FREQUENCY	PERCENT
000 Wear seat belt all of the time.....	492.....	84.0%
003 Forgetful.....	17.....	3.0%
002 Freedom of choice.....	16.....	2.8%
006 Short Trips.....	16.....	2.8%
009 Live in a rural area.....	14.....	2.5%
005 Get in a hurry.....	4.....	0.7%
018 Uncomfortable.....	4.....	0.6%
008 Just a bad habit.....	3.....	0.6%
015 Superstitious.....	3.....	0.5%
010 Not required in Barrow.....	2.....	0.3%
013 My dogs are always jumping around.....	2.....	0.4%
001 Does not like Govn't forcing their hand.....	1.....	0.2%
004 Hurts my back, doctor says not to wear it.....	1.....	0.1%
011 The village speed limit is 10 mph.....	1.....	0.2%
012 Truck driver, jinxing himself.....	1.....	0.1%
014 It is nobody's business.....	1.....	0.1%
016 Knows a person who died because they had their seatbelt on.....	1.....	0.2%
017 Faulty seatbelt.....	1.....	0.2%
007 Social Protest.....	0.....	0.1%
019 Been in an accident involving a seat belt.....	0.....	0.1%
998 Don't Know.....	4.....	0.7%

3. Do you favor or oppose laws requiring seat belt use?

LAWS REQUIRING SEAT BELT USE	FREQUENCY	PERCENT
Favor.....	467.....	79.6%
Oppose.....	111.....	18.9%
Don't know.....	9.....	1.5%

4. Have you ever received a ticket for driving while not wearing a seat belt?

TICKET NOT WEARING SEAT BELT	FREQUENCY	PERCENT
Yes.....	32.....	5.4%
No.....	554.....	94.6%

5. Have you seen or watched the "Click it or Ticket" media campaign on Alaska TV "educating people about the seat belt law"?

SEEN "CLICK IT OR TICKET"	FREQUENCY	PERCENT
Yes.....	475.....	81.1%
No.....	111.....	18.9%

6. Do you think the "Click it or Ticket" media campaign has helped or hurt in getting Alaska Drivers to buckle up their seat belts?

"CLICK IT OR TICKET" HELPED/HURT	FREQUENCY	PERCENT
Have not seen ads.....	111.....	18.9%
Helped.....	367.....	62.7%
Hurt.....	26.....	4.4%
Don't know.....	82.....	14.0%

7. Has anyone in your family or one of your close friends ever been hurt, injured or killed in a motor vehicle accident (wreck)?

ANYONE HURT, INJURED, KILLED	FREQUENCY	PERCENT
Yes.....	356.....	60.8%
No.....	230.....	39.2%

The last few questions are being collected purely for statistical purposes

8. What is your political party affiliation? ("What are you registered as?")

PARTY AFFILIATION	FREQUENCY	PERCENT
Republican Party.....	201.....	34.3%
Democratic Party.....	98.....	16.8%
Green Party.....	5.....	0.8%
Alaska Independent Party.....	2.....	0.3%
Libertarian Party.....	4.....	0.7%
No Party Affiliation/Independent...	276.....	47.1%

9. When it comes to politics, do you consider yourself to be very liberal, somewhat liberal, somewhat conservative or very conservative?

IDEOLOGY OF RESPONDENT	FREQUENCY	PERCENT
1. Very liberal.....	34.....	5.8%
2. Somewhat liberal.....	151.....	25.7%
3. Moderate.....	100.....	17.0%
4. Somewhat conservative.....	238.....	40.6%
5. Very conservative.....	64.....	10.9%

(Mean = 3.250)

10. Does anyone in your household work for the State government? Federal government? City government?

HOUSEHOLD TYPE	YES
Federal government.....	13.4%
State government.....	13.1%
City government.....	9.6%

11. Are you, or any person presently living in your household, a veteran?

VETERAN HOUSEHOLD	FREQUENCY	PERCENT
Yes.....	180.....	30.7%
No.....	406.....	69.3%

12. Are you, or any person presently living in your household, a member of a labor union?

LABOR UNION HOUSEHOLD	FREQUENCY	PERCENT
Yes.....	164.....	28.0%
No.....	422.....	72.0%

13. Of the people living in your household, how many are children or adolescents under 18 years old?

CHILDREN	FREQUENCY	PERCENT
None.....	318.....	54.2%
One.....	111.....	19.0%
Two.....	100.....	17.1%
Three or more.....	57.....	9.7%
(Households with children mean = 1.911)		
(All households mean = 0.875)		

14. In what year were you born? (COMPUTED TO AGE BY SUBTRACTING FROM 105)

AGE OF RESPONDENT	FREQUENCY	PERCENT
18 to 30.....	58.....	9.9%
31 to 40.....	98.....	16.7%
41 to 50.....	163.....	27.8%
51 to 60.....	145.....	24.7%
61 or older.....	123.....	20.9%
(Mean = 49.191 years)		

15. Are you married or single?

MARITAL STATUS	FREQUENCY	PERCENT
Married.....	382.....	65.3%
Single.....	204.....	34.7%

16. GENDER (USUALLY DO NOT NEED TO ASK).....

GENDER	FREQUENCY	PERCENT
Male.....	293.....	50.0%
Female.....	293.....	50.0%

THE FOLLOWING VARIABLES ARE CALCULATED USING THE CHILDREN,
YEAR BORN, MARITAL AND GENDER VARIABLES

MARITAL BY GENDER	FREQUENCY	PERCENT
Married Males.....	191.....	32.6%
Married Females.....	191.....	32.6%
Single Males.....	102.....	17.4%
Single Females.....	102.....	17.4%

FAMILY STATUS	FREQUENCY	PERCENT
Young Single (18-44).....	35.....	5.9%
Adult Single (45+).....	100.....	17.0%
Single Parent.....	69.....	11.8%
Young Couple (18-44).....	34.....	5.7%
Mature Couple (45+).....	150.....	25.6%
Young Family (18-44).....	105.....	17.9%
Mature Family (45+).....	94.....	16.1%

THIS COMPLETES THE SURVEY, THANK YOU FOR HELPING US -- GOODBYE

AREAS OF ALASKA AMONG REGISTERED VOTERS
BY
POLITICAL AND GENERAL DEMOGRAPHICS, BEHAVIORS AND PERCEPTIONS

COLUMN PERCENTS

FEBRUARY 5TH THROUGH 23RD, 2005
SAMPLE SIZE = 586; MARGIN OF ERROR = + CR - 4.05%

	AREAS OF ALASKA:						TOTAL COL %
	South- east + or - 13.2%	Kenai Penin- sula + or - 9.8%	Anchor- age + or - 7.5%	MatSu + or - 9.7%	Fair- banks Area + or - 9.4%	Rural Alaska + or - 13.7%	
WEAR SEAT BELTS -- HOW OFTEN:							
All of the time.....	85.0%	76.1%	87.0%	84.7%	82.0%	78.5%	84.0%
Some of the time.....	11.8%	17.6%	10.1%	15.3%	15.3%	4.0%	11.3%
Not often.....	3.2%	1.3%	2.9%		2.7%	12.7%	3.7%
Never.....		5.0%				4.9%	.9%
WHY DON'T YOU WEAR A SEAT BELT ALL OF THE TIME:							
Wear seat belts all of the time.....	85.0%	76.1%	87.0%	84.7%	82.0%	78.5%	84.0%
Forgetful.....	1.7%	2.1%	4.1%	5.1%	.8%	2.2%	3.0%
Just don't want to, freedom of choice.....		3.9%	4.0%	2.0%	3.0%	1.8%	2.8%
Short trips.....	3.4%	5.7%	1.7%	.8%	3.7%	4.6%	2.8%
Live in rural area.....	6.6%	1.6%			1.6%	9.1%	2.5%
Get in a hurry.....	1.7%			.8%	2.7%		.7%
A bad habit.....			.5%	2.5%	.8%		.6%
Uncomfortable.....		2.5%		2.1%	1.9%		.6%
Superstitious, it can be dangerous.....			.8%	1.3%			.5%
My dogs and children are always hopping around....			.8%	.7%			.4%
Not required in Barrow.....						2.2%	.3%
The village speed limit is 10 mph.....						1.6%	.2%
Know person who died because they had seat belt on Faulty seat belt.....	1.5%		.5%				.2%
Don't like the gov'n't forcing my hand.....		.8%			.8%		.2%
Hurts my back, doctor says not to wear it.....					.8%		.1%
Social protest.....		1.1%					.1%
Truck driver, jinxing himself.....		1.3%					.1%
It is none of their business.....		1.3%					.1%
Been in an accident involving a seatbelt.....		.8%					.1%
Don't know.....		2.9%	.7%		1.9%		.7%
LAWS REQUIRING SEAT BELT USE:							
Favor.....	88.1%	73.0%	75.0%	75.2%	83.3%	88.4%	79.6%
Oppose.....	11.9%	22.3%	23.7%	21.5%	14.8%	11.6%	18.9%
Don't know.....		4.7%	1.4%	3.3%	1.9%		1.5%
RECEIVED TICKET FOR NOT WEARING SEAT BELT?							
Yes.....	5.4%	10.7%	4.1%	7.0%	7.0%	4.1%	5.4%
No.....	94.6%	89.3%	95.9%	93.0%	93.0%	95.9%	94.6%
SEEN CLICK IT OR TICKET?							
Yes.....	74.1%	83.5%	86.7%	83.3%	70.5%	78.9%	81.1%
No.....	25.9%	16.5%	13.3%	16.7%	29.5%	21.1%	18.9%
CLICK IT OR TICKET HELPED OR HURT:							
Have not seen ads.....	25.9%	16.5%	13.3%	16.7%	29.5%	21.1%	18.9%
Helped.....	58.9%	61.1%	67.7%	61.0%	51.1%	64.9%	62.7%
Hurt.....		6.3%	5.2%	.8%	6.6%	4.3%	4.4%
Don't know.....	15.2%	16.1%	13.8%	21.6%	10.8%	9.7%	14.0%
FAMILY/CLOSE FRIEND HURT IN MOTOR VEHICLE ACCIDENT							
Yes.....	57.0%	55.9%	67.1%	60.6%	54.9%	52.5%	60.8%
No.....	43.0%	44.1%	32.9%	39.4%	45.1%	47.5%	39.2%
TOTAL ROW PERCENT.....	15.3%	6.9%	43.0%	9.1%	13.6%	12.1%	100.0%

AREAS OF ALASKA AMONG REGISTERED VOTERS

BY

POLITICAL AND GENERAL DEMOGRAPHICS, BEHAVIORS AND PERCEPTIONS

COLUMN PERCENTS

VERY LIBERAL=1; VERY CONSERVATIVE=5

FEBRUARY 5TH THROUGH 23RD, 2005

SAMPLE SIZE = 586; MARGIN OF ERROR = + OR - 4.05%

	AREAS OF ALASKA:						TOTAL COL %
	South- east + or - 13.2%	Kenai Penin- sula + or - 9.8%	Anchor- age + or - 7.5%	MatSu + or - 9.7%	Fair- banks Area + or - 9.4%	Rural Alaska + or - 13.7%	
PARTY AFFILIATION:							
Republican Party.....	39.3%	32.7%	34.7%	41.2%	32.4%	24.5%	34.3%
Democratic Party.....	20.9%	9.4%	15.3%	7.3%	16.3%	28.6%	16.8%
Green Party.....		1.6%		3.7%	2.7%		.8%
Alaska Independent Party.....		1.3%			1.6%		.3%
Libertarian Party.....		1.3%	.7%		2.2%		.7%
No Party Affiliation/Independent.....	39.8%	53.8%	49.4%	47.7%	44.9%	46.9%	47.1%
IDEOLOGY OF RESPONDENT:							
Liberal.....	38.9%	29.3%	31.6%	20.9%	36.1%	26.1%	31.5%
Moderate.....	13.7%	11.9%	18.2%	25.9%	14.9%	15.6%	17.0%
Conservative.....	47.5%	58.9%	50.2%	53.2%	49.0%	58.3%	51.5%
Ideology of respondent mean							
Very liberal.....	1.7%	8.2%	5.5%	4.5%	11.1%	5.6%	5.8%
Somewhat liberal.....	37.2%	21.0%	26.1%	16.4%	25.0%	20.5%	25.7%
Moderate.....	13.7%	11.9%	18.2%	25.9%	14.9%	15.6%	17.0%
Somewhat conservative.....	41.5%	39.7%	41.2%	38.7%	37.1%	43.1%	40.6%
Very conservative.....	6.0%	19.2%	9.0%	14.5%	11.9%	15.2%	10.9%
Ideology of respondent mean.....	3.13	3.41	3.22	3.42	3.14	3.42	3.25
STATE GOVERNMENT HOUSEHOLD:							
Yes.....	19.2%	13.2%	10.3%	7.3%	14.0%	20.7%	13.4%
No.....	80.8%	86.8%	89.7%	92.7%	86.0%	79.3%	86.6%
FEDERAL GOVERNMENT HOUSEHOLD:							
Yes.....	16.9%	5.8%	12.7%	10.5%	13.8%	15.3%	13.1%
No.....	83.1%	94.2%	87.3%	89.5%	86.2%	84.7%	86.9%
CITY GOVERNMENT HOUSEHOLD:							
Yes.....	13.5%	7.2%	7.2%	5.6%	9.7%	17.6%	9.6%
No.....	86.5%	92.8%	92.8%	94.4%	90.3%	82.4%	90.4%
VETERAN HOUSEHOLD:							
Yes.....	3.2%	34.1%	34.2%	40.6%	40.7%	13.6%	30.7%
No.....	81.8%	65.9%	65.8%	59.4%	59.3%	86.4%	69.3%
LABOR UNION HOUSEHOLD:							
Yes.....	23.8%	23.9%	29.4%	22.2%	31.3%	31.5%	28.0%
No.....	76.2%	76.1%	70.6%	77.8%	68.7%	68.5%	72.0%
TOTAL ROW PERCENT.....	15.3%	6.9%	43.0%	9.1%	13.6%	12.1%	100.0%

