

ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672
6614 SENATE STATE AFFAIRS

1018

Position Title Motor Vehicle Representative I/II			No. of Positions 1	Range/Step 98	Barg. Unit G																																							
Time Status PPT	Staff Months 6	Location Anchorage		Election District 7-15																																								
<table border="1"> <thead> <tr> <th>Type of Expenditure</th> <th colspan="2">Amount</th> </tr> <tr> <th>1</th> <th>2</th> <th>3</th> </tr> </thead> <tbody> <tr> <td>Salary*</td> <td>10.7</td> <td>////////////////////</td> </tr> <tr> <td>Benefits*</td> <td>5.6</td> <td>////////////////////</td> </tr> <tr> <td>Premium Pay (Included in Above)</td> <td>////////////////////</td> <td>////////////////////</td> </tr> <tr> <td>Other</td> <td>////////////////////</td> <td>////////////////////</td> </tr> <tr> <td>Total Personal Services</td> <td>////////////////////</td> <td>16.3</td> </tr> <tr> <td>Travel</td> <td></td> <td></td> </tr> <tr> <td>Contractual</td> <td></td> <td></td> </tr> <tr> <td>Commodities</td> <td></td> <td>2.5</td> </tr> <tr> <td>Equipment</td> <td></td> <td>3.0</td> </tr> <tr> <td>Other</td> <td></td> <td></td> </tr> <tr> <td>Total Cost</td> <td></td> <td>21.8</td> </tr> </tbody> </table>			Type of Expenditure	Amount		1	2	3	Salary*	10.7	////////////////////	Benefits*	5.6	////////////////////	Premium Pay (Included in Above)	////////////////////	////////////////////	Other	////////////////////	////////////////////	Total Personal Services	////////////////////	16.3	Travel			Contractual			Commodities		2.5	Equipment		3.0	Other			Total Cost		21.8	Justification This position will be assigned the administrative tasks associated with the start up and operation of the program during the first year. These tasks include design, and coordination with National Guard and Militia organizations to publicize the program. This position will also accept applications, update vehicle records, and account for the funds collected under this program. Due to the relatively small number of requests this program will be centralized at the Anchorage Headquarters office.		
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REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety
BRU Division of Motor Vehicles
COMPONENT Field Services

Page 3 of 3
Revised Date

FY 90

Alaska Statutes

Title 26. Military Affairs and Veterans.

Chapter

05. Military Code of Alaska (§§ 26.05.010, 26.05.224, 26.05.228, 26.05.265)

15. Veterans Loans (§§ 26.15.040, 26.15.060)

23. Alaska Disaster Act (§ 26.23.230)

Chapter 05. Military Code of Alaska.

Section

10. Alaska militia established

224. Retirement benefits

Section

228. Accounting and investment

265. Reenlistment bonus

Sec. 26.05.010. Alaska militia established. (a) The militia of the state consists of all able-bodied citizens of the United States and all other able-bodied persons who have declared their intention to become citizens of the United States, who reside in the state, who are at least 17 years of age, and who are eligible for military service under the laws of the United States or this state.

(b) The militia is divided into two classes:

(1) the organized militia, consisting of the Alaska National Guard, the Alaska Naval Militia, and the Alaska State Militia, and

(2) the unorganized militia, consisting of all qualified persons available for service but not serving in the organized militia.

(c) The adjutant general may, by regulation, prescribe the maximum age for eligibility in the militia. (§ 2 ch 150 SLA 1955; am § 1 ch 44 SLA 1968; am § 1 ch 141 SLA 1972; am § 1 ch 5 SLA 1987)

Effect of amendments. — The 1987 amendment in subsection (a) substituted "who are least 17 years of age, and who are eligible" for "and who are between the ages of 17 and 59 years, inclusive, and are eligible"; and added subsection (c).

Sec. 26.05.224. Retirement benefits. (a) An active member of the Alaska National Guard, or a former member who was an active member on or after January 1, 1969, or a member of the Alaska Naval Militia on or after July 1, 1980, is eligible for a retirement pension

(1) upon voluntary retirement from the Alaska National Guard or Alaska Naval Militia after a total of 20 years or more of satisfactory service in the Alaska National Guard, Alaska Naval Militia, or the armed forces of the United States, and the reserves of them, or any

Section

310. Military courts for the Alaska militia
 320. General court-martial
 322. Special court-martial
 324. Summary court-martial

Section

326. Appeal from court-martial convictions
 330. Expenses of military courts
 340. Miscellaneous provisions
 350. Short title

Supplemental
~~Sec. 26.05.010. Alaska militia established. (a) The militia of the state consists of all able bodied citizens of the United States and all other able bodied persons who have declared their intention to become citizens of the United States, who reside in the state, and who are between the ages of 17 and 59 years, inclusive, and are eligible for military service under the laws of the United States or this state.~~

(b) The militia is divided into two classes:

- (1) the organized militia, consisting of the Alaska National Guard, the Alaska Naval Militia, and the Alaska State Militia, and
 (2) the unorganized militia, consisting of all qualified persons available for service but not serving in the organized militia. (§ 2 ch 150 SLA 1955; am § 1 ch 44 SLA 1968; am § 1 ch 141 SLA 1972)

Collateral references. — 53 Am. Jur. 2d, Military, and Civil Defense, § 1 et seq.; 54 Am. Jur. 2d, Military, and Civil Defense, § 149 et seq.
 57 C.J.S., Militia, § 1 et seq.
 Members of militia as entitled to benefit

of war legislation in nature of moratory statute. 137 ALR 1400; 147 ALR 1311.
 Validity and construction of state statutes requiring employers to compensate employees for absences occasioned by military service. 8 ALR4th 704.

Sec. 26.05.020. Exemption from military service. The following are exempt from militia service: persons exempt by the laws of the United States, judges of the courts of the state, and members and officers of the state legislature. (§ 3 ch 150 SLA 1955)

Sec. 26.05.030. Composition of organized militia. (a) The Alaska National Guard consists of

- (1) members of the militia who have voluntarily enlisted and who, upon original enlistment, are organized, armed, equipped, and federally recognized according to the laws of the United States; and
 (2) commissioned officers and warrant officers who are citizens of the United States, having the qualifications prescribed by federal law and regulations, and who are appointed and commissioned or warranted by the governor.

(b) Former members of the regular Army, Navy or Marine Corps under 64 years of age may enlist in the Alaska Militia.

(c) The Alaska Naval Militia consists of units authorized by the governor, organized, equipped, trained and administered as prescribed by state and federal law and regulation, and manned by personnel who are

(1) members of the United States Naval Reserve or the United States Marine Corps Reserve and

(2) enlisted, appointed, commissioned or warranted under the laws and regulations of the United States.

(d) The Alaska State Militia consists of units authorized by the governor, and manned by volunteer personnel qualifying under state law and regulation. All State Militia personnel shall be

(1) appointed, commissioned or warranted, and assigned by the governor or the adjutant general as the governor's designee;

(2) subject to serve on state active duty at the call and by order of the governor.

(e) [Repealed, § 102 ch 127 SLA 1974.] (§ 4 ch 150 SLA 1955; am § 2 ch 44 SLA 1968; am § 13 ch 141 SLA 1972; am § 102 ch 127 SLA

Sec. 26.05.040. Ratification and confirmation of existing military forces. The provisions of 48 U.S.C. 473 — 479 pertaining to the National Guard apply to the existing units and individuals of the military forces in the state, heretofore organized and known as the Alaska National Guard, and this organization is ratified and confirmed. (§ 5 ch 150 SLA 1955)

Editor's notes. — With regard to 48 U.S.C. 473 — 479, cited in this section, page 11732 of the 1970 edition of the United States Code contains the following: "Sections 21 — 488f of this title, applicable to the Territory of Alaska, are omitted from this title since the scope of this title limits it to general and permanent laws applicable to Territories and In-

sular Possessions, and Alaska was admitted into the Union as a State on January 3, 1959. See the notes following the heading of this chapter.

"Many of the provisions encompassed by former sections 21 — 488f of this title were enacted by the Legislature of the State of Alaska on February 19, 1963, as part of the Alaska Statutes."