AREAS OF ALASKA AMONG REGISTERED VOTERS

BY

POLITICAL AND GENERAL DEMOGRAPHICS, BEHAVIORS AND PERCEPTIONS

COLUMN PERCENTS

FEBRUARY 5TH THROUGH 23RD, 2005

SAMPLE SIZE = 586; MARGIN OF ERROR = + OR - 4.05%

	AREAS OF ALASKA:						TOTAL COL %
	South- east + or - 13.2%	Kenai Penin- sula + or - 9.8%	Anchor- age + or - 7.5%	MatSu + or - 9.7%	Fair- banks Area + or - 9.4%	Rural Alaska + or - 13.7%	
CHILDREN IN HOUSEHOLD:							
None.....	59.8%	52.4%	56.0%	44.8%	49.2%	54.7%	54.2%
One.....	10.5%	19.0%	19.8%	21.2%	25.4%	18.0%	19.0%
Two.....	14.3%	19.5%	15.5%	25.0%	17.8%	17.9%	17.1%
Three or more.....	15.4%	9.1%	8.7%	9.0%	7.6%	9.4%	9.7%
Number of children in households with children mean.....	2.27	1.98	1.82	1.83	1.82	2.03	1.91
Children under 18 mean.....	.89	.95	.80	1.01	.92	.92	.87
AGE OF RESPONDENT:							
18 to 30.....	7.9%	11.8%	8.0%	13.6%	10.3%	14.4%	9.9%
31 to 40.....	12.6%	9.1%	18.7%	16.8%	18.1%	17.4%	16.7%
41 to 50.....	28.8%	29.3%	28.3%	22.1%	26.2%	30.3%	27.8%
51 to 60.....	22.5%	27.4%	22.7%	29.1%	22.1%	21.3%	24.7%
61 or older.....	28.2%	22.4%	22.3%	18.5%	13.3%	16.5%	20.9%
Age of respondent mean.....	51.07	50.04	49.46	48.30	48.87	46.40	49.19
MARITAL STATUS:							
Married.....	58.2%	75.2%	66.3%	68.6%	66.7%	60.8%	65.3%
Single.....	41.8%	24.8%	33.7%	31.4%	33.3%	39.2%	34.7%
GENDER:							
Male.....	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%
Female.....	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%
MARITAL STATUS BY GENDER (COMPUTED):							
Married Males.....	29.1%	37.6%	33.1%	34.3%	33.3%	30.4%	32.6%
Married Females.....	29.1%	37.6%	33.1%	34.3%	33.3%	30.4%	32.6%
Single Males.....	20.2%	12.4%	16.9%	15.7%	16.7%	19.6%	17.4%
Single Females.....	20.9%	12.4%	16.9%	15.7%	16.7%	19.6%	17.4%
FAMILY STATUS (COMPUTED):							
Young Single (18-44).....	8.3%	4.3%	5.4%	2.0%	7.6%	6.5%	5.9%
Adult Single (45 +).....	20.6%	12.9%	18.3%	17.3%	12.7%	14.7%	17.0%
Single Parent.....	12.9%	7.6%	10.0%	12.0%	13.0%	12.0%	11.8%
Young Couple (18-44).....	9.0%	3.7%	4.5%	5.0%	5.1%	8.3%	5.7%
Mature Couple (45 +).....	21.9%	31.5%	27.7%	20.5%	23.8%	25.2%	25.6%
Young Family (18-44).....	11.0%	19.8%	20.0%	26.2%	17.8%	11.9%	17.9%
Mature Family (45 +).....	16.3%	20.3%	14.1%	17.0%	20.0%	15.5%	16.1%
TOTAL ROW PERCENT.....	15.3%	6.9%	43.0%	9.1%	13.6%	12.1%	100.0%

AREAS OF ALASKA AMONG REGISTERED VOTERS

BY

POLITICAL AND GENERAL DEMOGRAPHICS, BEHAVIORS AND PERCEPTIONS

VERY LIBERAL=1; VERY CONSERVATIVE=5

FEBRUARY 5TH THROUGH 23RD, 2005

ANALYSES OF VARIANCES BETWEEN ARITHMETIC MEANS; SAMPLE = 586

	AREAS OF ALASKA:						TOTAL MEAN
	South- east + or - 13.2%	Kenai Penin- sula + or - 9.8%	Anchor- age + or - 7.5%	MatSu + or - 9.7%	Fair- banks Area + or - 9.4%	Rural Alaska + or - 13.7%	
Ideology of respondent mean.....	3.13	3.41	3.22	3.42	3.14	3.42	3.25
Children under 18 mean.....	.89	.95	.80	1.01	.92	.92	.87
Number of children in households with children mean.....	2.22	1.98	1.82	1.93	1.82	2.03	1.91
Age of respondent mean.....	51.07	50.04	49.46	48.30	48.87	46.40	49.19



Alaska State Legislature

Senate Majority Web: www.akrepublicans.org

Sponsor: Senator Con Bunde
Current Version: SB 87
Contact: Lauren Wickersham, 465-3881

Fact Sheet for: Senate Bill 87

Short Title: SEAT BELT VIOLATION AS PRIMARY OFFENSE

Summary:

- Allows peace officers to pull over and cite individuals for not wearing a seat belt.
- Changes the current seat belt law from a secondary to a primary offense.
- Does not change current law that requires seat belt use in a motor vehicle.

Benefits:

- Saves the state hundreds of thousands of dollars in emergency, rehabilitative and insurance costs annually.
- Primary seat belt laws are proven to save lives and reduce injuries related to motor vehicle crashes.

Background:

- Twenty-one other states and the District of Columbia have enacted primary seat belt laws. Supporters include many local and national safety groups, Department of Public Safety Commissioner William Tandeske, the chiefs of police in Fairbanks and Anchorage, and the U.S. Department of Transportation.

Sec. 28.05.095. Use of seat belts and child safety devices required.

(a) Except as provided in (c) of this section a person

(1) 16 years of age or older may not occupy a motor vehicle while being driven unless restrained by a safety belt; and

(2) may not operate a motor vehicle unless restrained by a safety belt.

(b) Except as provided in (c) of this section, a driver may not transport a child under the age of 16 in a motor vehicle unless the driver has provided the required safety device and properly secured each child as described in this subsection. If the child is less than four years of age, the child shall be properly secured in a child safety device meeting the standards of the United States Department of Transportation for a child safety device for infants. If the child is four but not yet 16 years of age, the child shall be properly secured in a child safety device approved for a child of that age and size by the United States Department of Transportation or in a safety belt, whichever is appropriate for the particular child.

(c) Subsections (a) and (b) do not apply to

(1) passengers in a school bus, unless the school bus is required to be equipped with seat belts by the United States Department of Transportation, or an emergency vehicle;

(2) a vehicle operator acting in the course of employment delivering mail or newspapers from inside the vehicle to roadside mail or newspaper boxes;

(3) a person or class of persons exempted by regulation under AS 28.05.096; or

(4) a person required to be restrained by safety belts under (a) or (b) of this section if the motor vehicle is not equipped with safety belts.

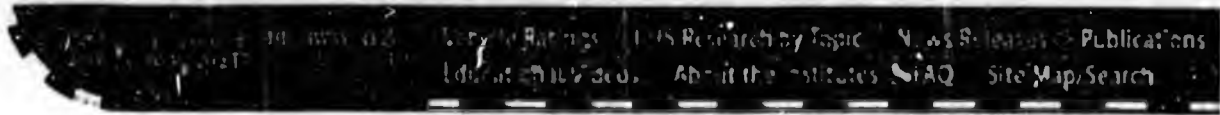
(d) A person may not remove a safety belt from a vehicle solely to be exempted under (c)(4) of this section.

(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.

Sec. 28.05.096. Exemptions and alternative safety devices.

(a) The commissioner of public safety may adopt regulations to exempt a person or a class of persons from the requirements of AS 28.05.095 if the commissioner determines that the use of a safety belt or child safety device is impractical because of physical or medical conditions of the person or class of persons.

(b) The commissioner of public safety shall specify alternative means of protection for children exempted under this section.



**INSURANCE INSTITUTE
FOR HIGHWAY SAFETY**

NEWS RELEASE

January 13, 2005

**PRIMARY SAFETY BELT LAWS WOULD SAVE 700 LIVES PER YEAR
28 STATES STILL ALLOW TICKET ONLY IF DRIVER IS STOPPED FOR ANOTHER REASON**

ARLINGTON, VA — Safety belt use laws in only 21 states and the District of Columbia are primary, meaning police may stop vehicles solely for belt law violations. But in most states belt use law enforcement is secondary, so police cannot stop vehicles for this infraction alone (New Hampshire is the only state without a belt use law.) In a new study the Insurance Institute for Highway Safety found that when states strengthen their laws from secondary enforcement to primary, driver death rates decline by an estimated 7 percent.

"In states with primary laws, safety belt use rates are higher. The result is that crash deaths are reduced," says Institute senior vice president Susan Ferguson. "Where primary laws are in effect, drivers are more likely to buckle up because the perception is that they're going to be pulled over if they don't."

The most recent national observational survey conducted in 2004 by the National Highway Traffic Safety Administration shows that belt use rates averaged 84 percent in primary states compared with 73 percent in secondary states. A number of observational studies have shown that shifting from secondary to primary laws boosts safety belt use, but the Institute's is the first study to evaluate the effect of this shift on traffic deaths.

The Institute examined driver fatality data during 1989-2003 in 10 jurisdictions — California, the District of Columbia, Georgia, Indiana, Louisiana, Maryland, Michigan, New Jersey, Oklahoma, and Washington — where secondary laws were amended to primary. Researchers compared these data with data in states where the laws remained secondary.

One indication that the primary laws led to higher belt use comes from rates among fatally injured drivers. In 1989 before any of the laws were changed, belt use rates among fatally injured drivers were similar — about 20 percent — in both groups of states. By 2003 the rates had risen to 47 percent in states that switched to primary laws, compared with 36 percent in the secondary states.

The annual rate of passenger vehicle driver deaths per mile of travel declined in both groups of states, but it declined more in the states that changed to primary enforcement. Taking into account the timing of the change in each state and other factors that could have affected crash rates, primary laws were associated with a 7 percent reduction in death rates.

Ferguson points out that during the study period "many states participated in special 'Click It or Ticket' safety belt enforcement campaigns. The enhanced enforcement began earlier in the primary states so it's important to note that changes in belt use laws along with the increased enforcement led to the decrease in fatalities."

Based on the reduction in driver death rates, it's estimated that 2,990 lives have been saved in the study states because of the tougher safety belt laws.

"If the 28 states that still have secondary laws were to switch to primary enforcement, about 700 lives would be saved each year. And if legislators in these states had enacted primary laws to begin with, more than 5,000 lives could have been saved since 1996," Ferguson says.

**Effects of strengthening safety belt laws:
Lives that could have been saved in secondary
states if belt laws had been primary**

Passenger Lives that

over →

State	vehicle driver deaths 1996-2003	could have been saved since 1996
Alaska	326	23
Arizona	3,347	234
Arkansas	2,914	204
Colorado	2,647	185
Florida	10,889	761
Idaho	1,158	81
Kansas	2,373	166
Kentucky	4,027	282
Maine	838	59
Massachusetts	1,776	124
Minnesota	2,771	194
Mississippi	4,314	302
Missouri	5,459	382
Montana	1,070	75
Nebraska	1,345	94
Nevada	1,226	89
North Dakota	465	33
Ohio	6,309	441
Pennsylvania	6,644	465
Rhode Island	336	23
South Carolina	4,436	310
South Dakota	699	49
Utah	1,216	85
Vermont	372	26
Virginia	4,200	294
West Virginia	1,759	123
Wisconsin	3,454	242
Wyoming	675	47
Total	77,084	5,390

Note: States listed are all those with secondary safety belt use laws.

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 Last modified: 11-Jan-2005



Municipality of Anchorage

4801 Pringle Street • Anchorage, Alaska 99517-1600 • Telephone (907) 743-6511 • <http://www.muni.net>



Mayor Mark Hegich

Anchorage Police Department

February 15, 2005

Senator Con Bunde
State Capitol, Room 506
Juneau, AK 99801-1182

Senator,

The focus of SB 87, the Primary Seat Belt Law, is to enhance driver and passenger safety. Too often, we respond to accidents where occupants were not wearing seat belts and they sustained major injury or death because they were ejected from the car. In some these same accidents, other passengers who were wearing seat belts sustained only minor injuries.

There may be citizens who would resist the idea of government being so intrusive as to mandate their safety. What is often lost in this argument is the understanding that, should someone not wearing a seat belt die in an accident, that death can place a heavy emotional burden on the *other* driver—who was wearing one.

Finally, last year it seemed there were concerns among some legislators that a Primary Seat Belt Law would facilitate an excuse to make traffic stops in an abusive manner. Toward that concern, I will point out that there are already several hundred laws in the traffic code—from burnt out lights, cracked windshields, to even snow-obscured license plates, any of which could facilitate a legal traffic stop. This is only about safety. I support this bill because it supports my mission, to protect and serve; and the passage of this bill will help me to better ensure the safety of all Alaskans.

Sincerely,

Walt Monegan
Chief of Police

Community, Security, Prosperity



State of Alaska
Department of
Public Safety

Frank H. Murkowski, Governor
William Tandeske, Commissioner

February 4, 2005

The Honorable Con Bunde
Alaska State Senate
State Capitol, Room 506
Juneau, Alaska 99801

Dear Senator Bunde,

I'm writing to express my continued support for a primary seat belt law in Alaska.

My support is based on twenty-six years of service as an Alaska State Trooper, where I personally investigated a large number of motor vehicle crashes resulting in death or serious injury. In the accidents where no seatbelt was being utilized, one can only speculate that the sustained injuries may have been less severe and the loss of life would have been reduced had a seat belt been worn by all of the occupants.

The mission of the Department of Public Safety is in part, to protect life and property. As the commissioner of this department, I am committed to doing everything in my power to ensure the safety of all Alaskans. Plain and simple, study after study reports that seat belts save lives. Any legislation that will enhance the ability of law enforcement to advance safety in this state should be endorsed wholeheartedly.