Sec. 26.05.050. Authority for organization. The governor as commander in chief may organize units in communities so requesting and specifically provide for organization of at least two scout battalions in the western and northwestern coastal areas and northern Arctic regions of the state, in accordance with special authority of the United States Department of Defense. (§ 6 ch 150 SLA 1955)

Sec. 26.05.060. Control of Alaska National Guard and Alaska Naval Militia. The governor as ex officio commander of the militia of the state has command of the Alaska National Guard and the Alaska Naval Militia while they are not in active federal service. The governor may adopt necessary regulations for them not inconsistent with 48 U.S.C. 473 — 479. Except as otherwise prescribed by those sections, the Alaska National Guard and the Alaska Naval Militia and their members are subject to all federal laws and regulations relating to the



Alaska State Legislature

SENATE

Office of the President

P.O. Box V
State Capitol
Juneau, Alaska 99811
(907) 465-3755

February 7, 1989

Senator Pat Pourchot, Chairman
State Affairs Committee
Alaska State Senate
Box V
Juneau, Ak 99811

? applicable?

Re: SB 57, veterans' license plates.

Dear Senator Pourchot,

I would appreciate a committee hearing on SB 57 at your earliest convenience. Over half of the states have similar provisions for their guard units for worthwhile effect (see attachment). It is interesting to note that Alaskan ham radio operators currently can get license plate identifiers. In part, this is because of valuable service they can render in emergencies.

I believe the enactment of this legislation will bring no added cost to the state.

Sincerely

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

TIM KELLY
Alaska State Senator

*not applicable!
this is a request only -*

ALASKA NATIONAL GUARD
OFFICER'S ASSOCIATION
200 W. 34th Street, Suite 727
Anchorage, Alaska 99503

*476
Call DMU
got hold
of Mike
249-1256*

1 August 1986

4. DISTINCTIVE VEHICLE LICENSE PLATES FOR ALASKA NATIONAL GUARD PERSONNEL

A. PROPOSAL: This proposal would enact legislation to fund the casting of necessary license plate dies and administrative overhead required for the issuance of distinctive vehicle license plates to Alaska National Guard personnel.

B. DISCUSSION: A past legislature agreed in principle to the issuance of distinctive vehicle license plates for Alaska National Guard personnel. These plates are recognized as a visible yet low-cost incentive for National Guard membership. However, money was never appropriated to cast the dies and cover administrative overhead. The Department of Motor Vehicles is apparently reluctant to fund the project.

While a past legislature agreed to the proposal in principle, no money was appropriated to make it happen.

It is believed that many of the approximately 4000 Alaska National Guardsmen would be interested in purchasing distinctive license plates.

Members of the Alaska National Guard (approximately 4000) and their spouses (approximately 3000) support this initiative.

C. COST: It is estimated that casting of dies and administrative costs would amount to \$5000 - \$10,000. It is interesting to note that if these plates were to be considered "vanity plates" with the attendant one time \$30.00 fee, the program could actually break even or become a money-maker.

D. PRECEDENTS:

ALABAMA: Offers one distinctive auto plate free to each Guardsman.

ARKANSAS: Offers auto tag free.

FLORIDA: Offers National Guard auto plate at regular rate.

GEORGIA: Offers free auto plate and free driver's license for Guardsmen and those with 20 years Guard service.

IDAHO: Offers National Guard auto plates at regular rate.

ILLINOIS: Offers National Guard auto license plate at regular rates.

INDIANA: Offers Guardsmen eligibility National Guard license plates.

IOWA: Offers distinctive auto plates at \$5.00 over normal cost.

516

KANSAS: Offers Kansas National Guard tag for any number of vehicles owned at regular rate.

KENTUCKY: Offers National Guard license plates a \$1.00 per year after initial \$25 fee. License plate for retired member with 25 years Guard service.

LOUISIANA: Offers distinctive license plate for car, pickup, or van at regular rate.

MARYLAND : Offers distinctive license plates.

MINNESOTA: Offers National Guard auto plates for additional \$10.00.

MONTANA: Offers auto tag at regular rate.

NEVADA: Offers National Guard auto plates at regular rate.

NEW HAMPSHIRE: Offers National Guard auto plates \$4.00 annually.

NEW JERSEY: Offers distinctive National Guard auto plates for term of National Guard service at one-time additional cost of \$15.00.

NEW MEXICO: Offers free auto license plate for active members of National Guard.

NEW YORK: Offers distinctive National Guard auto plates-\$15.00 annual fee.

NORTH CAROLINA: Offers National Guard auto tags at regular rate.

OKLAHOMA: Offers National Guard auto tags at regular rate.

SOUTH CAROLINA: Offers auto tags, no extra charge.

SOUTH DAKOTA: Offers National Guard auto tags no extra charge.

TENNESSEE: Offers National Guard auto tags: enlisted members free, officers \$10.00 additional fee.

TEXAS: Offers Texas Guard license plates.

UTAH: Offers National Guard auto plates at regular rate.

VIRGINIA: Offers auto tags at one-half price.

WISCONSIN: Offers National Guard license plates for \$10.00 surcharge.

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: Public Safety
 Title: An Act relating to license plates
for the organized militia BRU: Division of Motor Vehicles
 Sponsor: Senator Kelly Component: Field Services
 Requestor: Senate State Affairs

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES		16.3				
TRAVEL						
CONTRACTUAL		5.0	.5	.5	.5	.5
SUPPLIES						
EQUIPMENT		3.0				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	24.3	.5	.5	.5	.5

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	15.0	8.0	8.0	8.0	8.0
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FUNDING: (Thousands of Dollars)

GENERAL FUND		24.3	.5	.5	.5	.5
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	24.3	.5	.5	.5	.5

POSITIONS:

FULL-TIME						
PART-TIME	0	1	0	0	0	0
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Please see attached page.

Prepared by: Charles R. Hosack
 Division: Motor Vehicles

Phone: 269-5551
 Date: 1/18/89

Approved by Commissioner: Arthur English
 Agency: Department of Public Safety

Date: 2-13-89

Jan 11/18/89

Analysis:

There are approximately 5,000 National Guard and Militia members that would be eligible for these plates. The Division estimates that only 10% or 500 members will apply for these plates. The low estimate is based on two factors. A large percentage of the National Guard members are assigned to the Scout Battalions in western Alaska. They live in the small villages where registration is not required and many do not even own a vehicle. The second factor is the added cost which will deter those who are eligible and do own vehicles.

The first year costs are broken down as follows:

Personnel

1 part-time Motor Vehicle Representative I/II, Range 9	\$16.3
---	--------

This position will work in the Anchorage Headquarters to handle the administrative tasks associated with the start-up of the program. This will include updating vehicle records and issuing the initial years plates.

Contractual

500 pair of license plates @ \$5.00	2.5
APSIN terminal charges	<u>2.5</u>
	5.0

Equipment

APSIN terminal and printer	3.0
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TOTAL		\$24.3
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After the first year it is estimated that there will be 100 new requests for plates annually. The only cost will be for the purchase of the plates and the workload will be absorbed by existing personnel.

Revenue

The first year there will be 500 new requests at \$30.00 each for a total of \$15,000. After the first year there will be 500 renewals at \$10.00 each and 100 new requests at \$30.00 each for a total of \$8,000.

Position Title Motor Vehicle Representative I/II		No. of Positions 1	Range/Step 9B	Barg. Unit G
Time Status PPT	Staff Months 6	Location Anchorage		Election District 7-15
Type of Expenditure		Amount		
1	2	3		
Salary*	10.7	////////////////////		
Benefits*	5.6	////////////////////		
Premium Pay (Included in Above)	////////////////////	////////////////////		
Other	////////////////////	////////////////////		
Total Personal Services	////////////////////	16.3		
Travel				
Contractual				
Commodities		2.5		
Equipment		3.0		
Other				
Total Cost		21.8		
Funding Source for Total Cost				
Federal Receipts	1002			
G.F. Match	1003			
General Fund	1004	21.8		
Program Receipts/GF	1005			
I-A Receipts	1007			
CIP Receipts	1061			
Other				
* Personal Services Salary and Benefits Costs are from PACS Scenario #2.				
Justification This position will be assigned the administrative tasks associated with the start up and operation of the program during the first year. These tasks include design, and coordination with National Guard and Militia organizations to publicize the program. This position will also accept applications, update vehicle records, and account for the funds collected under this program. Due to the relatively small number of requests this program will be centralized at the Anchorage Headquarters office.				

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety
 BRU Division of Motor Vehicles
 COMPONENT Field Services

Page 3 of 3
 Revised Date

FY 90

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

POSITION PAPER

SB57

Summary of Bill: This bill changes the current law establishing a special request license plate for the Alaska National Guard, and expands the special request plate eligibility to include all of the organized militia, as defined in AS 26.05.010(b) (1). The practical effect of this is to add the Alaska Naval Militia and the Alaska State Militia to the Alaska National Guard for special plate eligibility. As the bill is currently worded, it allows separate types of plates to be issued to members of each of the three segments of the organized militia, with the plates also indicating whether or not the member is active or retired.

The bill also creates a separate fund in the Department of Military and Veterans Affairs, the Commander's Support Fund, to be used to promote the morale, welfare, and recreational activities of the organized militia. A portion of the funds collected for initial license plate issue (\$20 of the \$30 fee), and all of the funds collected for annual renewals (\$10) are required to be accounted for separately. The estimated balance of funds accounted for from the issuance and renewal of these special plates is permitted to be appropriated by the legislature into the Commander's Support Fund.

Impact of Bill on Department of Military and Veterans Affairs: We expect that establishment of the Commander's Support Fund would induce members of the Alaska National Guard to purchase the special license plates, since most of their costs would end up in the Commander's Support Fund to be spent for morale, welfare, and recreation. The appropriations to the Commander's Support Fund would appear in the Office of the Adjutant General budget component, and then be expended into a separate bank account controlled by the Adjutant General for the purposes authorized in the legislation.

The increase in funds available to spend on morale, welfare, and recreation will have a beneficial effect on the morale of the Alaska National Guard. The Department of Military and Veterans Affairs would work closely with the Division of Motor Vehicles to publicize and implement the program.

Departmental Position on Bill: We support this bill, with some reservations. The Department believes that the expansion of the special license plates to include all three components of the organized militia is not warranted at this time, and would prefer that the issuance of special license plates be limited to the Alaska National Guard in this bill. A fiscal note is attached, which indicates the estimated amount of funds to be appropriated to the Commander's Support Fund as a result of enactment of this bill.

Approved: J. Morrison
for MG John W. Schaeffer

Date: 2/15/89

FISCAL NOTE

REQUEST:

Revision Date: February 14, 1989
 Title: Relating to license plates
for organized militia
 Sponsor: Kelly
 Requestor: Senate State Affairs

Agency Affected: Military & Veterans Affairs
 BRU: Alaska National Guard
 Components Office of the Adjutant General

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS		10.0	7.0	7.0	7.0	7.0
TOTAL OPERATING		10.0	7.0	7.0	7.0	7.0

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

GENERAL FUND		10.0	7.0	7.0	7.0	7.0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)
 Expenditures would be made by transferring funds to Commander's Support Fund created in this bill. Budgeted amounts are based on revenue received for issuance and renewal of special plates, separately accounted for as provided in this bill. Amounts projected as separately accounted revenue are based on Department of Public Safety fiscal note.

Prepared by: Jeff Morrison, Director
 Division: Administrative & Support Services, DMVA

Phone: 465-4600
 Date: February 14, 1989

Approved by Commissioner: for MG John Schaeffer
 Agency: Department of Military & Veterans Affairs

Date: February 14, 1989

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

FISCAL NOTE

REQUEST:

Revision Date: 02/24/89
Title: An Act relating to motor vehicle license plates for Alaska National Guard
Sponsor: Kelly
Requestor: Senate State Affairs

Agency Affected: Public Safety
BRU: Division of Motor Vehicles
Component: Field Services

EXPENDITURES/REVENUES: (Thousands of Dollars) (Inflation not included)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES	-0-	16.3	-0-	-0-	-0-	-0-
TRAVEL						
CONTRACTUAL	-0-	5.0	.5	.5	.5	.5
SUPPLIES						
EQUIPMENT	-0-	3.0	-0-	-0-	-0-	-0-
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	24.3	.5	.5	.5	.5

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	15.0	8.0	8.0	8.0	8.0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	24.3	.5	.5	.5	.5
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	24.3	.5	.5	.5	.5

POSITIONS:

FULL-TIME						
PART-TIME	-0-	1	-0-	-0-	-0-	-0-
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

Please see attached page.

Prepared by: Charles R. Hosack
Division: Motor Vehicles

Phone: 269-5551
Date: 02/24/89

Approved by Commissioner: Arthur English
Agency: Department of Public Safety

Date: 2-27-89

Analysis:

There are approximately 5,000 National Guard members that would be eligible for these plates. The Division estimates that only 10%, or 500 members, will apply for these plates. The low estimate is based on two factors. A large percentage of the National Guard members are assigned to the Scout Battalions in western Alaska. They live in the small villages where registration is not required and many do not even own a vehicle. The second factor is the added cost which will deter those who are eligible and do own vehicles.

The first year costs are broken down as follows:

Personnel

1 part-time Motor Vehicle Representative I/II, Range 9	\$16.3
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This position will work at Anchorage Headquarters to handle the administrative tasks associated with the start-up of the program. This will include updating vehicle records and issuing the initial years plates.

Contractual

500 pair of license plates @ \$5.00	2.5
APSIN terminal charges	<u>2.5</u>
	5.0

Equipment

APSIN terminal and printer	3.0
----------------------------	-----

TOTAL	\$24.3
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After the first year it is estimated that there will be 100 new requests for plates annually. The only cost will be for the purchase of the plates; the workload will be absorbed by existing personnel.

Revenue

The first year there will be 500 new requests at \$30.00 each for a total of \$15,000. After the first year there will be 500 renewals at \$10.00 each and 100 new requests at \$30.00 each for a total of \$8,000.

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Time Status PPI	Staff Months 6		Location Anchorage	Election District 7-15	
Type of Expenditure			Justification This position will be assigned the administrative tasks associated with the start up and operation of the program during the first year. These tasks include design, and coordination with National Guard and Militia organizations to publicize the program. This position will also accept applications, update vehicle records, and account for the funds collected under this program. Due to the relatively small number of requests this program will be centralized at the Anchorage Headquarters office.		
		Amount			
1	2	3			
Salary*	10.7	////////////////////			
Benefits*	5.6	////////////////////			
Premium Pay (Included in Above)	////////////////////	////////////////////			
Other	////////////////////	////////////////////			
Total Personal Services	////////////////////	16.3			
Travel					
Contractual					
Commodities		2.5			
Equipment		3.0			
Other					
Total Cost		21.8			
Funding Source for Total Cost					
Federal Receipts	1002				
G.F. Match	1003				
General Fund	1004	21.8			
Program Receipts/GF	1005				
I-A Receipts	1007				
CIP Receipts	1061				
Other					
* Personal Services Salary and Benefits Costs are from PACS Scenario #2.					

REQUEST FOR
NEW POSITION

AGENCY Department of Public Safety
 BRU Division of Motor Vehicles
 COMPONENT Field Services

Page 3 of 3
Revised Date

FY 90

FISCAL NOTE

REQUEST:

Revision Date: February 22, 1989
 Title: Relating to organized militia
and Commanders Fund
 Sponsor: Senate State Affairs
 Requestor: Senate State Affairs

Agency Affected: Military & Veterans Affairs
 BRU: Alaska National Guard

Components: Office of the Adjutant General

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS		0	10.0	7.0	7.0	7.0
TOTAL OPERATING		0	10.0	7.0	7.0	7.0

CAPITAL						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

FUNDING: (Thousands of Dollars)

GENERAL FUND		0	10.0	7.0	7.0	7.0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary) Expenditures would be made by transferring funds to Commander's Support Fund created in this bill. Budgeted amounts are based on revenue received for issuance and renewal of special plates, separately accounted for as provided in this bill. Amounts projected as separately accounted revenue are based on Department of Public Safety fiscal note amounts shown for each preceding fiscal year.

Prepared by: Jeff Morrison, Director
 Division: Administrative & Support Services, DMVA

Phone: 465-4600
 Date: February 23, 1989

Approved by Commission: MG John Schaeffer
 Agency: Department of Military & Veterans Affairs

Date: February 23, 1989

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Alaska Statutes

Title 26. Military Affairs and Veterans.

Chapter

- 05. Military Code of Alaska (§§ 26.05.010, 26.05.224, 26.05.228, 26.05.265)
- 15. Veterans Loans (§§ 26.15.040, 26.15.060)
- 23. Alaska Disaster Act (§ 26.23.230)

Chapter 05. Military Code of Alaska.

Section

- 10. Alaska militia established
- 224. Retirement benefits

Section

- 228. Accounting and investment
- 265. Reenlistment bonus

Sec. 26.05.010. Alaska militia established. (a) The militia of the state consists of all able-bodied citizens of the United States and all other able-bodied persons who have declared their intention to become citizens of the United States, who reside in the state, who are at least 17 years of age, and who are eligible for military service under the laws of the United States or this state.