I believe that primary seat belt legislation, coupled with the ongoing education efforts that are being promoted, will produce results that should reduce the alarming number of serious injuries and deaths on our roadways. If this department can be of assistance to you with any proposed seat belt legislation, please don't hesitate to contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read "William Tandeske".

William Tandeske
Commissioner

**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

February 10, 2005

Senator Con Bunde
State Capitol, Room 506
Juneau, AK 99801-1182

Dear Senator Bunde,

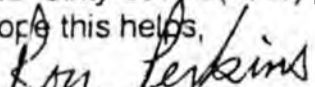
I would like to take this opportunity to offer my expertise and experience if necessary to advance your efforts on a primary seat belt law for Alaska. I'm the author and primary researcher for a study funded by a non-profit group called the Automotive Coalition for Traffic Safety. This research project, *Alaska Seat Belt Cost Analysis*, compiled and analyzed the hospital costs associated with seat belt use in Alaska. The research has gotten a good deal of statewide recognition as an argument to be used for primary enforcement of seat belt laws. The study shows that from 1996 through 1999, medical costs for unbelted occupants totaled more than \$13 million dollars of which, 50% were paid with public funds. I've attached the Executive Summary, but if you would like a complete copy, please contact me.

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 also considered a similar municipal ordinance that would allow primary enforcement of seat belt use within the city limits and asked for a copy of the research findings.

Alaska has been chosen by the National Highway Traffic Safety Administration as one of 13 states to receive special initiatives to reduce our DUI deaths, and to increase our seat belt usage. At 77%, Alaska's seat belt usage rate has improved tremendously over previous years, but there are still a significant number of non-users in the state. If we are able to get a primary enforcement law passed, we would expect to see the seat belt usage rate climb to around 90%.

As the evaluator for the recent Click It or Ticket enforcement campaigns, we conducted random telephone surveys on 1,600 Anchorage residents. One of the questions asked was if they were in favor or opposed to police stopping someone for not wearing a seat belt. Sixty-seven (67%) percent said they were in favor of such a law.

I hope this helps,


Ron Perkins, MPH
Executive Director, AIPC



Municipality of Anchorage

Box 196650 • Anchorage, Alaska 99519-6650 • 825 "L" Street • <http://www.muni.org>

Mayor Mark Begich

Department of Health and Human Services



February 9, 2005

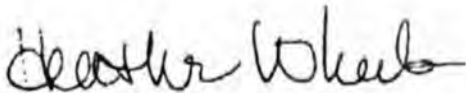
Senator Con Bunde
State Capitol, Room 506
Juneau, Alaska 99801-1182

The Municipality of Anchorage, Department of Health and Human Services strongly supports your effort to pass a primary seatbelt law this session. The passage of a Primary seatbelt Law is one of DHHS' 2005 legislative priorities. Primary seatbelt enforcement allows a law enforcement officer to stop a vehicle and issue a citation when the officer observes an unbelted driver or passenger. It has been 13 years since a (secondary) seatbelt law was introduced allowing an officer to cite for non-seatbelt use only if the vehicle was stopped for another infraction. According to the National Highway Traffic Safety Administration, primary seatbelt laws increase seatbelt use by 9 to 14 percentage points. We presently have a 72% usage rate.

It is estimated that \$12 million, 71 major injuries, and 6 lives would be saved in Alaska each year if a primary seatbelt law was passed (BELTUSE software program, NHSTA). Motor vehicle crashes are the leading cause of injury death to people between the ages of 10-34 years of age (Alaska Bureau of Vital Statistics, 2002).

A primary seatbelt law would save not only lives, but would save significant amount of public money. Over 50% of the medical costs for people unrestrained at the time of the crash are paid by public funds ("Alaska Seatbelt Analysis", Sept. 2003, Alaska Injury Prevention Center). Studies show that patients who were not buckled up at the time of a motor vehicle crash were twice as likely to sustain a serious head injury and over one and one half times more likely to be discharged with a permanent disability (Alaska Trauma Registry, 1991-2000 10 year data report). Considering that a crash costs 55 percent more when a crash victim is unbelted, it is in the state's interest to reduce the cost of health care to enact a primary seat belt law. Twenty-one states and Washington D.C. (July 2004) have passed primary seatbelt laws.

Action requested: Support passage of SB 87, a Primary Seatbelt Law.


for Beverly K. Wooley, Director

Community, Security, Prosperity

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By Telefax and Mail

February 14, 2005

Senator Con Bunde
State Capitol, Room 506
Juneau, Alaska 99801

Re: Senate Bill 87

Dear Senator Bunde:

On behalf of State Farm Insurance Companies, I would like to express support for SB 87. State Farm has long supported mandatory seatbelt laws and primary enforcement. This legislation will undoubtedly save lives. If there is any information we can provide to you, or anything else we can do in support of this bill, please let me know.

Sincerely,



Sheldon E. Winters

SEW/caf

Sen Bunde01.0217.wpd



ALPHA

ALASKA PUBLIC HEALTH ASSOCIATION

Committed To Advancing Alaska's Public Health Since 1978

February 17, 2005
(S) STA SB 87

IN SUPPORT OF SB 87 "PRIMARY SEAT BELT LAW"

On behalf of the Alaska Public Health Association, representing two hundred and twenty public health professionals who are deeply committed to developing sound public health policy to improve the health of all Alaskans, we encourage you to vote **YES** on SB 87.

The Alaska Public Health Association and our national organization, the American Public Health Association, have long established resolutions in support of the use of seat belts to save lives, including the attached resolution our members adopted at our 2004 Annual Meeting.

APHA's first resolution in support of seat belt legislation is from 1955 - before statehood! Then, as now, public health professionals have been strong advocates of the effectiveness of seat belts in minimizing the degree of injury and death resulting from traffic accidents.

Seat belts are the single most effective safety device in preventing injuries and fatalities. Enacting a primary seat belt law, SB 87, will save lives and money.

Based on research by the National Highway Traffic Safety Administration, enacting a primary seat belt law contributes to a 10-15% increase in seat belt use. Similar results of close to a 15% increase in seat belt use have been observed in Fairbanks this past year following the recent increase in fines by the borough for seat belt violations.

To quote Senator Bunde in his sponsor letter, "Enacting a primary seat belt law may save more lives than any other single piece of legislation before you this session."

As important public health legislation, we encourage you to support SB 87 and pass it out of the (S)State Affairs Committee.

Thank you.

Marie J. Lavigne, Executive Director
Alaska Public Health Association

Attachment 2004-2 ALPHA Resolution

*Thank you
Senator Bunde
for introducing SB87.*

ALPHA Resolution 2004-2**Recommending the Alaska Legislature Approve A Primary Seatbelt Law**

Whereas a primary enforcement allows a law enforcement officer to stop a vehicle and issue a citation when the officer observes an unbelted driver or passenger,

Recalling that it has been 13 years since a (secondary) seatbelt law has been introduced where enforcement can only be written after the officer stops the vehicle or cites the offender for another infraction;

Whereas 21 states and DC (July, 2004) have passed a primary seatbelt law; (National Highway Safety Association, 2004);

Recognizing that motor vehicle crashes are a leading cause of injury death to people between the ages of 10-34 years of age (Alaska Bureau of Vital Statistics, 2002);

Whereas 84% of people who wear seatbelts are more likely to walk away uninjured compared with only 60% of the unbelted occupants (DOT Alaska Accident Report, 2001);

Whereas \$12 million, 71 major injuries prevented, and 6 lives saved in Alaska per year if a primary seatbelt was passed (BELTUSE software program, NHSTA);

Whereas studies show that patients who were not buckled up at the time of a motor vehicle crash were almost twice as likely to sustain a serious head injury and over one and half times more likely to be discharged with a permanent disability (Alaska Trauma Registry, 1991-2000 10 year data report);

Whereas 50% of the medical costs for people unrestrained at the time of the crash was paid by public funds ("Alaska Seatbelt Analysis", Sept. 2003, Alaska Injury Prevention Center);

Whereas a primary seatbelt law would increase seatbelt use by 11 points, from 71%-92%; (NHSTA, spring, 2004);

Whereas a recent study reported that a primary law does not lead to an increase of police harassment; (Accident Analysis & Prevention, 36 (2004) 819-828;

THEREFORE BE IT RESOLVED that the Alaska Public Health Association urge the Alaska Legislature and Governor Murkowski to introduce and pass legislation that amends the secondary seatbelt enforcement to a primary enforcement law.

Statement of Desired Outcomes: Adoption of primary seat belt law by the legislature.

Fiscal Impact: Activities ALPHA could undertake at no additional cost:

1. Invite members to testify and write letters of support to the legislature.
2. Testify at public hearings on the public health benefits of seat belt use.
3. Distribute on its website and to its members information in support of a primary seat belt law, using public health injury surveillance data.

LESSMEIER & WINTERS

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E-MAIL: l-w@gcl.net

By Telefax and Mail

February 14, 2005

Senator Con Bunde
State Capitol, Room 506
Juneau, Alaska 99801

Re: Senate Bill 87

Dear Senator Bunde:

On behalf of State Farm Insurance Companies, I would like to express support for SB 87. State Farm has long supported mandatory seatbelt laws and primary enforcement. This legislation will undoubtedly save lives. If there is any information we can provide to you, or anything else we can do in support of this bill, please let me know.

Sincerely,



Sheldon E. Winters

SEW/caf

SenBunde:ISEW.wpd

Juneau Safe Kids Coalition **Box 110616, Juneau, Alaska 99811-0616**

February 14, 2005

To Whom it May Concern:

The Juneau Safe Kids Coalition which consists of volunteers and organizations concerned with reducing unintentional injuries for children 14 and under (the number one killer of children 14 and under) supports passage of SB 87.

While it has been proven over and over again that seat belts do save lives many do not take the time or effort to do so especially if there is no enforcement from those who are responsible for our safety on roads and highways.

Adults who do not buckle up themselves tend to not buckle their children after age 4 but with passage of SB 87 (supporting primary enforcement) it has been shown throughout the United States that seat belt usage increases to 82% in states that have primary enforcement for seat belt use.

In April 2004 the first Alaska Transportation Safety Stewardship Conference, which had members from all levels of government, non-profits, industry advocates and the private sector, recommended the passage of primary seat belt laws. SB 87 will do just that.

Thank you for your time and consideration on this life-saving piece of legislation.

Sincerely,



Karen Lawfer
Coordinator



Are no accident!

**Sixth Report to Congress
Fourth Report to the President**

**The National Initiative for Increasing
Safety Belt Use**

June 2004

Prepared By

The National Highway Traffic Safety Administration — U.S. Department of Transportation

Letter from Secretary Mineta

As in past years, the *Buckle Up America* (BUA) campaign has continued to make strides in increasing safety belt and child safety seat use. Throughout the country, safety belt use rates rose to 75 percent in 2002, 2 percentage points higher than in 2001. In States that had primary enforcement laws, the average safety belt use rate rose for the first time to 80 percent.

This increase in the national belt use rate translates into an estimated additional 6 million safety belt users. Especially noteworthy is the increase in safety belt use among African Americans. From 2000 to 2002, their safety belt use increased 8 percentage points from 69 to 77 percent. Our BUA campaign partners in the African American community deserve special acknowledgement for their hard work and commitment to helping achieve this increase.

Restraint use among young children reached record levels in 2002. A 99-percent use rate for infants and a 94-percent use rate for toddlers were noted in our National Occupant Protection Use Survey. To maintain these high rates, we continue to support regional and State efforts to increase the availability of permanent child passenger safety seat inspection stations and the number of certified child passenger safety technicians to conduct inspections. With the publishing of *A National Strategy: Increasing Booster Seat Use for 4- to 5-year-old Children* in October 2002, we look forward to increased occupant protection usage rates for all child passengers.

Also during 2002, the National Highway Traffic Safety Administration (NHTSA) was able to measure the effectiveness of the BUA campaign's full *Click It or Ticket* mobilization model that included paid media. Our research showed an average safety belt use increase of 8.6 percentage points among States that implemented the full mobilization model. This again reinforces one of the campaign's fundamental tenets that highly publicized enforcement, in combination with paid media, can achieve a substantial increase in a State's overall safety belt use rate.

With a commitment from the Bush Administration to achieve a 78-percent usage rate in 2003, I encourage our many public- and private-sector partners to continue their support of the BUA campaign and I applaud them for their past efforts. Together we can continue to save lives on America's highways and share in the knowledge that we are contributing to the strength and well-being of our country.

Norman Y. Mineta
Secretary of Transportation

Overview of the *Buckle Up America* Campaign

National Goals

- To increase the national safety belt use rate to 78 percent by the end of 2003.
- To reduce the number of child occupant (from birth to age 4) fatalities by 25 percent by the end of 2005 (using the 653 fatalities in 1996 as a baseline).

Four-point Plan

- Enact strong legislation.
- Maintain active, high-visibility law enforcement.
- Build public-private partnerships.
- Conduct well-coordinated, effective public education.

This Report

The following report is submitted in response to Executive Order 13043 and the House and Senate Appropriations Committees' directive to the Secretary of Transportation and the Administrator of the National Highway Traffic Safety Administration (NHTSA) to keep the President and the Committees apprised of the activities of the national *Buckle Up America* campaign. This report highlights the activities of the campaign from January 1, 2002, through December 31, 2002.

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The Status Of Occupant Protection In America

Vehicle occupants account for 87 percent of all traffic deaths. When used properly, safety belts help prevent deaths and reduce injuries. In 2002, safety belts prevented an estimated 14,164 fatalities, saving more than \$50 billion in medical care, lost productivity, and other injury-related costs. If ALL passenger vehicle occupants over age 4 were restrained in safety belts, an additional 7,153 lives could have been saved in 2002.