(b) The militia is divided into two classes:

- (1) the organized militia, consisting of the Alaska National Guard, the Alaska Naval Militia, and the Alaska State Militia, and
- (2) the unorganized militia, consisting of all qualified persons available for service but not serving in the organized militia.

(c) The adjutant general may, by regulation, prescribe the maximum age for eligibility in the militia. (§ 2 ch 150 SLA 1955; am § 1 ch 44 SLA 1968; am § 1 ch 141 SLA 1972; am § 1 ch 5 SLA 1987)

Effect of amendments. — The 1987 amendment in subsection (a) substituted "who are least 17 years of age, and who

are eligible" for "and who are between the ages of 17 and 59 years, inclusive, and are eligible"; and added subsection (c).

Sec. 26.05.224. Retirement benefits. (a) An active member of the Alaska National Guard, or a former member who was an active member on or after January 1, 1969, or a member of the Alaska Naval Militia on or after July 1, 1980, is eligible for a retirement pension

(1) upon voluntary retirement from the Alaska National Guard or Alaska Naval Militia after a total of 20 years or more of satisfactory service in the Alaska National Guard, Alaska Naval Militia, or the armed forces of the United States, and the reserves of them, or any

Section
 310. Military courts for the Alaska militia
 320. General court-martial
 322. Special court-martial
 324. Summary court-martial

Section
 326. Appeal from court-martial convictions
 330. Expenses of military courts
 340. Miscellaneous provisions
 350. Short title

~~Sec. 26.05.010. Alaska militia established. (a) The militia of the state consists of all able-bodied citizens of the United States and all other able-bodied persons who have declared their intention to become citizens of the United States, who reside in the state, and who are between the ages of 17 and 59 years, inclusive, and are eligible for military service under the laws of the United States or this state.~~

~~(b) The militia is divided into two classes:~~

~~(1) the organized militia, consisting of the Alaska National Guard, the Alaska Naval Militia, and the Alaska State Militia, and~~

~~(2) the unorganized militia, consisting of all qualified persons available for service but not serving in the organized militia. (§ 2 ch 150 SLA 1955; am § 1 ch 44 SLA 1968; am § 1 ch 141 SLA 1972)~~

Collateral references. — 53 Am. Jur. 2d, Military, and Civil Defense, § 1 et seq.; 54 Am. Jur. 2d, Military, and Civil Defense, § 149 et seq.

57 C.J.S. Militia, § 1 et seq.

Members of militia as entitled to benefit

of war legislation in nature of moratory statute. 137 ALR 1400; 147 ALR 1311.

Validity and construction of state statutes requiring employers to compensate employees for absences occasioned by military service. 8 ALR4th 704.

Sec. 26.05.020. Exemption from military service. The following are exempt from militia service: persons exempt by the laws of the United States, judges of the courts of the state, and members and officers of the state legislature. (§ 3 ch 150 SLA 1955)

Sec. 26.05.030. Composition of organized militia. (a) The Alaska National Guard consists of

(1) members of the militia who have voluntarily enlisted and who, upon original enlistment, are organized, armed, equipped, and federally recognized according to the laws of the United States; and

(2) commissioned officers and warrant officers who are citizens of the United States, having the qualifications prescribed by federal law and regulations, and who are appointed and commissioned or warranted by the governor.

(b) Former members of the regular Army, Navy or Marine Corps under 64 years of age may enlist in the Alaska Militia.

(c) The Alaska Naval Militia consists of units authorized by the governor, organized, equipped, trained and administered as prescribed by state and federal law and regulation, and manned by personnel who are

(1) members of the United States Naval Reserve or the United States Marine Corps Reserve and

(2) enlisted, appointed, commissioned or warranted under the laws and regulations of the United States.

(d) The Alaska State Militia consists of units authorized by the governor, and manned by volunteer personnel qualifying under state law and regulation. All State Militia personnel shall be

(1) appointed, commissioned or warranted, and assigned by the governor or the adjutant general as the governor's designee;

(2) subject to serve on state active duty at the call and by order of the governor.

(e) [Repealed, § 102 ch 127 SLA 1974.] (§ 4 ch 150 SLA 1955; am § 2 ch 44 SLA 1968; am § 13 ch 141 SLA 1972; am § 102 ch 127 SLA 1974)

Sec. 26.05.040. Ratification and confirmation of existing military forces. The provisions of 48 U.S.C. 473 — 479 pertaining to the National Guard apply to the existing units and individuals of the military forces in the state, heretofore organized and known as the Alaska National Guard, and this organization is ratified and confirmed. (§ 5 ch 150 SLA 1955)

Editor's notes. — With regard to 48 U.S.C. 473 — 479, cited in this section, page 11732 of the 1970 edition of the United States Code contains the following: "Sections 21 — 488f of this title, applicable to the Territory of Alaska, are omitted from this title since the scope of this title limits it to general and permanent laws applicable to Territories and In-

sular Possessions, and Alaska was admitted into the Union as a State on January 3, 1959. See the notes following the heading of this chapter.

"Many of the provisions encompassed by former sections 21 — 448f of this title were enacted by the Legislature of the State of Alaska on February 19, 1963, as part of the Alaska Statutes."

Sec. 26.05.050. Authority for organization. The governor as commander in chief may organize units in communities so requesting and specifically provide for organization of at least two scout battalions in the western and northwestern coastal areas and northern Arctic regions of the state, in accordance with special authority of the United States Department of Defense. (§ 6 ch 150 SLA 1955)

Sec. 26.05.060. Control of Alaska National Guard and Alaska Naval Militia. The governor as ex officio commander of the militia of the state has command of the Alaska National Guard and the Alaska Naval Militia while they are not in active federal service. The governor may adopt necessary regulations for them not inconsistent with 48 U.S.C. 473 — 479. Except as otherwise prescribed by those sections, the Alaska National Guard and the Alaska Naval Militia and their members are subject to all federal laws and regulations relating to the

SB 57 LICENSE PLATES FOR THE ORGANIZED MILITIA; CREATING A
 MILITIA SUPPORT FUND

TO TESTIFY:

SENATOR KELLY, SPONSOR (DAVE GRAY)

JEFF MORRISON, DEPT. MILITARY & VETERANS AFFAIRS

BILL BROWN, DIVISION OF MOTOR VEHICLES, D.P.S.

OTHERS (SEE WITNESS LIST)

F.Y.I.

COST FOR THE SPECIAL PLATE IS \$30. THE BILL INTENDS THAT \$20 OF THIS BE APPROPRIATED TO THE COMMANDER'S SUPPORT FUND. THIS LEAVES \$10 PER PLATE TO COVER COSTS, WHICH SHOULD BE MORE THAN ADEQUATE.

ACCORDING TO BILL BROWN, DIV. MOTOR VEHICLES IS NOT ON A PROGRAM RECEIPT BUDGET. ALL FUNDS GO INTO THE GENERAL FUND, AND THE DIVISION RECEIVES DIRECT APPROPRIATIONS.

S B

59

SENATE STATE AFFAIRS COMMITTEE

BILL NUMBER SB 59

SPONSOR Sturgulewski

Frank Bickford
DIRECTOR
(907) 561-7525

BILL TITLE Mandatory seatbelts

DATE REFERRED 1-9-89

HEARING SCHEDULED 2-1

FISCAL NOTE PREPARED ✓

SPONSOR CONTACTED Melissa 3818

INTERESTED PARTIES CONTACTED

✓ Joe Hayes 586-2660, #606 (Baranof)
✓ Frank Bickford, Safety Belt Coalition 586-2660
✓ Gail Horetzki, Public Safety - Mike Lewis 4322

✓ Steve Kaluana, AK Peace Officers Assoc. 586-2780

✓ Karen Lawler, MAAD 463-4000 SEARCH

✓ Rocky Plotnick - Weller 304-3239

✓ Mark Johnson, OHSS (EMS) 3027

out of town till Friday
left message

Mark Johnson



ALASKA SAFETY BELT USE COALITION
360 W. Benson, Suite 101
Anchorage, Alaska 99503

OTHER

SB59OPP.TXT - oppose
SB59JENS.TXT - support

FISCAL NOTE

REQUEST:

Revision D. c.: _____
 Title: An Act relating to mandatory use of safety devices in motor veh.
 Sponsor: Sturgulewski
 Requestor: Senate State Affairs

Agency Affected: Health & Social Services
 BRU: Statewide Health Services
 Components: EMS

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE	-0-	-0-	-0-	-0-	-0-	-0-
---------	-----	-----	-----	-----	-----	-----

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Elizabeth Ward, Director *E. Ward* Phone: 465-3090
 Division: Public Health Date: 2/9/89
 Approved by Commissioner: Myra M. Munson *Myra M. Munson* Date: 2/15/89
 Agency: Department of Health and Social Services

Distribution (by preparer):
 Legislative Finance
 Legislative Sponsor
 Requestor
 Office of Management and Budget
 Impacted Agency(ies)

offered 2-1-89

By: Senator Adams

Amendment to SB 59:

add under subsection (c)

(3) a motor vehicle exempt under AS 28.10.011 (11).