Motor Vehicle Crashes— The Scope of the Problem

In 2001, deaths and injuries resulting from motor vehicle crashes were the leading cause of death for persons of every age from 4 through 33-years-old. On average, every 13 minutes, someone in America dies in a motor-vehicle-related crash, and every 10 seconds, someone is injured. In 2002, traffic crashes claimed 42,815 lives and resulted in nearly 3 million injuries. Each year, crashes lead to about 4 million emergency department visits and 500,000 hospitalizations. Approximately 2 million Americans are disabled by crashes each year.

Potential Benefits of Safety Belt Use

Increasing the national safety belt use rate from 75 percent (the rate observed in 2002) to 90 percent would:

- Prevent an estimated 4,100 fatalities annually.
- Prevent an estimated 60,000 serious injuries annually.
- Prevent an estimated 50,000 minor injuries annually.
- Save our economy approximately \$11.6 billion annually.

The economic cost-savings cited above are derived from reduced productivity losses, property damage, medical costs, rehabilitation costs, legal and court costs, emergency services costs, insurance administration costs, traffic delay, and reduced costs to employers.

The Effectiveness of Safety Belts

From 1975 through 2002, safety belts are estimated to have saved 164,753 lives. 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.

Safety belts are 80-percent effective in reducing fatalities in light trucks (including sport utility vehicles [SUVs]) during rollover crashes. They also help prevent individuals from being totally ejected during a crash, thus reducing the risk of a fatal injury. Despite the effectiveness of safety belts in preventing injuries and fatalities, 59 percent of passenger vehicle occupants killed in 2002 were unrestrained.

The Effectiveness of Child Safety Seats

Child safety seats, when used correctly, are extremely effective in preventing injuries and deaths during crashes. From 1975 through 2002, an estimated 6,567 young lives were saved by child restraint systems. An estimated 376 lives of children under age 5 were saved in 2002 alone. If 100 percent of children younger than 5 years of age were properly placed in child safety seats, an estimated 485 lives (that is, an additional 109 lives) could have been saved in 2002.

Research on the effectiveness of child safety seats has found them to reduce fatal injury in passenger cars by 71 percent for infants and 54 percent for toddlers. For infants and toddlers in light trucks, the corresponding reductions are 58 percent and 59 percent, respectively. In 2002, 459 children younger than 4 years of age were killed in passenger vehicle crashes. Of these fatalities, 185 children (or 40 percent) were totally unrestrained.

In spite of these high use rates, the challenge of educating parents and other caregivers on the correct use of child restraints still remains. According to data from the National SAFE KIDS Campaign, the vast majority of child restraints are used incorrectly. The campaign analyzed errors identified while checking nearly 38,000 child safety seats and safety belts from February 2001 to May 2002.

Overall, 81.6 percent of the child restraints were used incorrectly, with an average of three errors per restraint. The SAFE KIDS data found the highest proportion of errors in rear-facing infant seats and forward-facing toddler seats with harnesses, as follows:

- The safety belt did not lock the seat tightly for 62 percent of children in rear-facing seats and 67 percent of children in forward-facing seats.
- Harness straps were loose for 65 percent of children in rear-facing seats and 67 percent of children in forward-facing seats.

For safety belts, the most common errors were:

- The shoulder belt was not over the center of shoulder (78.9 percent).
- The child's legs did not bend over the vehicle seat without slouching (75.1 percent).
- Lap belt was not over upper thighs (70.6 percent).

Additional information on these findings is available at www.safekids.org.

State and Regional Trends in Safety Belt Use

According to NHTSA's National Occupant Protection Use Survey (NOPUS), safety belt use continued an upward trend in 2002, reaching 75 percent—its highest level since national surveys began in 1994. Up 2 percentage points from 2001, this increase in belt use translates into an additional 6 million users and the saving of approximately 500 lives. States with primary safety belt laws averaged an 80-percent belt use rate, while States with secondary laws averaged a 69-percent use rate. Primary safety belt laws allow a police officer to stop

a vehicle in which passengers are not in compliance with the State safety belt law.

Three States and Puerto Rico had safety belt use rates that were 90 percent or higher in 2002: California (91 percent), Hawaii (90 percent), Washington (93 percent), and Puerto Rico (91 percent). The District of Columbia and 12 States had rates that were 80 percent or higher: District of Columbia (85 percent), Iowa (82 percent), New Jersey (81 percent), New Mexico (88 percent), New York (83 percent), North Carolina (84 percent), Oregon (88 percent), Maryland (86 percent), Michigan (83 percent), Texas (81 percent), Utah (80 percent), and Vermont (85 percent). The majority of States that have usage rates above 80 percent also have enacted primary enforcement safety belt use laws.

Of special note, Washington was the only State that passed a primary law in 2002 and the State's safety belt use rate rose 10 percentage points, from 83 percent in 2001 to 93 percent in 2002.

The Northeast, historically the lowest region for safety belt use, showed the largest gain in safety belt use, up 8 percentage points from 2001 to 69 percent in 2002. However, drivers and passengers in the West still buckle up at the highest rate nationwide at 79 percent—up 2 percentage points from 2001. The South maintained the 76-percent usage rate it achieved in 2001, up 7 percentage points from 2000, while the Midwest showed an increase from 72 percent in 2001 to 74 percent in 2002.

National Trends and Initiatives in Child Passenger Safety

Restraint use by young children reached record levels in 2002. NHTSA's observational studies (NOPUS) showed that 99 percent of infants and 94 percent of toddlers were restrained. Occupant fatalities for children under age 5 declined by 9 percent in 2002. For the first time, the number of fatalities among this age group dropped below 500, to 459. This continued decrease in the number of child occupant deaths is in large part due to the significant increase in child restraint use since the *Buckle Up America* campaign began. In 1996, just before the campaign began, restraint use among

infants (1- to 22 months of age) was 85 percent and only about 60 percent of toddlers (1- to 4-years-old) were restrained while riding in vehicles.

In spite of the strides that have been made, the need for ongoing outreach and education remains. NHTSA's 2002 NOPUS surveys also showed that too many young children—15 percent of infants, 10 percent of 1-3-year-olds, and 29 percent of 4- to 7-year-olds continue to be placed in the front seat, which is the most dangerous seating position.

Restraint Use Among Older Children

The odds of injury for children riding in booster seats were 59 percent lower than the risks children face when using safety belts alone, according to a study published in the June 4, 2003, edition of the *Journal of the American Medical Association*. The study, conducted by Partners for Child Passenger Safety (PCPS), a research project at The Children's Hospital of Philadelphia, and supported by State Farm Mutual Automobile Insurance Company, examined insurance claim data from December 1998 through May 2002 concerning 3,616 crashes in 15 States involving 4,243 children. The study also found that none of the 4- to 7-year-olds who were in belt-positioning booster seats had any injuries to the abdomen, neck, spine, and back. Such injuries did occur, however, in children who used safety belts alone.

The PCPS study also found that only 16 percent of 4-year-olds, 13 percent of 5-year-olds, and 4 percent of 6- and 7-year-olds were using booster seats. NHTSA recommends that children who have outgrown child safety seats be properly restrained in booster seats from about age 4 and 40 pounds to at least age 8, unless they are 4 feet 9 inches tall.

National Strategy to Increase Booster Seat Use

In 2002, NHTSA published *National Strategy to Promote Booster Seat Use*, modeled after the four elements of the BUA campaign. That document called for the expansion of current occupant restraint initiatives to: 1) promote the use of booster seats for 4- to 8-year-old children and 2) increase the use of occupant restraints for all children. A major focus of

the strategy is the need to inform the public that the safest occupant restraint for 4- to 8-year-old children is an age/size-appropriate, belt-positioning booster seat.

To obtain national input for developing the strategy, on June 6, 2001, NHTSA announced a public meeting and request for comments in the *Federal Register*. Many of the tools and tactics that shaped the development of the document came from docket comments, along with recommendations obtained during the public meeting.

New Rule for the Annual Rating of Child Safety Seats

During 2002, NHTSA announced issuance of a final rule to begin a program for the annual rating of child safety seats based on their ease of use by consumers. (In early 2003, NHTSA began posting ease-of-use ratings for child safety seats on the agency's Web site.) NHTSA also will publish a brochure listing all of its ease-of-use ratings. Under the new rating system, child safety seats, including booster seats, will each be given an overall "A," "B," or "C" ease-of-use rating. Such letter grades will also be used to rate seats in each of five categories:

- Whether the seat is pre-assembled or requires assembly after purchase.
- Clarity of labeling attached to the seat.
- Clarity of written instructions on the seat's proper use.
- Ease of installation of the seat in a vehicle.
- Ease of securing a child correctly in the seat.

Full Implementation of LATCH

Lower Anchors and Tethers for Children (LATCH) is a restraint system designed to work independently of the vehicle safety belt system and to make it easier to install a child safety seat correctly. Once it has been fully phased in, NHTSA estimates that the LATCH system will eliminate as much as half of the misuse associated with the incorrect installation of child safety seats.

Since September 1, 2000, all vehicle manufacturers have been required to install a top tether anchor to secure forward-facing child safety seats. Most child safety seats come equipped with a top strap or tether that attaches to the tether anchor.

As of September 1, 2002, nearly all newly manufactured passenger vehicles were also required to have lower anchors installed in at least two rear seating positions. In addition, also as of September 1, 2002, all new child safety seats were required to come equipped with a pair of lower attachments that fasten to the vehicle anchors.

On August 28, 2002, NHTSA Administrator Dr. Jeffrey W. Runge joined with officials from DaimlerChrysler, Graco Children's Products, and Toys R Us/Babies R Us to call the public's attention to the new LATCH requirements, to explain their benefits and demonstrate their use. The event received extensive media coverage and boosted public awareness about this important new technology.

Reductions in Child Deaths from Air Bags

From 1996-2001, the rate of child air bag deaths declined a remarkable 96 percent, despite a five-fold increase in the number of passenger air bag-

equipped vehicles on the road, according to the Air Bag & Safety Belt Safety campaign (a *Buckle Up America* partner organization). Based on the number of rear-seated fatalities and a conservative 30 percent estimated effectiveness of moving children to the rear seat, research has found that more than 1,700 child deaths have been prevented since 1996 (an average of about 340 per year).

Air bags contributed to 1 child fatality for every 8.9 million-passenger air bags in 2000, compared with 1 child fatality for every 870,000 passenger air bags in 1996. In 1996,

26 children were killed by air bags; in 2000, 9 were killed. Nearly all the children killed were either completely unrestrained or improperly buckled in the front seat.

This reduction in deaths is another positive outcome of many of the activities undertaken as part of the *Buckle Up America* campaign. These activities include the passage of stronger State safety belt and child restraint laws, stepped-up law enforcement, and intense public education about air bag safety.

On September 1, 2003, 20 percent of all new motor vehicles sold in the United States must be equipped with advanced air bag technologies and by September 1, 2006, the requirement will apply to *all* new light trucks and cars.

Strong Legislation—the Key To Saving Lives

Having a strong, well-written safety belt law is crucial to increasing safety belt use. Current recommendations for safety belt laws include the following:

- Provisions for primary enforcement.
- Coverage of all occupants in all seating positions while the vehicle is in motion (unless there is documentation from a physician for physical disability).
- Coverage of all passenger vehicle types, including taxicabs, pickup trucks, vans, SUVs, and cars.
- Penalties of not less than \$50.
- Assignment of points on the driver's license in those States with point systems. (In those States without point systems, not wearing safety belts should be considered a minor moving offense for the purpose of driver's license records).

The Importance of Primary Occupant Protection Laws

Primary enforcement allows a law enforcement officer to stop a vehicle and issue a citation when the officer observes an unbelted driver or passenger. Secondary enforcement means a citation can be written only after the officer stops the vehicle or cites the offender for another infraction.

Virtually all traffic safety laws—and other laws, for that matter—are primary, except secondary enforcement safety 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, for example, but he cannot stop a motorist for violating the State's safety belt law, unless the officer observes another infraction.

Under the *Buckle Up America* campaign, NHTSA provides technical assistance and, upon request, expert testimony to States and national organizations on the benefits of primary occupant restraint laws. These benefits are well documented, as evidenced below.

In June 2002, for the first time, the average safety belt use rate in States with primary safety belt laws was 80 percent, compared with 69 percent in States without primary enforcement laws. Forty-nine States, Puerto Rico, and the District of Columbia have had safety belt use laws since December 31, 2001, but only a third provided for primary enforcement. Increases in safety belt use have been made without a primary safety belt use law, but the greatest gains are possible when a primary law works in conjunction with enforcement, education, and partnership efforts.

An upgrade in a State's safety belt law to primary enforcement will significantly raise safety belt and child safety seat use because increasing adult safety belt use has a significant impact on whether children are appropriately restrained. Observational surveys show that when drivers wear safety belts, children are restrained significantly more often than when drivers are unbuckled.

In 2002, NOPUS found that fully 92 percent of the time when a driver is belted his or her child passengers are restrained. In contrast, when the driver is not wearing a safety belt, children are restrained only 72 percent of the time.

The National Status of Safety Belt Laws

All States except New Hampshire have an adult safety belt law. (Only children younger than 18 are required to wear a safety belt in New Hampshire.) In 2002, Washington was the only State to pass a primary enforcement law. Primary enforcement legislation was considered by legislatures in Idaho, Illinois, Minnesota, Ohio, Wisconsin, Rhode Island, Vermont, and Maine.

With the passage of its primary law, Washington became the 18th State to enact a primary safety belt law by December 31, 2002. The other States with primary laws in effect include Alabama, California, Connecticut, Georgia, Hawaii, Indiana, Iowa, Louisiana, Maryland, Michigan, New Jersey, New Mexico, New York, North Carolina, Oklahoma,

Oregon, and Texas. Puerto Rico and the District of Columbia also have primary safety belt laws in effect.

Tribal Legislation

Motor vehicle crashes continue to be the leading cause of death among Native Americans/ Alaska Natives (NA/ AN) from 5- to 34 years of age. They are also the third leading cause of death among NA/ AN of all ages. As part of the *Buckle Up America* campaign, NHTSA continues to work with tribes to provide education on safety belt and child safety seat use through its partnerships with the Indian Health Service and the Bureau of Indian Affairs.