Failed

NO - Pouchot
Uehling
Falks

YES - Adams

Section

151. Vehicles transported under special permits

165. Souvenir winter olympics plate

Section

181. Registration of unique and special vehicles and vehicles used for special purposes

Sec. 28.10.011. Vehicles subject to registration. Every vehicle driven, moved, or parked upon a highway or other public parking place in the state shall be registered under this chapter except when the vehicle is

- (1) driven or moved on a highway only for the purpose of crossing the highway from one private property to another, including an implement of husbandry as defined by regulation;
- (2) driven or moved on a highway under a dealer's plate or temporary permit as provided for in AS 28.10.031 and 28.10.181(j);
- (3) special mobile equipment as defined by regulation;
- (4) owned by the United States;
- (5) moved by human or animal power;
- (6) exempt under 50 U.S.C. App. 501-591 (Soldiers' and Sailors' Civil Relief Act);
- (7) driven or parked only on private property;
- (8) the vehicle of a nonresident as provided under AS 28.10.121;
- (9) a commercial interstate vehicle under AS 28.10.141;
- (10) transported under a special permit under AS 28.10.151;
- (11) being driven or moved on a highway, vehicular way, or a public parking place in the state that is not connected by a land highway or vehicular way to
 - (A) the land-connected state highway system, or
 - (B) a highway or vehicular way with an average daily traffic volume greater than 499;
- (12) a mobile home as defined by regulation;
- (13) an implement of husbandry operated in accordance with the provisions of AS 19.10.065. (§ 7 ch 178 SLA 1978; am § 1 ch 54 SLA 1979; am § 1 ch 99 SLA 1983; am § 3 ch 60 SLA 1986; am § 3 ch 26 SLA 1987)

Effect of amendments. — The 1987 amendment added paragraph (13).

Sec. 28.10.021. Application for registration. (a) The owner of a vehicle subject to registration shall apply for registration under this chapter by properly completing the form prescribed by the commissioner under AS 28.05.041. Before the issuance of a certificate of registration by the department, the owner shall pay all registration fees and taxes required under this chapter and federal heavy vehicle use taxes required under 26 U.S.C. 4481 (Internal Revenue Code of 1954) and shall comply with any other applicable statutes and regulations.

(b) At the time of registration, the department shall explain to the applicant the requirements for automobile insurance and how to obtain it. The applicant shall comply with the requirements.

(c) An employee of the department who receives a request for registration or title by mail, and who wishes to execute the request, shall advise the applicant in writing, known to all applicable provisions of AS 13.50 (Uniform Motor Vehicle Laws) and other written instructions, in mail, and, if received after September 1, 1978; am §§ 4, 1 ch 58 SLA 1985

Effect of amendment del 1985 amendment del tor freight carrier ar fees required under A der this chapter" in t subsection (a).

The second 1985 ar sentence of subject

Sec. 28.10.041. The department may refuse to issue a title or registration if: (1) the applicant does not have a valid license; (2) the applicant does not have a valid title; (3) the applicant does not have a valid registration; (4) the vehicle is not titled or registered in this state; (5) the department has reason to believe the vehicle was stolen or the title or registration would be invalid; (6) the registration is for any reason under AS 28.05.041; (7) the vehicle does not meet the requirements of AS 28.05.041; (8) the vehicle does not meet the requirements of AS 28.05.041; (9) the vehicle does not meet the requirements of AS 28.32.010;

As required by AS 28.22.200(b), following is a list of areas that are exempt from the mandatory insurance law. As of 9/01/86 these areas are also exempt from vehicle registration per AS 28.10.011(11) amended in 1986 legislature. *and mandatory child safety devices.*

June 10, 1986

Adak	Chignik Lake	Kaktovik	Napaikak	St. George
Afognak	Chisana	Kalskag	Napakiak	St. Mary's
Akhiok	Christian	Kaltag	Nelson Lagoon	St. Michael
Akiachak	Chuathbaluk	Kanatak	New Stuyahok	St. Paul
Akiak	Clark's Point	Karluk	Newhalen	Sanak
Akolmiut	Cold Bay	Kasaan	Newtok	Sand Point
Akulurak	Crooked Creek	Kashegelo	Nightmute	Savoonga
Akutan		Kasigluk	Nikolai	Scammon Bay
Alakanuk	Deering	Katalla	Nikolski	Selawik
Alatna	Diomede	Kiana	Noatak	Shageluk
Allakaket		King Cove	Nolan	Shaktoolik
Amakdedori	Edna Bay	King Island	Nondalton	Sheldon Point
Ambler	Eek	Kipnuk	Noorvik	Shemya
Amchitka	Egavik	Kivalina	Nuiqsut	Shismaref
Angoon	Egegik	Kiwalik	Nulato	Shungnak
Aniak	Eruk	Kobuk	Nunachuk	Shungnak Village
Annette	Ekwok	Kokhanok	Nunapitchuk	Skwentna
Anvik	Elfin Cove	Kokrines	Nushagak	Sleetmute
Arctic Village	Elim	Koliganek	Nyac	Snettisham
Atka	Emanguk	Kongiganak	Old Harbor	South Naknek
Atkasuk	Emmonak	Kotlik	Ophir	Squaw Harbor
Attu	English Bay	Kotzebue	Oscarville	Stabbins
	Excursion Inlet	Koyuk	Ouzinkie	Stevens Village
		Koyukuk	Owl Village	Stuyahok
Baranof	False Pass	Kvichak		
Barrow	Flat	Kwethluk	Pavlof Harbor	Takotna
Barter	Fort Yukon	Kwigillingok	Pedro Bay	Taku Harbor
Bell Is. Hot Spgs.	Fortuna Ledge	Kwiguk	Pelican	Tanana
Belkofski		Kwinhagak	Pennock Island	Tanunak
Belmezok	Galena		Perryville	Tatitlek
Bettles	Gambell	Lake Minchumina	Pikmiktalik	Tenakee Springs
Bettles Field	Golovin	Larsen Bay	Pile Bay	Tetlin
Biorka	Goodnews Bay	Latouche	Pilot Point	Tin City
Birch Creek	Grayling	Levelock	Pilot Station	Todd
Brevig Mission	Gustavus	Lime Village	Pitka's Point	Togiak
Buckland		Little Diomede	Platinum	Tokeen
		Long	Pt. Baker	Toksook Bay
Candle	Hawk Inlet	Lower Kalskag	Pt. Hope	Tuluksak
Canyon	Haycock		Pt. Lay	Tuntutuliak
Cape Pole	Holy Cross	Manokatak	Poorman	Tununak
Cape Yakataga	Hooper Bay	Marshall	Port Alexander	Twin Hills
Chalkyitsik	Hughes	Mary's Igloo	Port Alsworth	Tyonek
Chandalar	Huslia	McGrath	Port Ashton	
Chaniliut	Hyder	Medfra	Port Graham	Ugashik
Chakaktolik		Mekoryuk	Port Heiden	Umiat
Chase	Iditarod	Meshik	Port Lions	Unalakleet
Chatham	Iguigig	Metlakatla	Port Moller	Unga
Cheching	Igushik	Meyoryuk	Port Wakefield	
Chenik	Iliamna	Meyers Chuck		Venetie
Chefornak	Ivanoff Bay	Moses Point	Quinhagak	
Chernofski		Mountain Village		Wainwright
Cheravak	Kachemak	Mumtrak	Rampart	Wales
Chichagof	Kaguyak		Red Devil	White Mountain
Chignik	Kake	Napaimiut	Ruby	Whittier
Chignik Lagoon	Kakhonak		Russian Mission	Wiseman
				Woody Island

1 IN THE SENATE

BY STURGULEWSKI, UEHLING
AND DUNCAN

2

SENATE BILL NO. 59

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - FIRST SESSION

5

A BILL

6

For an Act entitled: "An Act relating to mandatory use of safety devices
in motor vehicles."