In 2002, after the passage of a primary restraint law in Washington, the Portland Area, and two Area reservations reported an increase in restraint use. Observational surveys on the Warm Springs Reservation indicated that restraint use increased from 16 percent to 46 percent among drivers and from 12 percent to 36 percent among passengers. The Yakima Nation passed a primary law in 2001. Observational surveys in 2002 indicated that restraint use continued to increase since the law went into effect. Restraint use was reported at 62 percent.

Two Tribes in the Bemidji Area passed primary restraint laws in 2002 and in April 2002 the Hannahville Tribal Council (Wilson, Michigan) passed a resolution adopting restraint use for all ages.

In July 2002, the Menominee Tribe (Keshena, Wisconsin) passed a primary restraint use law in a State with a secondary law. Enforcement of the new law is strong. One month after the law was passed, Tribal Police had issued 70 verbal warnings as a precursor to the issuance of citations.

As of March 1, 2002, all components of the Reno/ Sparks Indian Colony (in the Phoenix Area) 2001 Traffic Safety Law became effective. The new law included primary child restraint device use provisions for children 5 years of age or younger or less than 60 pounds, and required children 6 years of age or older or 60 pounds to be properly secured in a child passenger restraint device. It also included a

primary safety belt provision requiring any person driving a vehicle and any person 5 years of age or older or over 60 pounds to wear a safety belt.

The National Status of Child Passenger Safety Laws

All 50 States, Puerto Rico, and the District of Columbia have enacted child restraint laws, and all of these laws are primary, although the provisions vary from State to State. For example, some laws cover only infants, and others fail to cover all children in all seating positions. Among other deficiencies, some States do not require out-of-State vehicles to comply with their laws and others fail to address the problem of child passengers riding in pickup truck cargo areas.

To achieve reductions in injuries and fatalities among America's children, child restraint laws should be strengthened to close these and other gaps. All such laws should include provisions that:

1. Require children 12-years-old and younger to 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."
2. Require all children up to age 16 (or the State's driving age) to be properly restrained in all seating positions.
3. Require all children who have outgrown child safety seats to be restrained in booster seats until they are at least 8-years-old, unless they are 4 feet 9 inches tall.
4. Make the driver responsible for ensuring that children are placed in age- and size-appropriate restraints.
5. Ban passengers from the cargo area of pickups and other light trucks.
6. Include out-of-State vehicles, drivers, and children.
7. Assess a reasonable fine for noncompliance and earmark a portion of the revenues to help support State child passenger safety programs.

8. Eliminate exemptions and medical waivers because today's child restraint systems can accommodate children with almost any type of physical impairment.

States That Amended Their Child Restraint Laws in 2002

Illinois: Illinois's amended child restraint law now requires that a person transporting a child under age 4 secure the child in a federally approved child restraint system.

Rhode Island: Penalties were increased for all primary and secondary violations from \$50 to \$75. All references to the back seat were changed to "rear seating position." The exemptions from the rear-seating-position requirement were clarified.

Maine: Requires children 4-8 and under 80 pounds to be in a federally approved booster seat (see page 13).

Booster Seat Laws

Colorado, Maine, and Maryland passed booster seat laws in 2002. Colorado's law, which was passed

in June 2002, requires that children who are 4- or 5-years old and less than 55 inches tall be properly restrained in a booster seat or with a child safety-belt-positioning device. Under the new law, children ages 6 through 15 must be properly restrained in a safety belt. The law took effect on August 1, 2003. This effective date was preceded by a year of education before enforcement began. When enforcement began, officers gave warnings, not tickets, to drivers for one year.

Maine made considerable upgrades to its child passenger safety law, including a new booster seat requirement. The new law was passed in April 2002 and took effect January 1, 2003. The law requires that a child who weighs less than 40 pounds be secured in a child safety seat. The new law also requires that a child who weighs 40 pounds to 80 pounds and is under 8-years-old be placed in a booster seat.

Maryland adopted a law requiring that children under age 6 be properly restrained in child safety seats while riding in a vehicle, an upgrade of the State's previous law that includes booster seats. Prior to passage, Maryland law only required children under 4 to use child safety seats. The law passed the Maryland Legislature in April 2002 and was signed into law by the governor in May 2002. The law took effect in October 2003.

Public Support and Awareness of Occupant Protection Laws

In 2000, NHTSA conducted its Motor Vehicle Occupant Safety Survey (MVOSS) among a national sample of approximately 6,000 people age 16 and older to determine attitudes, knowledge, and reported behaviors regarding occupant protection. The results were enormously positive (see below). The next such survey was conducted in 2003, the results of which will be reported in the *Buckle Up America Seventh Report to Congress and Fifth Report to the President*, which will cover campaign activities from January 1, 2003, through December 31, 2003.

Support for Safety Belt Laws and Enforcement

- The vast majority of the public (87 percent) favored laws that require drivers and front-seat passengers to wear safety belts.
- Among persons who supported front safety belt laws, 78 percent also supported applying safety belt laws to back-seat adult passengers.
- About three-fifths (62 percent) supported fines for drivers who did not wear safety belts. Support for fines was greater among Hispanics (68 percent) compared with African Americans (62 percent) and whites (62 percent). Among those who supported fines, 45 percent favored fines of \$100 or more for a repeat safety belt law violation.
- Respondents were asked how they would likely react to getting a ticket for a safety 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 that they would believe the ticket was undeserved because wearing a safety belt should be a personal choice. According to the survey 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 they deserved the ticket.

- Overall, 61 percent of the population surveyed believed that law enforcement officers should be allowed to stop a vehicle if they observe only a safety 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), followed by African Americans (68 percent), and whites (69 percent).

Support for Child Passenger Safety Laws

- Nearly three in five (58 percent) believed that the police should give a ticket at every opportunity for violations of child safety seat laws. Almost as many (56 percent) believed that the fine should be \$50 or more.
- 94 percent agreed that children should be required by law to wear safety belts once they have outgrown child safety seats; only 3 percent disagreed.

These data are supported by a survey of 800 adult drivers conducted by the Air Bag & Seat Belt Safety Campaign in 2000. The survey found that 70 percent of the respondents become angry when they see unbuckled children in a car, and 78 percent agreed with the following statement: "People who fail to buckle up their child passengers should be considered guilty of child endangerment."

Support for Primary Laws Among Organizations Representing Diverse Populations

The Congressional Black Caucus has stated that increasing safety belt use among African Americans is an "urgent national health priority," and the National Urban League has expressed its support for primary safety belt laws. The National Black Caucus of State Legislators and the National Conference of Black Mayors have also expressed support for strong laws that increase safety belt use and include safeguards for uniform enforcement.

Recognizing the contribution that primary laws make to safety belt use among all groups, many minority group legislators have supported primary

law upgrades in their States. Some of these legislators have testified publicly that following their upgrades to primary safety belt laws, they have seen neither backlash in their communities nor evidence of differential enforcement of the new laws.

ASPIRA, a national organization dedicated to the education and leadership development of Hispanic youth, expressed its support for primary safety belt legislation. ASPIRA passed a resolution supporting primary enforcement of State safety belt and child safety seat use laws and efforts to promote compliance with such laws.

High-visibility Enforcement

The year 2002 provided clear evidence that *very* intense safety belt enforcement, backed up by heavy, well-targeted publicity, continues to drive belt use up. It also demonstrated that *Click It or Ticket* works nationwide.

Operation ABC Mobilizations – New and Improved

As in the previous four years, NHTSA joined with the Air Bag & Seat Belt Safety Campaign, the Highway Safety Offices of the States, the District of Columbia, and Puerto Rico and over 12,000 law enforcement agencies in two Operation ABC Mobilizations. The first centered on the Memorial Day holiday; the second around Thanksgiving. As before, law enforcement partners were committed to stopping and ticketing as many safety belt and child passenger safety violators as they could find. Print, broadcast, and other media partners across the country communicated this message to the public.

However, in 2002, the mobilizations took on a significant new look. First, they were longer. In past years, law enforcement mobilized for one week during each holiday period. This year, NHTSA asked for a two-week effort, and 35 States, the District of Columbia, and Puerto Rico responded to this request. Second, they made extensive use of paid advertising. In 2001, the eight States of NHTSA's Region IV experimented with paid advertising to augment earned news coverage and public service announcements. This year, 37 States, the District of Columbia, and Puerto Rico spent over \$9.8 million on paid ads in May, and another \$3.5 million in November, to get their message across. In most cases, that message was *Click It or Ticket*. And most of the ads were aired on TV and radio programs known to reach 18-34-year-old males, the lowest safety-belt-using demographic group.

Operation ABC continued to receive support from Mothers Against Drunk Driving (MADD), the National Transportation Safety Board (NTSB), and all major law enforcement associations, including the International Association of Chiefs of Police

(IACP), the National Sheriffs Association (NSA), the National Organization of Black Law Enforcement Executives (NOBLE), and the Hispanic American Police Command Officers Association (HAPCOA). More than 1,000 business and community organizations in all States gave vocal and material support to the mobilizations, as did the Emergency Nurses Association (ENA) and the National Safety Council (NSC).

The intensity and visibility of the 2002 mobilizations differed between the Memorial Day and Thanksgiving events. Although the numbers of law enforcement agencies participating were approximately the same for the two waves, only about two-thirds as many safety belt checkpoints were conducted in the fall as compared to the spring (12,000 versus 17,700, based on reports from 37 States and Puerto Rico). Safety belt citations in the reporting States totaled nearly 420,000 in the May mobilization, but fell to fewer than 250,000 in November. In addition, the States collectively spent nearly \$10 million on their paid advertising campaigns in May, but only about \$3.5 million in November.

Click It or Ticket was the rallying cry of 29 States and the District of Columbia in May, and of 31 States and the District of Columbia in November. Most other States employed alternative enforcement-focused messages such as "Buckled or Busted," "No Exceptions, No Excuses," or "Buckle Up or Pay Up." Comparing their use rates for 2002 and 2001, the *Click It or Ticket* States enjoyed an average increase of 3.1 percentage points. States that used alternative messages had an average gain of less than 1 percentage point.

120 Million More Americans Heard the Message... and Responded!

In May 2002, nearly 120 million Americans living in 22 States and the District of Columbia saw and heard the *Click It or Ticket* message for the first time on their TVs and radios, and in their newspapers. That is in addition to the residents of six of the Region IV

States and Michigan, who had seen and heard the message during the 2001 mobilizations. Safety belt use among those newly exposed citizens increased by 3.9 percentage points – more than 4.5 million Americans who buckled up in 2002! In contrast, safety belt use in the other 28 States and Puerto Rico rose by less than 1 percentage point.

Ten *Click It or Ticket* States achieved belt use gains in 2002 that were at least 5 percentage points above their 2001 rates. Leading the group were West Virginia (up 19.3 points), Vermont (17.5 points) and Washington (10.0 points). Among States that did not deliver the *Click It or Ticket* message, only Puerto Rico (up 7.4 points) and Minnesota (6.2 points) exceeded gains of 5 percentage points. The three States with the largest losses in belt use from 2001 to 2002 were all non-*Click It or Ticket* messages in the May mobilization. They included Massachusetts

(down 5.0 points), with the message “Please Buckle, It’s the Law”; South Carolina (down 3.3 points), with the message “Fasten for Life”; and Wisconsin (down 2.6 points), with the message “Click It, Why Risk It.”

In 2002, the data were very clear: when fully implemented, *Click It or Ticket* works! Other messages don’t work nearly as well.

Contrasting the Gains and Losses

As Table 1 shows, heavy enforcement, a clear message, and significant publicity proved to be a winning combination in 2002.

In Table 2, it is clear that an unfocused message, little or no paid media and/or low levels of enforcement may result in safety belt use decreases.

Table 1

State	Gain '01-'02	Message	Citations*	Paid Media*
West Virginia	19.3 percent	Click It or Ticket	1.7	\$135.80
Vermont	17.5 percent	Click It or Ticket	2.1	\$324.15
Washington**	10.0 percent	Click It or Ticket	0.7	\$85.35
Arkansas	9.2 percent	Click It or Ticket	1.2	\$128.70
Hawaii	7.9 percent	Click It or Ticket	3.6	\$95.47
Rhode Island	7.6 percent	Click It or Ticket	0.9	\$27.56
Puerto Rico***	7.4 percent	Si Lo No Usas, No Hay Escusas	10.9	\$9.19

Table 2

State	Loss '01-'02	Message	Citations*	Paid Media*
Massachusetts	-5.0 percent	Please Buckle It's the Law	0.7	\$0
South Carolina	-3.3 percent	Fasten For Life	0.9	\$75.57
Wisconsin	-2.6 percent	Click It Why Risk It	Not reported	\$93.88
Georgia****	-2.0 percent	Click It or Ticket	3.4	\$67.30
Virginia	-1.9 percent	Buckle Up Now Virginia	0.4	\$14.29
Tennessee****	-1.6 percent	Click It or Ticket	1.1	\$35.35
Alabama****	-0.7 percent	Click It or Ticket	3.1	\$59.54

* Citations are given in Tables 1 and 2 as *safety belt tickets per 100,000 residents*. Similarly, Paid Media is expressed as *advertising purchases per 100,000 residents*.

** Washington achieved a 10 percentage point increase with relatively low levels of citations and paid media; however, much of the increase was recorded after the State's new primary law went into effect subsequent to the May mobilization.

*** Puerto Rico's paid media expenditures were noticeably lower than those of other States that recorded substantial belt use increases, although this is explained in part by the fact that media purchases are substantially less expensive in the Commonwealth than on the mainland; in addition, the extremely high level of ticketing appears to have helped boost public awareness of the mobilization.

**** Although Georgia, Tennessee, and Alabama combined the *Click It or Ticket* message with reasonably high levels of enforcement, their lower-than-average media purchases may have kept the message from penetrating as effectively as was desired.

An Additional Benefit of Safety Belt Enforcement

According to the *San Antonio Express-News*, Texas State Trooper Joe Hogue thought he had just another routine *Click It or Ticket* stop underway when he spotted the unbuckled driver of a 2002 Nissan Altima on Interstate 35. Instead, he ended up seizing more than a million dollars. The 59-year-old driver consented to a search of her vehicle, which resulted in Trooper Hogue's discovery of three duffel bags containing \$1,440,000.

Indiana's Enforcement Zones—A New Way to Ticket Unbuckled Drivers

Indiana has successfully used enforcement zones to convince unbuckled drivers that they *will* get a ticket. They are a practical alternative for high visibility enforcement in jurisdictions that don't allow safety belt checkpoints. The concept is as follows:

- Pick a stretch of roadway that has a history of crashes involving unbuckled operators.
- Locate a controlled intersection that has a stop sign or traffic light.
- Station officers, deputies, and troopers at the intersection, and place roadside signage upstream, proclaiming "Enforcement Zone Ahead, *Click It or Ticket*."
- Watch carefully as cars pull up to the intersection, and ticket the unbuckled.

Marion County, Indiana, began pilot-testing Enforcement Zones in 2000. In 2002, they went statewide, with 250 participating law enforcement agencies. Indiana's belt use increased 5 percent over the 2001 level. Enforcement Zones will work anywhere, but Indiana officials strongly recommend that strict guidelines be followed to ensure continuing, maximum effectiveness. These guidelines include:

- Conducting the zones at high-crash and/or low-belt-usage locations.
- Implementing a strong public information and education program.

- Inviting the media to visit the zones to fully inform them why, when, and where the zones are being conducted.
- Stopping only those vehicles in which an officer observes a violation.

Buckle Up New York (BUNY)

Another successful BUNY enforcement wave took place during the *Click It Or Ticket* mobilization in May. All of New York's 572 enforcement agencies committed to participate in the campaign; of the 367 reporting agencies, 275 received funding from the Governor's Traffic Safety Committee and 92 agencies participated and reported even though they received no special funding.

Informal surveys conducted by the New York State Police showed an increase in belt use from a pre-mobilization rate of 85.9 percent to 91.4 percent—the highest use rate ever recorded by the State Police. The State's statewide observation survey (fully compliant with NHTSA's Uniform National Criteria and the Section 157 program) showed belt use increasing from 80 percent to 84.6 percent. In all, 763 checkpoints were conducted statewide, with 3,049 officers working 3,963 hours to support this effort, and 56,554 occupant restraint summonses were issued.

The BUNY campaign used a variety of public information program activities to raise the level of awareness among New Yorkers and increase the perception among motorists that unbelted drivers will be ticketed. These included the influential New York State Broadcasters Association's non-commercial sustaining advertisement (NCSA) program and a limited paid media buy directed at Hispanic cable stations. Another important part of the State's public information outreach was an aggressive earned media campaign that included a press release from the Governor and a tri-State kickoff event at the Empire State Building.

As in the past, in 2002, BUNY promoted safety belt messages to all communities. The campaign was featured at the *African American Family Day* celebration in the capital region, the Hispanic legislators' *Somos El Futuro* conference, and at the many bilingual child safety seat clinics in the State.

Click It or Ticket a Huge Success in West Virginia

Surveys measuring safety belt use before and after the May 2002 *Click It or Ticket* campaign showed an incredible increase in compliance in West Virginia. Before the effort, 52.3 percent of West Virginians wore safety belts. Immediately after the enforcement blitz period, which combined enforcement with public education and paid advertising, 71.6 percent of vehicle occupants were buckling up.

An important key to the success of West Virginia's campaign was the efforts of highway safety office staff to gain support and commitment from the law enforcement community. To this end, staff traveled around the State and held seven regional meetings. Their efforts paid off. Statewide during the two-week enforcement period, officers wrote more safety belt and child passenger safety citations than the combined total for the previous *two years*.

While the role of law enforcement was critical to the success of the campaign, the media component was also vital. People did not necessarily have to receive a ticket to be convinced to buckle up. They saw and heard the *Click It or Ticket* message so often that they perceived they would be ticketed. West Virginia aired the television spot during prime time hours on network and cable channels over 8,000 times during the two-week period. For radio, four different enforcement spots were played over 25,000 times during the blitz.

Three Consecutive Years of Click It or Ticket in Florida

Florida developed and implemented a comprehensive action plan for boosting safety belt use since 2000. This plan focuses on the "full implementation model" of *Click It or Ticket*, incorporating the components of leadership, political permission, highly visible enforcement, paid and earned media, diversity outreach, and evaluation. Florida also recruited a Statewide Law Enforcement Coordinator and seven Law Enforcement Liaisons to enroll law enforcement agencies in waves of enforcement across the State.

The Coordinator and the Liaisons also provide leadership to State and local agencies, the media, and private sector groups. A network of 45 Community Traffic Safety Teams, covering over 85 percent of the State's population, was recruited to assist in advancing the *Click It or Ticket* campaign.

As a secondary law State, Florida could not conduct checkpoints. Nevertheless, troopers, deputies and officers remarkably wrote more than 37,000 safety belt citations during the 2002 Memorial Day *Click It or Ticket* campaign and safety belt use increased to an all-time high of 75 percent.

Evaluation of the Click It or Ticket Model

Based on the success of the *Click It or Ticket* campaign in Region IV during May 2001, a number of States, as highlighted above, went beyond the typical ABC mobilization and implemented a full *Click It or Ticket* mobilization model that included an intense paid media campaign. NHTSA evaluated the effectiveness of this model making comparisons between "Full Implementation" States, "Other Implementation" States and "Comparison" States [see Table 3]. These groups were defined as follows.

Full Implementation States – Ten States: Alabama, Florida, Illinois, Indiana, Mississippi, Nevada, Texas¹, Vermont, Washington, and West Virginia conducted full implementation campaigns. Each conducted a statewide program employing all elements of the *Click It or Ticket* model including:

- Defined periods of earned media, paid media, and intensive enforcement;
- Paid advertisement placement using *Click It or Ticket* or similar direct enforcement messages;
- Program evaluations involving before-, during-, and after-observation surveys of belt use and surveys of public perceptions of the program.

Among the full implementation States, the amount spent on paid advertising ranged from a low of \$200,000 in Vermont to a high of \$2,112,921 in Florida.

Other Implementation States -- Four States: Colorado, Michigan, Ohio, and Rhode Island conducted campaigns similar to the full implementation States; however, they had limited paid advertisement placement. Among these States, the amount spent on paid advertising ranged from a low of \$27,000 in Rhode Island to a high of \$650,000 in Michigan.

Comparison States -- Four States: Iowa, New York, Oregon, and western Massachusetts. These States conducted campaigns similar to the full implementation States; however, they did not purchase any advertising.

Safety belt use increased 8.6 percentage points averaged across the 10 *Click It or Ticket* model States. There was a 2.7 point increase averaged across the limited paid media States and only 0.5 point safety belt use increase averaged across the States not using direct advertisement placement. Among the Full Implementation group, increases in safety belt use occurred in all 10 States (both primary and secondary with either high- or low-safety-belt-use baselines). Safety belt use increased in three of the four States that had limited paid media and in two of the four comparison States.

¹ The Texas program centered around the 10 largest cities in the state. An estimated 80 percent of the state's population was covered.

Table 3 — Observed Changes in the Safety Belt Use Rate by State

Number of Observed Users	Baseline Usage Rate	Post-Activity Rate	Estimated Change in Usage Rate
Full Implementation	(N=312,172)	(N=324,895)	
AL (116,064)	70.3	78.7	+8.4
FL (60,705)	66.5	75.1	+8.6
IL (69,025)	70.6	74.3	+3.7
IN (39,491)	69.2	72.2	+3.0
MS (218,347)	53.8	61.5	+7.7
NV (40,000)	70.6	76.4	+5.8
TX (30,016)	80.5	86.4	+5.9
VT (19,779)	66.2	74.9	+18.7
WA (12,089)	80.8	89.5	+8.7
WV (31,551)	56.5	71.6	+15.1
Average	68.5	77.1	+8.6
Other Implementation	(N=185,173)	(N=188,857)	
CO (291,450)	72.1	73.2	+1.1
MI (30,248)	82.3	80.0	-2.3
OH (44,240)	64.2	70.3	+6.1
RI (8,092)	62.6	68.6	+6.0
Average	70.3	73.0	+2.7
Comparison	(N=118,761)	(N=122,247)	
IA (23,898)	81.4	83.0	+1.6
NY (175,328)	78.3	82.8	+4.5
OR (36,115)	88.5	87.8	-0.7
West MA (5,667)	60.6	57.2	-3.4

Among the 18 study States, approximately 250,000 safety belt citations were reported during the enforcement period. As Table 4 indicates, the rate of ticketing per resident ranged widely in all three study groups: 9 to 40 per 10,000 residents in Full-implementation States; 5 to 19 in Other-implementation States; and 10 to 36 in Comparison States. Generally, the States with primary safety belt

use laws (AL, IA IN, MI, NY, OR, TX) issued tickets at a greater per-resident rate. Highest ticketing rates included Alabama (31), Indiana (40), and Texas (40) among the Full-implementation States; in Comparison States, New York (36) had the highest ticketing rate.

Table 4 — sTEP Wave Enforcement Summary

	Safety Belt Citations	Tickets per 10,000 Residents
Full Implementation		
AL	13,664	31
FL	37,063	23
IL	22,073	18
IN	24,697	40
MS	2,486	9
NV	3,570	17
TX (Ten Largest Cities)	27,260	40
VT	1,304	21
WA	5,505	9
WV	3,104	17
Other Implementation		
CO	3,026	7
MI	5,463	5
OH	21,790	19
RI	1,301	12
Comparison		
IA	3,033	10
NY	9,034	36
OR	5,745	17
West MA	818	24

Educating The Public Through Partnerships

The success of the *Buckle Up America* campaign has depended on the hard work and dedication of hundreds of partners in both the government and the private sector. The following are just some of the highlights of the outreach activities conducted by our many partners. This section is by no means a complete listing of all the organizations that have played an important role in the far-reaching impact of this campaign.

Federal Initiatives

NHTSA works with agencies outside the U.S. Department of Transportation, along with those within the Department, to promote the *Buckle Up America* campaign. These agencies use internal and external communications channels—newsletters, Web postings, e-mail, posters, and signs—to deliver messages to their employees and customers about safety belt and child safety seat use. Highlights of some of the activities that agencies within the U.S. Department of Transportation have undertaken are presented below. These highlights are followed by samples of support undertaken by other Federal agencies.

The U.S. Department of Transportation's Intermodal Support for the *Buckle Up America* Campaign

A department-wide Intermodal Safety Belt Team facilitates communication about the *Buckle Up America* campaign to promote the use of safety belts among all Department employees and their customers. Throughout the year, the team promoted *Buckle Up America Week* and the *Click It or Ticket* campaigns, the BUA planner, and the BUA Web site. The following highlights provide examples of the types of activities undertaken.

In preparation for BUA Week/CIOT and the July 4th Impaired Driving mobilization, messages were included on earnings and leave statements,

10 different messages were displayed on closed-circuit TV in the Headquarters building, articles were printed in NHTSA Now, and BUA graphics for the headquarters electronic message boards were displayed.

The Office of the Inspector General (OIG) sent an e-mail message about BUA Week to all OIG employees. The message, which emphasized the *Click It or Ticket* campaign, was also posted on the OIG intranet site.

NHTSA staff participated in the implementation of a DOT Worklife Wellness Health Fair held at the Headquarters' plaza. They conducted demonstrations on the correct use of child safety seats and hosted a traffic safety information exhibit. DOT employees asked questions about car seat safety; parents and grandparents took home games on traffic safety for children; and cyclists and motorcyclists picked up safety information. NHTSA Region III facilitated participation by the Washington, DC, Metro Police Department which helped answer questions about safety belt use and child passenger safety.

Representatives from NHTSA, NTSB, and Health and Human Services jointly chair a Low-income Child Passenger Safety Working Group. The group includes representatives from the Indian Health Service, Agency for Families and Children, Center for Medicaid and Medicare Services, CDC, and others.

The group developed an action plan on child passenger safety for the President's Task Force on Protecting Children from Environmental and Health Safety Risks. NHTSA staff participated at the Senior Staff Planning Committee of the Task Force to present the plan.

Additional Federal Agencies Supporting the *Buckle Up America* Campaign

NHTSA continues to work with Federal agencies in addition to the Department of Transportation to promote the *Buckle Up America* campaign. The following agencies continued to support the campaign during 2002:

Department of Defense (DOD)—DOD continues to work with NHTSA on all aspects of motor vehicle safety. DOD safety office distributed information about BUA Week and *Click It or Ticket* to the safety offices of each branch of the military.

Department of Labor (DOL)—DOL set up a BUA Week display in its Headquarters lobby.

Department of Housing and Urban Development (HUD)—At the request of HUD Secretary Martinez, NHTSA staff conducted a child passenger safety presentation and exhibited materials at HUD's 2002 National Conference on Resident Involvement in Crime Prevention in San Francisco, California. (This request stemmed from the need to educate residents in public housing about child passenger safety.)

Occupational Safety and Health Administration (OSHA)—OSHA began working with NHTSA on the development of a model safety belt program for businesses. NHTSA provided OSHA staff with an overview of CIOT, a safety belt fact sheet, sample safety belt policy, employer checklist for traffic safety, sample employer materials, and information about NETS. As part of the program, OSHA plans to establish a link to the NHTSA web site, co-publish employer traffic safety materials, and post these materials and other information about key traffic safety initiatives on the OSHA web site.

Also participating:

- Centers for Disease Control and Prevention
- Central Intelligence Agency
- Department of Health and Human Services
- Department of the Air Force
- Department of the Army
- Department of Labor
- Department of the Navy
- Department of State
- Department of Veterans Affairs
- Export-Import Bank
- Indian Health Service
- National Aeronautics and Space Administration
- Nuclear Regulatory Commission
- Office of Personnel Management
- Smithsonian Institution
- Social Security Administration
- Tennessee Valley Authority
- The Undersecretary of Defense
- United States Marine Corps
- United States Soldiers' and Airmen's Home
- United States Agency for International Development

Activities Of Private Organizations

SEATCHECK Child Safety Seat Inspection Locator Service Launched

DaimlerChrysler Corporation launched the first nationwide toll-free hotline (1-866- SEAT-CHECK) dedicated exclusively to directing parents to local car seat inspection resources. The hotline is part of a new campaign to aggressively promote the need for safety seat inspections. The company also created a new Web site (www.seatcheck.org) to complement the hotline and to provide child passenger safety seat educational materials that can be downloaded easily.