7

8

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

9

* Section 1. AS 28.05.095 is repealed and reenacted to read:

10

Sec. 28.05.095. USE OF SAFETY DEVICES REQUIRED. (a) Except as
provided in (c) of this section a person

11

12

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

13

14

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

15

16

(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 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 appro-
priate for the particular child.

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27

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

28

(1) passengers in an emergency vehicle;

29

(2) a vehicle operator acting in the course of employment

*13 AAC 08.210
2 pts.
DPS checking*

1 delivering mail or newspapers from inside the vehicle to roadside mail
2 or newspaper boxes;

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

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

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

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

16 * Sec. 2. AS 28.05.096(a) is amended to read:

17 (a) The commissioner of public safety may adopt regulations to
18 exempt a person [CHILD] or a class of persons [CHILDREN] from the
19 requirements of AS 28.05.095 if the commissioner determines that the
20 use of a safety belt or child safety device is impractical because of
21 physical or medical conditions of the person or class of persons
22 [CHILD].

23 * Sec. 3. AS 28.05.099 is amended to read:

24 Sec. 28.05.099. PENALTY. (a) A person convicted of a violation
25 of AS 28.05.095(a) or (d) [(c)] is guilty of an infraction and may be
26 fined up to \$15 or the court may waive the fine if the person convict-
27 ed donates \$15 to the Emergency Medical Services entity providing
28 services in the area in which the violation occurred [ASSESSED DEMERIT
29 POINTS AS DETERMINED BY REGULATIONS OF THE DEPARTMENT, NOTWITHSTANDING

SB 59

Mike Ford says 2 separate penalties

Fine & DPS is checking.

1 THE PROVISIONS OF AS 28.15.231(b)].
2 (b) A person convicted of a violation of AS 28.05.095(b) is
3 guilty of an infraction and may be assessed demerit points as deter-
4 mined by regulations of the department, notwithstanding the provisions
5 of AS 28.15.231(b). A person who violates AS 28.05.095(b) [AS 28.05.-
6 095(a)] by failing to provide a child safety device or safety belt
7 [SEATBELT] may provide a peace officer, including a village safety
8 officer, proof of purchase or acquisition, and installation, of an
9 approved child safety device or safety belt [SEATBELT]. If the proof
10 is provided within 30 days after the issuance of a citation for the
11 infraction, the court shall dismiss the citation and no points shall
12 be assessed under this subsection [(a) OF THIS SECTION] unless the
13 person has
14 (1) been convicted previously for violating AS 28.05.095
15 [THAT SECTION] by failing to provide a child safety device or safety
16 belt [SEATBELT];
17 (2) been cited for failure to provide a child safety device
18 or safety belt [SEATBELT] and has forfeited the bail required by the
19 citation; or
20 (3) provided [THE] proof under [REQUIRED BY] this sub-
21 section on a prior occasion.

Position Paper

SB 59

For an Act entitled: "An Act relating to mandatory use of safety devices."

SB 59 repeals and reenacts AS 28.05.095 to require that "a person 16 years of age or older may not occupy a motor vehicle while being driven unless restrained by a safety belt."

Children under 4 years old are required to be in a U.S. Department of Transportation (DOT) approved child safety device, and children between four and sixteen must be in an approved safety device or secured by a safety belt.

This bill would exempt emergency vehicles from the requirement, vehicle operators engaged in the delivery of mail and others as determined by regulation.

The bill would establish a penalty of up to \$15 in fines which could be waived in lieu of a contribution to the local Emergency Medical Service (EMS).

The Department of Health and Social Services supports the passage of this bill for the following reasons:

- 1) Motor vehicle crashes are a leading cause of death, injury and long-term disability;
- 2) Numerous studies have shown that safety belts and other vehicle safety restraints substantially reduce the likelihood of death or injury to motor vehicle occupants involved in crashes;
- 3) Efforts to educate the public about the benefits of safety belts have failed to convince the majority of vehicle occupants to use their safety belts.
- 4) Motor vehicle crashes are the single most frequently mentioned cause of injury responded to by EMS ambulances. The proposed donation in lieu of a fine would help to defray the cost of these services.

Background

Nationally, motor vehicle crashes are the leading cause of death to persons between 1 and 35 years of age. For teenagers, car crash fatalities out-number the next five causes of death combined. Over the past decade more than 450,000 person's have died on America's highways. Every year over 40,000 persons are killed in automobile accidents in the

United States, and more than 300,000 people suffer moderate to severe and critical injuries. Many of the injured are young people who will never work again for the rest of their lives. In Alaska, from 1980 through 1985, unintentional injuries (accidents) have been the leading cause of death for all ages. Motor vehicle crashes and drowning have been the chief causes of these deaths. In 1985 there were 127 deaths and more than 6,000 Alaskans were injured as a result of motor vehicle crashes in this state.

According^{to} the Highway Safety Planning Agency, property damage from motor vehicle crashes amounted to over \$40,000,000 in 1986. This does not include bodily injury claims payments for private passenger non-fleet automobile liability in Alaska which totaled over six million dollars in 1983 and was over eight million in 1984. These amounts do not include paid losses from other third party payers, such as Medicare, Medicaid, General Relief Medical, Indian Health Service or Workers Compensation. Clearly, in addition to the unacceptable losses from premature death and disabilities, motor vehicle crashes create a significant financial burden which is shared by all citizens.

Worldwide, about 30 countries have mandated safety belt use. In Great Britain seat belt use rose from about 40% to 90-95% with the passage of a mandatory use law. At the same time the number of individuals treated in emergency rooms as the result of motor vehicle crashes has dropped 15%. There were also 15% to 20% fewer fatalities in the years since the passage of the law.

In Canada, four provinces have enacted mandatory safety belt use laws. The effectiveness of these laws in increasing belt use has been shown to be dependent on the degree to which they are enforced. In provinces where strict enforcement has been practiced belt use has been up to 80%. Deaths due to motor vehicle crashes have declined 11% and injuries 6% in provinces with mandatory use laws.

In this country, twenty-seven states and the District of Columbia now have mandatory belt use laws. New York was the first state to pass such a law. Safety belt use there has ranged from 39 to 76%. These use rates have resulted in about a 9% drop in motor vehicle crash fatalities.

It is clear that the use of safety belts can reduce the number of deaths and disabilities due to motor vehicle crashes. A mandatory safety belt use law would go far to achieve this goal and complement existing traffic safety

Position Paper, SB 59, pg. 3

legislation regarding driving while intoxicated, maximum speed limits, and licensing requirements.

Position

The Department of Health and Social Services strongly supports this bill because it can result in significant decreases in the number of deaths, disabilities and injuries caused by motor vehicle crashes.

Recommended by:

Elizabeth Ward
Elizabeth Ward, M.N.
Director
Division of Public Health

Date:

1/19/89

Approved by:

Myra M. Munson
Myra M. Munson
Commissioner
Department of Health and
Social Services

Date:

January 30, 1989

FISCAL NOTE

REQUEST:

Revision Date: 1/19/89
 Title: "An Act relating to use of mandatory use of safety devices."
 Sponsor: Sturgulewski
 Requestor: _____

Agency Affected: Health & Social Services
 BRU: State Health Services
 Components: Emergency Medical Svc.

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
REVENUE	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Elizabeth Ward, Director *E. Ward* Phone: 465-3090
 Division: Public Health Date: 1-19-89

Approved by Commissioner: Myra M. Munson *Myra M. Munson* Date: 1/30/89
 Agency: Department of Health & Social Services

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

STATE OF ALASKA 1989 LEGISLATIVE SESSION
FISCAL NOTE

REQUEST: Bill Version: SB 59
 Publish Date: 1/9/89

Revision Date: Agency Affected: Alaska Court System
 Title: An act relating to mandatory BRU: Trial Courts
 use of safety devices in motor vehicles
 Sponsor: Sturgulewski, Uehling, Duncan Components:
 Requestor:

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 89	FY 90	FY 91	FY 92	FY 93	FY 94
Personal Services
Travel
Contractual
Supplies
Equipment
Land & Structures
Grants & Claims
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL

REVENUE

FUNDING: (Thousands of Dollars)

General Funds	0.0	0.0	0.0	0.0	0.0	0.0
Federal Funds	.	.	.	.	.	.
Other	.	.	.	.	.	.
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

Full-time	.	.	.	.	.	.
Part-time	.	.	.	.	.	.
Temporary	.	.	.	.	.	.