Motor Carrier Support for Click It Or Ticket

Landstar, a national motor carrier company, posted *Click It Or Ticket* campaign advertisements on 2,000 newly manufactured 53-foot tractor-trailers. These tractor-trailers will carry the *Click It Or Ticket* message throughout all 50 States, Canada, and Mexico. Landstar also conducted in-house training programs on the importance of safety belt use.

Keeping BUA on the Road

The American Trucking Association worked with NHTSA to distribute information about the BUA campaign to its State trucking associations.

Research on Safety Belt Use Behavior

State Farm Insurance Company awarded a \$10 million grant to Meharry Medical College. The resources will enable Meharry to examine the factors that may contribute to low safety belt use rates among African American populations and develop ways to increase African American safety belt use.

Buckling Up in Hispanic Communities

The Nationwide Insurance Company, along with NHTSA, funded development of a Spanish-language campaign, *Corazón de mi vida* to make buckling up a habit for Latino parents and their children.

The National Latino Children's Institute (NLCI) developed the campaign, which means, "You are the center of my life." During 2002, the NLCI promoted the campaign in selected cities in New York and North Carolina.

WHALE Program Expanded

The American Society for Directors of Volunteer Services (ASDVS), working with the Greater Federation of Women's Clubs (GFWC), finalized the child safety seat identification component of its WHALE (We Have A Little Emergency) program. The program will be distributed through certified child passenger safety technicians, law enforcement agencies, emergency medical services professionals, and the members of both ASDVS and GFWC.

Youth Outreach Continues

Members of the National Organizations for Youth Safety (NOYS) and NHTSA jointly conducted a workshop at the Annual School Health Conference of the American School Health Association. Titled "Youth Saving Youth: America's Youth! Leading the Way in Preventing Teen Deaths," the workshop focused on strategies for reducing the toll of motor-vehicle-related injuries and deaths. The NOYS youth presenters discussed the need to involve young people in problem identification and the development of solutions.

Buckle Up and Smile for Life

In 2002, the National Dental Association (NDA) launched its first community education program, titled "Buckle Up and Smile for Life." All 20 NDA societies were encouraged to undertake community outreach activities during the months of February and April—February being Dental Health and Black History Month, and April being National Minority Health Month. As part of the campaign, NDA distributed its brochure, "Leading the Way, Lighting the Future— Buckle Up and Smile For Life," at its 89th annual convention in Dallas, TX.

Activities Of Health-Related Organizations

Ongoing Child Passenger Safety Inspections

Members of the Air Surface Transport Nurses Association (ASTNA) in Charlottesville, VA - partnering with local police, firefighters, EMS workers and the University of Virginia Health System - established an on-going program to conduct monthly child passenger safety inspections. Funds from a NHTSA mini-grant, along with private funding, allowed the nurses to purchase a trailer to store the supplies and materials necessary for conducting the checkpoints. At their first checkpoint event on February 16, 2002, during National Child Passenger Safety Week, they installed 164 seats, noted an 85 percent misuse rate of child safety seats, and gave away 22 new seats.

Healthy Mothers and Babies Buckle Up

In 2002, the National Healthy Mothers Healthy Babies Coalition adopted child passenger safety as one of its core focus areas for the next five years.

Permanent Inspection Stations at Hospitals

The American Hospital Association's Society for Hospital Strategy and Market Development received over 50 applications for 10-15 mini-grants to establish CPS fitting stations at hospitals. Awardees were announced during CPS week. Grant recipients include the following organizations: Adirondack Medical Center, Saranac Lake, NY; Baystate Medical Center, Springfield, MA; Grinnell Regional Medical Center, Grinnell, IA; Hennepin County Medical Center, Minneapolis, MN; Jefferson Regional Medical Center, Pine Bluff, AR; Lutheran Children's Hospital, Fort Wayne, IN; Mercy San Juan Medical Center/Catholic Health Care West, Carmichael, CA; Mount Clemens General Hospital, Mt. Clemens, MI; Northeast Alabama Regional

Medical Center, Anniston, AL; Peninsula Regional Medical Center, Salisbury, MD; Pleasant Valley Hospital, Point Pleasant, WV; St. Vincent Hospital, Center for Childhood Safety, Green Bay, WI; Vanderbilt Children's Hospital, Nashville, TN; Wake Forest University Baptist Medical Center, Winston-Salem, NC; and Watertown Area Health Services, Watertown, WI. The total amount to be awarded is \$37,795. Individual grants range from \$500 to \$3,500.

Emergency Nurse Association (ENA) and Emergency Nurses CARE, Inc. (ENCARE) Support ABC Mobilizations

ENA/ENCARE nurses helped conduct car seat checkpoints and educated parents about the use of child safety restraints during both ABC mobilizations. They also presented information in schools and partnered with law enforcement to educate communities on the dangers of drinking and driving.

Spanish-Speaking Spokespersons for Child Passenger Safety Week

During CPS Week, the National Hispanic Medical Association (NHMA) provided media-markets for Spanish-speaking audiences.

Outreach to African American Communities

The National Medical Association developed and distributed community outreach kits on safety belts and child passenger safety to its members. The Association also continued its work with the International Center for Injury Prevention, Heart to Heart, and the National Football League by providing speakers at events directed at African American youth.

Activities Of Faith-based Organizations

Safety on Sundays

The Congress of National Black Churches (CNBC) conducted a demonstration project, "Safety On Sunday," to develop a model program for church leaders to promote occupant protection. The project engaged church leadership in the planning and implementation of church-based child safety seat clinics, safety belt checkpoints, and traffic safety forums for teens.

CNBC Florida

CNBC provided the *Buckle Up America* Faith Leader's Guide and other traffic safety resources to attendees at the Annual Women in Ministry Conference of its Florida affiliate. The Director of CNBC's National Health Program also presented findings from the Safety on Sunday demonstration project, which resulted in more than a 50-percent increase in occupant protection usage rates.

CNBC Kentucky

CNBC's Kentucky affiliate in partnership with the Kentucky Organ Donor Association hosted the third annual Health and Wholeness Conference at the Pleasant Green Missionary Baptist Church. Approximately 100 clergy and lay leaders participated. CNBC provided the *Buckle Up America* Faith Leader's Guide and other traffic safety resources to attendees.

A New Faith-based Partner

The National Alliance of Baptist Churches joined NHTSA's Faith Outreach Initiative. The Alliance serves more than 140 Baptist congregations in 24 States across the country. NHTSA set up an exhibit at the Alliance's national faith leadership conference in Winston Salem, NC, and distributed *Buckle Up America* and Child Passenger Safety information.

Outreach To Diverse Populations

Give Kids a Head Start

Meharry Medical College pilot-tested its occupant protection project with the Head Start Program in Nashville, TN. The purpose of the project is to measure the effectiveness of an occupant protection educational intervention designed for parents of Head Start children. The educational intervention includes workshops on the proper use of child passenger and adult occupant restraints. Based on the success of the pilot program, Meharry plans to expand the project nationally with the National Head Start Association.

Continued Council Support for BUA

At its national convention, the National Council of Negro Women (NCNW) passed a resolution supporting the *Buckle Up America* and Impaired Driving Prevention campaigns. The resolution asked all NCNW sections and chapters of its national affiliates to become involved in safety belt and child safety seat activities in their local communities. After attending the Buckle Up workshop during the convention, representatives from California, New Jersey, Mississippi, and other affiliates expressed interest in working with NHTSA to improve safety belt and child safety seat use within the African American community.

BUA at the Local Level

The Alpha Kappa Alpha Sorority (AKA) received a \$50,000 grant to continue the promotion of safety belt use in the African American community. The sorority will use most of the grant monies to provide \$200 mini-grants to its 200 chapters. The purpose of the mini-grants is to generate enthusiasm and creativity in customizing BUA campaign materials and activities for local community outreach programs.

Strap It On!

Black Entertainment Television (BET) and Jack & Jill of America (JJA), with support from NHTSA, conducted a series of high school and college traffic safety forums across the country. The forums were aired live on BET's *Teen Summit* program before an estimated 6 million teen viewers. BET's celebrity talk show hosts, along with youth leaders, facilitated the forums, which included special panels of experts from the fields of law enforcement and emergency medicine. The forums were taped and an educational video, titled *Strap It On*, was developed.

Community Coalitions for BUA

The National Conference of Black Mayors (NCBM), with support from NHTSA, launched a new initiative—the Community Involvement Project to Increase Safety Belt Use in High-Risk Populations. The purpose of the initiative is to develop community coalitions that will reach high-risk populations with effective measures to increase safety belt use. The initiative was implemented through the provision of mini-grants to local organizations in selected cities.

More Support for CPS

The National Black Child Development Institute (NBCDI) became a new BUA partner in 2002. To support its emphasis on young children, it implemented a community-based Child Passenger Safety Training Initiative. The initiative provided training and awareness activities on occupant protection to daycare providers, elementary school educators, physicians, and parents in 23 States, as part of November's *Buckle Up America* mobilization.

A Habit for Life

Jack & Jill of America (JJA) unveiled its new national safety belt campaign, *A Habit For Life*, to help increase child seat and safety belt use rates among African American families. To promote the campaign, JJA provided mini-grants to 237 chapters in 37 States. Chapter members promoted BUA messages at daycare centers, beauty salons, car washes, and other non-traditional venues frequented by African American families with small children and teens. These activities took place during the November ABC mobilization.

Outreach to Rural Populations

The National Rural Health Association continued its support for BUA through its "Partners for Rural Traffic Safety" initiative. The association also published an article and photo from one of its occupant protection project activities in the May issue of the Minnesota Rural Health Association's newsletter.

Funds Supporting The *Buckle Up America* Campaign

The Transportation Equity Act for the 21st Century (TEA-21) (Public Law 105-178) was signed into law on June 9, 1998. In addition to providing funding for improving America's roadways, bridges, and transit systems, this comprehensive legislation provides funding for increasing safety belt and child safety seat use.

SECTION 402: Section 402 of TEA-21 provides funds to States and communities to reduce traffic crashes and resulting deaths, injuries, and property damage. A State may use these grant funds only for highway safety purposes; at least 40 percent of these funds must be used to address local traffic safety problems, including restraint use.

A State is eligible for Section 402 grants by submitting a Performance Plan, which establishes goals and performance measures to improve highway safety in the State, and a Highway Safety Plan, which describes activities to achieve those goals. Section 402 grants are calculated by using the following formula:

1. Seventy-five percent of the grant amount is based on the ratio of the State's population in the latest Federal census to the total population in all States.
2. Twenty-five percent of the grant amount is based on the ratio of the public road miles in the State to the total public road miles in all States.

SECTION 403: Section 403 under 23 U.S.C. funds demonstration grants (in addition to other programs) to develop new approaches and strategies to reduce motor-vehicle-related deaths and injuries (see Table 5).

Under Section 403 during FY 2002, NHTSA provided continued funding for a variety of ongoing, previously-awarded grant programs to reach high-risk groups who continue to ride unbuckled, including young drivers, rural residents, sport utility vehicle (SUV) drivers, pickup truck drivers, and ethnically diverse populations. Section 403 funds were also used to target occupant protection

messages and activities to teens, rural populations, diverse populations, children, parents, and caregivers.

SECTION 405: Section 405 of TEA-21 created a new incentive grant program to increase the use of safety belts and child safety seats by encouraging States to adopt more effective laws, stronger penalties, and highly visible enforcement and education programs. To qualify for a Section 405 occupant protection incentive grant, a State must demonstrate that it has implemented at least four of the following six criteria:

1. A safety belt law that applies to:
 - a. All front-seat passengers in all passenger motor vehicles (including cars, pickups, vans, minivans, and SUVs) in FYs 1999 and 2000.
 - b. All passengers in all passenger motor vehicles beginning in FY 2001.
2. A standard safety belt law, which allows police to stop vehicles and issue citations based solely on noncompliance with the State's safety belt use law.
3. A minimum fine of \$25 or one or more penalty points on the driver's license of an individual for a violation of the State's safety belt use and child passenger protection laws.
4. A Selective Traffic Enforcement Program (STEP) that covers at least 70 percent of the State's population and combines intensified enforcement, public education, and publicity efforts to increase safety belt and child safety seat use.
5. A comprehensive statewide child passenger protection education program that includes:
 - a. Public information efforts about seating children correctly in airbag-equipped vehicles, the importance of restraint use, and instruction on how to reduce the improper use of child restraint systems. These efforts must reach at least 70 percent of the State's population.

- b. Child passenger safety training and retraining for key personnel.
 - c. Child safety seat clinics covering at least 70 percent of the State's target population.
6. A child restraint law that covers all children younger than 16 years of age in all seating positions in all passenger motor vehicles.

SECTION 157: Section 157 of TEA-21 created a program to encourage States to increase their safety belt use rates in recognition that increased safety belt use decreases crash injuries and the financial burden these preventable injuries place on Federal programs. Funds are allocated to eligible States based on estimated savings in medical costs to the Federal Government due to improved safety belt use. A State is eligible for allocated funds in a fiscal year if either of the following conditions is met:

1. Its safety belt use rate for the past two calendar years exceeds the national average safety belt use rate (national average).
2. Its safety belt use rate in the previous calendar year exceeds the highest safety belt use rate the State has achieved for any earlier calendar year beginning in 1996 (its base rate).

A State may not receive allocations under both conditions in a single year. A State may receive an allocation under the base condition only if it fails to meet the national average condition. States must submit safety belt survey information for each calendar year covered by the program to NHTSA for evaluation. The survey information must measure safety belt use rates according to uniform criteria established by NHTSA to ensure accurate and representative measurements. (The national average safety belt use rate will be calculated by NHTSA each year.)

The Act also provides that Section 157 funds not allocated in incentive grants in a fiscal year be allocated to the States to carry out innovative projects to promote increased safety belt use rates.

NHTSA established criteria for the selection of State plans to receive allocations, ensuring, to the maximum extent practicable, demographic and geographic diversity and a diversity of safety belt use rates among the States selected for allocations. Subject to the availability of funds, TEA-21 provides that the minimum grant amount for each State plan is \$100,000.

SECTION 2003(b): Section 2003(b) of TEA-21 authorizes funds to implement a new child passenger protection program that is designed to prevent deaths and injuries to children, educate the public concerning the proper installation of child restraints, and train child passenger safety personnel concerning child restraint use. A State may use these grant funds only to carry out child passenger protection education and training programs.

TEA-21 funding provided to States and Territories during FY 2002 is presented in Table 5.

Congress Directs Funding of Community Grants to Increase Safety Belt Use

In FY 2002, Congress directed NHTSA to allocate funds for a second year for the implementation of innovative community demonstration programs to reach high-risk groups, such as youth, ages 15 to 24, males, pickup truck drivers, rural populations, minorities, and drivers who speed and/or drink while driving.

To be considered for a grant award, a community had to demonstrate that it had a significant high-risk population and stipulate that it was willing to conduct high-visibility enforcement programs to increase safety belt use. NHTSA awarded grants of up to \$50,000 to municipal, county, and other local government entities in September 2002 for programs to be developed and implemented during the 12 months following the award. Communities receiving grants and grant amounts are shown in Table 6.

Table 5 — TEA-21 Highway Safety Funding, FY 2002

State	Section 402 Formula	Section 157 Seat Belt Use Incentive	Section 157 Seat Belt Use Innovative	Section 2003b Child OP Education	Section 405 Occupant Protection	TOTAL FY 2002
Alabama	2,585,517	1,346,400	752,147	129,120	363,821	5,177,005
Alaska	760,000	6,000	365,250	37,954	104,725	1,273,929
Arizona	2,490,055	402,300	534,178	124,353	0	3,550,886
Arkansas	1,930,364	0	488,522	96,402	0	2,515,288
California	14,634,213	14,855,900	3,918,588	730,829	2,017,390	36,156,920
Colorado	2,447,411	0	566,137	122,223	0	3,135,771
Connecticut	1,507,648	616,200	410,906	75,292	224,982	2,835,028
Delaware	760,000	42,500	365,250	37,954	0	1,205,704
D.C.	760,000	182,000	365,250	37,954	104,723	1,449,927
Florida	7,248,495	1,255,600	2,832,544	361,988	928,064	12,626,691
Georgia	4,218,235	344,200	986,175	210,658	534,203	6,293,471
Hawaii	760,000	257,800	365,250	37,954	104,723	1,525,727
Idaho	927,137	24,200	365,250	46,301	0	1,362,888
Illinois	6,071,318	2,023,700	1,713,403	303,200	867,072	10,978,693
Indiana	3,210,260	58,300	1,550,509	160,320	454,036	5,433,425
Iowa	2,173,149	571,600	570,703	108,527	312,266	3,736,245
Kansas	2,276,174	0	588,966	113,672	0	2,978,812
Kentucky	2,290,596	174,500	584,400	114,392	316,317	3,480,205
Louisiana	2,286,059	238,400	611,794	114,165	332,124	3,582,542
Maine	760,000	0	0	37,954	104,723	902,677
Maryland	2,327,082	2,754,400	602,662	116,214	327,080	6,127,438
Massachusetts	2,778,109	0	748,762	138,738	403,116	4,068,725
Michigan	4,961,927	5,205,900	1,514,900	247,798	712,627	12,643,152
Minnesota	3,116,900	113,600	794,419	155,657	0	4,180,576
Mississippi	1,774,969	0	456,562	88,642	0	2,320,173
Missouri	3,293,322	1,320,700	858,337	164,468	0	5,636,827
Montana	988,214	89,400	365,250	49,351	137,405	1,629,620
Nebraska	1,514,189	205,800	392,644	75,618	214,263	2,402,514
Nevada	1,120,667	440,800	630,250	55,966	0	2,247,683
New Hampshire	760,000	0	365,250	37,954	0	1,163,204
New Jersey	3,582,701	4,237,200	940,519	178,919	512,985	9,452,324
New Mexico	1,253,867	977,900	365,250	62,618	170,119	2,829,754
New York	8,369,932	2,929,800	2,259,984	417,993	1,231,333	15,209,042
North Carolina	4,027,888	3,198,600	967,912	201,152	524,760	8,920,312
North Dakota	1,044,422	0	365,250	52,158	0	1,461,830
Ohio	5,462,510	256,100	1,629,262	272,797	0	7,620,669

Table 5 — TEA-21 Highway Safety Funding, FY 2002 (continued)

State	Section 402 Formula	Section 157 Seat Belt Use Incentive	Section 157 Seat Belt Use Innovative	Section 2003b Child Of Education	Section 405 Occupant Protection	TOTAL FY 2002
Oklahoma	2,368,944	792,300	611,794	118,305	0	3,891,343
Oregon	1,937,206	1,042,500	474,825	96,744	279,386	3,830,661
Pennsylvania	5,845,703	371,400	1,597,969	291,933	0	8,107,005
Rhode Island	760,000	0	365,250	37,954	104,723	1,267,927
South Carolina	2,147,215	1,028,500	538,744	107,231	0	3,821,690
South Dakota	1,059,101	0	365,250	0	0	1,424,351
Tennessee	3,002,179	0	744,197	149,928	0	3,896,304
Texas	10,825,339	4,112,100	3,870,709	540,615	1,406,378	20,755,141
Utah	1,247,749	590,300	365,250	62,312	156,740	2,422,351
Vermont	760,000	0	565,250	37,954	104,723	1,467,927
Virginia	3,382,498	0	853,772	168,921	462,636	4,867,827
Washington	3,015,077	2,208,900	980,500	150,572	396,346	6,751,395
West Virginia	1,041,505	0	615,250	52,013	0	1,708,768
Wisconsin	3,105,680	60,400	803,550	155,097	0	4,124,727
Wyoming	760,000	133,900	0	0	0	893,900
Puerto Rico	1,608,474	605,800	424,603	80,327	231,487	2,950,691
BIA	1,140,000	0	0	56,931	0	1,196,931
Am. Samoa	380,000	0	0	18,977	0	398,977
Guam	380,000	0	0	18,977	0	398,977
N. Marianas	380,000	0	0	18,977	52,362	451,339
Virgin Islands	380,000	0	0	18,977	52,362	451,339
TOTAL	152,000,000	55,075,900	44,369,348	7,500,000	14,250,000	273,195,248

Category	Expenditure
Program Development and Demonstration Grants	\$6,315,165
Public Information and Education	\$4,094,530
Child Passenger Safety	\$2,543,305
Total	\$12,953,000*

*Amount for FY 2002 includes \$1 million in funds directed by Congress for implementation of community demonstration programs to reach high-risk groups (such as minorities, younger drivers and the occasional safety belt user), and \$1 million to increase local efforts to boost safety belt usage rates in their jurisdictions.

Table 7 — FY 2000 Section 403 Occupant Protection Budget

Site Location by NHTSA Region	Award Amounts	Site Location by NHTSA Region	Award Amounts
Region 1 Rutland, VT	\$50,000	Region 6 Lake Charles, LA	\$50,000
Region 2 Atlantic, NJ	\$50,000	Region 7 Overland Park, KS	\$50,000
Region 3 Allentown, PA	\$50,000	Region 8 Pueblo, CO Greeley, CO Minot, ND Aberdeen, SD	\$49,666 \$25,000 (continuation) \$49,932 \$50,000
Region 4 Albany, GA	\$50,000	Region 9 Wailuku, HI Hilo, HI	\$50,000 \$50,000
Region 5 Chicago Heights, IL Bellwood, IL Moorhead, MN	\$50,000 \$50,000 \$50,000	Region 10 Twin Falls, ID	\$50,000

Future Plans And Activities

Under NHTSA's leadership, a majority of the 50 States conducted Statewide observational surveys of safety belt use in June 2002 to capture the impact of their contributions to the May 2002 *Operation ABC* and *Click It or Ticket* Mobilizations. Results from the Mobilizations indicate that the targeted States made impressive gains in safety belt use and that there is positive momentum across the country due to these campaigns. Impact data from these campaigns will be more thoroughly reviewed in the *Buckle Up America Seventh Report to Congress and Fifth Report to the President*, which will cover campaign activities from January 1, 2003, through December 31, 2003.

Program Coordination

Where feasible, NHTSA will plan and conduct nationwide observances, educational efforts and high-visibility law enforcement activities that support the objectives of both the occupant protection program and NHTSA's impaired driving prevention efforts. By pairing complementary efforts, NHTSA and its partners in both program areas will maximize limited resources, boost overall program coordination and avoid unnecessary overlap and duplication of effort. In addition, this team approach should prove beneficial to the impaired driving effort, which saw an increase of less than one percentage point in alcohol-related fatalities in 2002.

Legislation

Because of restrictions that were established under TEA-21, NHTSA is not permitted to urge State or local legislators to favor or oppose specific pending State or local legislation, including safety belt use legislation. However, NHTSA will continue to provide technical support as needed, such as by developing and making available legislative fact sheets and tracking ongoing legislative activities in States regarding occupant protection laws. NHTSA also will continue to provide expert testimony on the benefits of primary occupant protection legislation when it receives a proper request to do so.

NHTSA will also continue to track States' efforts to strengthen their child restraint laws, through the elimination of gaps in those laws and by increasing coverage for older child passengers. In keeping with the agency's updated best practice recommendation for booster seat use (issued in June 2002), NHTSA will closely monitor State legislative developments requiring the use of booster seats by children less than 8-years-old or 4 feet 9 inches tall.

Law Enforcement Activities

NHTSA will continue to strongly support the bi-annual *Operation ABC* Mobilizations. As in 2002, NHTSA will again dedicate much of the FY 2003 Section 157 innovative grant funding to the nationwide implementation of the successful *Click It or Ticket* model during the May 2003 and November 2003 mobilizations. These funds will be used by the States to purchase advertising in key media markets to support high-visibility enforcement activities. In addition, for the first time, Congress authorized NHTSA to purchase advertising promoting the *Click It Or Ticket* messaging on prominent national networks to be broadcast nationwide in conjunction with the May 2003 Mobilization.

The agency will dedicate other available funding to further evaluate the effectiveness of the mobilizations. The States will also conduct evaluations of their efforts to gauge the impact of the mobilizations on local safety belt usage rates. NHTSA also will provide technical assistance to the States and will encourage them to purchase broadcast time and print space (using funds from other sources) to enhance their media campaigns during the mobilizations.

Outreach and Partnerships

In 2003, NHTSA funded innovative community demonstration programs to increase safety belt and child restraint use among diverse populations and those with historically lower than average safety belt use rates and higher fatality rates – such as African Americans, Hispanics, Native Americans

residents of rural communities, youth and residents of States with secondary enforcement safety belt laws. The agency also continued to work with a number of prominent not-for-profit organizations to organize and conduct community-based public information and education programs that support law enforcement initiatives.

NHTSA began its implementation of the five-year strategic booster seat education plan during FY 2003, a key component of which was the awarding of a three-year community demonstration program to determine effective ways to increase booster seat use at the local level. Innovative public education and public awareness efforts, including the agency's longstanding occupant protection contract with the Advertising Council, was also developed.

NHTSA plans to work during 2003 with the Governors Highway Safety Association to create an organized Occupant Protection for Children Assessment Program. The program, which will be designed for implementation by the States, will be an invaluable tool to strategically plan and manage the human and material resources necessary to ensure an effective statewide child passenger safety program addressing the needs of all children.

NHTSA will continue to refine the NHTSA Standardized Child Passenger Safety Training Program, managed jointly by NHTSA and the American Automobile Association. This 32-hour program, through which more than 30,000 people have been trained since its creation in the late 1990s, ensures that currently-certified, trained instructors and technicians are available in communities nationwide to help parents and caregivers with correct child safety seat installation. These individuals also disseminate accurate and consistent information about child passenger safety to the general public.

NHTSA will also oversee the development and distribution of targeted, shorter-term, non-certification child passenger safety curricula. These alternative programs are designed to stimulate increased participation of key constituency groups in the child passenger safety arena, including child care providers, nursing professionals and the law enforcement community. The curricula will be developed in conjunction with key organizations

serving these groups, including, respectively, the American Academy of Pediatrics, the Emergency Nurses Association (ENA), and the International Association of Chiefs of Police.

In 2003, NHTSA expanded its five-year occupant protection partnership with the National Automobile Dealers Association (NADA), formally established in June 2002, to other key traffic safety areas. The initial focus of the partnership is on increasing the use of booster seats among older child passengers. NADA is making resources available to its member dealerships to sponsor and support local child passenger safety activities at the dealership level.

Public Information and Education

In 2003 NHTSA continued to develop public information and education materials and to provide outreach and technical assistance to the States and agency partners. The agency currently plans to:

- Acknowledge the sustained and effective leadership provided by leading African American organizations and institutions that has led to steady and demonstrable increases in safety belt use in the African American community.
- Develop innovative media and educational strategies and partnerships to increase safety belt use by teens, rural residents, and part-time safety belt users.
- Support efforts to train and certify more Child Passenger Safety Technicians in diverse and at-risk communities.
- Stimulate the establishment of additional child safety seat fitting and inspection stations around the country.
- Organize news events promoting child safety seat and safety belt use (including culturally appropriate events and materials for diverse populations) during Child Passenger Safety Week in February 2003, the *Operation ABC* Mobilizations in May and November, and at other peak travel times.
- Ensure public awareness and understanding of the agency's rating system for child safety seats, as mandated in the TREAD Act.

- More widely promote NHTSA's *4 Steps For Kids* approach, which seeks to educate consumers about the milestones for when it is safe to transition child passengers to each of the four stages of occupant restraint (rear-facing infant seat, forward-facing toddler seat, booster seat, and adult safety belts).

**NSC News Center**

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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.

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