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: *Jan Strandberg* Jan Strandberg, General Counsel Phone: 264-8228
 Division: Alaska Court System Date: 01/24/89

Approved by: *Arthur H. Snowden, II* Arthur H. Snowden, II, Administrative Director Date: 01/24/89
 Agency: Alaska Court System

- Distribution (by preparer):
- Legislative Finance
 - Legislative Sponsor
 - Requestor
 - Office of Management & Budget
 - Impacted Agency(ies)
 - Senate Secretary

BILL NO: Senate Bill 59

DATE: January 19, 1989

TITLE: "An act relating to mandatory use of safety devices in motor vehicles."
CONTACT: Ellen Moore

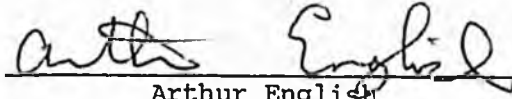
DEPARTMENT OF
PUBLIC SAFETY

The intent of this legislation is to reduce deaths and serious injuries to occupants of motor vehicles by promoting the greater use of safety belts by the motoring public.

Thirty-two states have enacted bills requiring the use of safety belts. Jurisdictions that have had the longest experience with their laws have found that the greater the level of increase in seatbelt use, the greater the reduction in fatalities and serious injuries.

Senate Bill 59 has the potential to save as many as 35 lives in Alaska each year. This figure assumes a 70% compliance rate and a 50% effectiveness rate. Because the bill allows only "secondary" enforcement, it may be difficult to achieve this level of use; however, surveys conducted since 1985 by Hellenthal and Associates indicate that approximately 80% of the Alaskans surveyed will wear safety belts simply because such a law exists.

We recommend passage of SB 59 as written.


Arthur English
Commissioner

POSTMASTER / PERMIT NO. 1000 ANCHORAGE, ALASKA

FISCAL NOTE

REQUEST:

Revision Date: _____ Agency Affected: PUBLIC SAFETY
Title: "An act relating to the mandatory use of safety devices in motor vehicles." BRU: Highway Safety Planning Agency
Sponsor: Sturgelewski Components: _____
Requestor: Sturgelewski

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS : (Attach a separate page if necessary)

No fiscal impact is anticipated. Revenue generated will be negligible. Sec. 3 provides for judicial waiving of the \$15.00 fine if a donation is made to the Emergency Medical Services entity serving the locale where the violation occurred.

Prepared by: Ken Moore, Program Coordinator Phone: 465-4375
Division: Highway Safety Planning Agency Date: January 19, 1989

Approved by Commissioner: Arthur English Date: 1-24-89
Agency: Department of Public Safety

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

Seatbelts

SB59BABY.TXT

PAT,

ON FURTHER REVIEW (SORRY FOR THE CONFUSION):

SB 59 PROVIDES THAT A VIOLATION OF (b) BABY SEAT/SEATBELT REQUIRED FOR ALL UNDER AGE 16 IS "AN INFRACTION AND MAY BE ASSESSED DEMERIT POINTS AS DETERMINED BY REGULATIONS OF THE DEPARTMENT".

CURRENT REGULATIONS (13 AAC 08.210) SPECIFY 2 DEMERIT POINTS.

THE \$300-FINE STATUTE MARLA WAS REFERENCING (AS 28.⁴⁰~~MM~~.050(c)) APPLIES TO "VIOLATION OF A REGULATION". SINCE THERE ARE NO REGULATIONS ADOPTED REGARDING BABY SEATS, STURGULEWSKI'S OFFICE FEELS THIS STATUTE DOES NOT APPLY.

ACCORDING TO MIKE FORD (LEG. LEGAL), IT IS NOT CLEAR WHETHER "VIOLATION OF A REGULATION" COULD BE INTERPRETED TO APPLY TO STATUTES TOO. HE READS SB 59 TO PROVIDE FOR 2 PENALTIES -- DEMERIT POINTS AND WHATEVER THE PENALTY FOR AN INFRACTION MIGHT BE. (IT'S A CONVOLUTED READING, BECAUSE IT WOULD SUGGEST THAT THE PENALTY FOR NOT WEARING A SEATBELT WOULD BE \$15 AND WHATEVER THE PENALTY FOR AN INFRACTION IS.)

I SUGGESTED TO MELISSA THAT THERE ARE CLEARLY 2 ISSUES IN THIS BILL -- EXTENSION OF THE BABY SEAT PROVISION STATEWIDE AND MANDATORY SEATBELTS. SHE SAID ARLISS JUST THIS MORNING CONFIRMED THAT SHE IS STRONGLY COMMITTED TO BOTH ISSUES.

AT THE LEAST, WE MAY WANT TO MORE CLEARLY STATE WHAT THE PENALTY IS FOR NOT USING A BABY SEAT. (A CALL IS IN TO D.P.S. TO FIND OUT IF PEOPLE ARE CURRENTLY BEING CITED FOR VIOLATIONS, AND HOW THEY'RE BEING PENALIZED.)

Sandra

(b) The administrator of each party state shall furnish to the administrator of each other party state the information or documents reasonably necessary to facilitate the administration of the compact. (§ 18 ch 60 SLA 1986)

Sec. 28.37.180. Compact as law; withdrawal procedure.

(a) The compact shall become effective as to any state in which the compact becomes effective as the law of that state.

(b) A party state may withdraw from the compact by enacting a statute repealing the compact as the law of the state, but a withdrawal may not take effect until six months after the executive head of the withdrawing state has given notice of the withdrawal to the executive heads of all other party states. Withdrawal does not affect the validity or applicability by the licensing authorities of states remaining party to the compact of any report of conviction occurring before the withdrawal. (§ 18 ch 60 SLA 1986)

Sec. 28.37.190. Construction and validity; severability.

The compact shall be liberally construed so as to effectuate its purposes. The provisions of the compact are severable and if any phrase, clause, sentence, or provision of the compact is declared to be contrary to the constitution of any party state or of the United States or the applicability of it to a government, agency, person or circumstance is held invalid, the validity of the remainder of the compact and the applicability of it to any government, agency, person or circumstance shall not be affected by it. If the compact is held contrary to the constitution of any party state, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters. (§ 18 ch 60 SLA 1986)

Chapter 40. General Provisions.

Section	Section
50. Penalty for violations of law, regulations, and municipal ordinances	100. Definitions for title

Sec. 28.40.050. Penalty for violations of law, regulations, and municipal ordinances. (a) It is a misdemeanor for a person to violate a provision of this title unless the violation is by this title or other law declared to be a felony or an infraction.

(b) A person convicted of a misdemeanor for a violation of a provision of this title for which another penalty is not specifically provided is punishable by a fine of not more than \$500, or by imprisonment for not more than 90 days, or by both. In addition, the privilege to drive or the registration of vehicles may be suspended or revoked.

*Not clear whether applies to statute, or only to regs.
no regs. on baby seat*

(c) Unless otherwise specified by law a person convicted of a violation of a regulation adopted under this title, or a municipal ordinance regulating vehicles or traffic when the municipal ordinance does not correspond to a provision of this title, is guilty of an infraction and is punishable by a fine not to exceed \$300.

(d) An infraction, as provided for in (c) of this section, is not considered a criminal offense and may not result in imprisonment, nor is a fine imposed for the commission of an infraction considered a penal or criminal punishment; nor may the commission of a single infraction result in the loss of a driver's license or privilege to drive in this state except as may result from the accumulation of points under AS 28.15.221 — 28.15.261, or the registration of vehicles; nor does a person cited with an infraction have a right to trial by jury or to court-appointed counsel.

(e) [Repealed, § 5 ch 85 SLA 1987.] (§ 50-1-8 ACLA 1949; am § 12 ch 241 SLA 1976; am §§ 22, 23 ch 144 SLA 1977; am § 5 ch 85 SLA 1987)

Effect of amendments. — The 1987 amendment repealed subsection (e), concerning overweight penalties.

NOTES TO DECISIONS

Prerequisite to suspension of license or privilege to drive. — A driver's license or privilege to drive cannot properly be suspended unless the driver was in fact licensed or otherwise actually privileged to drive a motor vehicle within the state. *Roberts v. State, Ct. App. Op. No. 478 (File No. A-342), 700 P.2d 815 (1985).*
Generic penalty provision. — Subsection (b) is not a penalty provision dealing specifically with the offense of driving while license suspended; rather it is a generic penalty provision, broadly applicable to violations of all Title 28 provisions for which the specific penalties are given. *Roberts v. State, Ct. App. Op. No. 478 (File No. A-342), 700 P.2d 815 (1985).*

Sec. 28.40.100. Definitions for title. (a) Unless otherwise specifically defined or unless the context otherwise requires, in this title and in regulations adopted under this title

- (1) "cancel" means the annulment or termination by formal action of the department of a certification, registration, license, permit or privilege issued or allowed under this title or regulations adopted under this title, because of an error or defect in the document issued or the application for issuance or because the person holding the document is no longer entitled to it;
- (2) "commissioner" means the commissioner of public safety;
- (3) "department" means the Department of Public Safety;
- (4) "driver" means a person who drives or is in actual physical control of a vehicle;
- (5) "driver's license", or "license" when used in relation to driver licensing, means a license, permit, or privilege to obtain a driver's

<p>Section dations made in driver improve- ment interview 270. (Repealed) 275. Form of notice of suspension for point accumulation</p>	<p>Section 280. (Repealed) 285. Administrative review of suspension for point accumulation 290. Definitions</p>
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13 AAC 08.210. DEMERIT POINT SCHEDULE. For purposes of administratively identifying habitually reckless or negligent drivers and habitual or frequent violators of traffic laws and in order to identify problem drivers, the following violations will be accorded these corresponding numerical weights upon conviction:

Violation or Type of Violations	Point Value
(1) driving while license cancelled, suspended, or revoked, or in violation of license limitation	10
(2) driving while intoxicated	10
(3) reckless driving	10
(4) speed contest-racing	10
(5) fleeing or attempting to elude a police officer	10
(6) leaving scene of accident	9
(7) negligent driving	6
(8) failure to yield right-of-way to authorized emergency vehicle	6
(9) failure to stop for school bus while bus is loading or unloading	6
(10) failure to obey official traffic control device in school zone, playground crosswalk, or park	6
(11) speeding:	
in school zone or playground crosswalk	6
3 to 9 miles per hour over limit	2
10 to 19 miles per hour over limit	4
20 or more miles per hour over limit	6
(12) violation of oversize or overweight permit pertaining to restriction on speed:	
3 to 9 miles per hour over limit	2
10 to 19 miles per hour over limit	4
20 or more miles per hour over limit	6
on hours of operation	3
(13) careless driving	4
(14) following too closely	4
(15) failure to stop or yield	4
(16) all others	2

(Eff. 11/4/74, Register 52; am 3/29/75, Register 53; am 12/1/78, Register 68; am 9/28/80, Register 76; am 3/28/82, Register 81)

Authority: AS 28.15.221

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Authority:

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found one ticket
\$25 fine

Bail Schedule →
ct - mandatory appearance as infraction

Open - so ct. can fine as they please!

CS

1998 - 35 citations
1999 - 190 citations
2000 - 57 dismissed
2001 - 47 pending
2002 - 13
2003 - 13
2004 - 13
2005 - 13
2006 - 13
2007 - 13
2008 - 13
2009 - 13
2010 - 13
2011 - 13
2012 - 13
2013 - 13
2014 - 13
2015 - 13
2016 - 13
2017 - 13
2018 - 13
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2021 - 13
2022 - 13
2023 - 13
2024 - 13
2025 - 13
2026 - 13
2027 - 13
2028 - 13
2029 - 13
2030 - 13

PAT, 47 pending

per Bill - no estimate of # of violations; do know most are dismissed (allowed by law if can show now have baby seat)

ON FURTHER REVIEW (SORRY FOR THE CONFUSION):

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any infraction gets a fine & demerit points

DPS just responsible for demerit

CURRENT REGULATIONS (13 AAC 08.210) SPECIFY 2 DEMERIT POINTS.

N/A 4634730

Judge Asper's office

N/A 264-0548 Sharon M. Henry-Hall, Admin

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Gail Horvitzki
If statute says it's an infraction (a) (c) would apply \$300 fine.
Bill Brown, DMV 4335

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2
57
47
38
35
177

RECEIVED MAR 20 1989

**WYOMING
PASSES
SAFETY BELT
USE LAW !**

March 15, 1989, the Governor of Wyoming signs into law the mandatory safety belt use law.

32 states and D.C. now have mandatory safety belt use laws!

LEGISLATIVE UPDATE**March 15, 1989**

RECEIVED MAR 20 1989

RESOLUTION SUPPORT GROWS

Organizational support for a mandatory safety belt use law has nearly doubled over the past few months. "The number of groups that have passed resolutions in support of CSHB105 has grown to 90 and we are receiving new resolutions every week", states Frank Bickford, Executive Director of the Alaska Safety Belt Use Coalition. "The word is definitely out that safety belts do save lives and money. Businesses and individuals from all areas of the state are showing increased concern over the issue.

RESOLUTIONS & LETTERS OF SUPPORT:

3M

AAA ALASKA
 ADVISORY BOARD ON DRUG ABUSE
 AK ACADEMY OF PHYSICIANS ASSISTANTS
 AK CH. AMERICAN SOCIETY OF SAFETY ENGINEERS
 AK CHIEFS OF POLICE ASSOCIATION
 AK COUNCIL ON PREVENTION OF DRUG & ALCOHOL ABUSE, INC.
 AK DENTAL SOCIETY
 AK SAFETY ADVISORY COUNCIL
 AK HEALTH EDUCATION CONSORTIUM
 AK LUNG ASSOCIATION
 AK NURSES ASSOCIATION
 AK PEACE OFFICERS ASSOCIATION
 AK REGIONAL EMS COORDINATORS
 AK STATE FIREFIGHTER ASSOC/PORT OF VALDEZ CH.
 AK STATE MEDICAL ASSOCIATION
 AK STATE MEDICAL ASSOC. AUXILIARY
 AK TREATMENT CENTER
 ALPINE ASSOCIATES
 ANCHORAGE GYMNASTICS
 ANCHORAGE MEDICAL & SURGICAL CLINIC
 ANCHORAGE OBSTETRICS & GYNECOLOGY
 ANCHORAGE SAND & GRAVEL
 ARCO ALASKA/SAFETY DIVISION
 AVIS RENT-A-CAR
 B & C SUPPLY
 BLUE CROSS OF WASHINGTON & ALASKA
 CHEVRON USA
 CHUCK E. CHEESE, INC.
 CLAIRE RENN, MD
 CLINTON LILLIBRIDGE, MD
 CONSOLIDATED FREIGHTWAYS
 CORROON & BLACK, INC
 DAWSON SUBARU

DENALI TRANSPORTATION dba PACIFIC MOVERS
 DR. BENWARD
 EASTWIND, INC.
 ELIZABETH DESCHWEINITZ, MD
 ERNEST MEINHARDT, MD
 FBI NATIONAL ACADEMY ASSOCIATES
 FEDERAL SAFETY & HEALTH COUNCIL
 FIRESTONE STORES
 GEORGE STRANSKY, MD
 GOODYEAR TIRE & RUBBER CO.
 HAROLD'S RENT-A-TRUCK
 HEALTH ASSOCIATION OF ALASKA
 HEALTH CARE COALITION OF ALASKA
 HIGHWAY USERS FEDERATION OF ALASKA
 HUMANA HOSPITAL/EXECUTIVE COMMITTEE
 JACKOVICH INDUSTRIAL & CONSTRUCTION SUPPLY
 JAMES BERTELSON, MD
 JEFF BRAND, MD
 JOHN FROST, MD
 JOHN SMITH, MD
 JON LYON, MD
 JOY-ROSTON ZIMMERMAN, RNC
 JUNEAU RETIRED TEACHERS ASSOCIATION
 JUNIOR TOWNE
 KASMAR & SLONE
 KENNETH BEHYMER, MD
 KODIAK CHAMBER OF COMMERCE
 KODIAK CRIMESTOPPERS, INC.
 MADD/ANCHORAGE & JUNEAU CHAPTERS
 MAMMOTH OF ALASKA
 MARK ZIMMERMAN, MD
 MORRISON-KNUDSEN CO.
 NHP REAL ESTATE & MANAGEMENT
 NATIONAL ASSOCIATION OF EMS DIRECTORS
 NATIONAL LEAGUE OF CITIES
 NELL LOFTIN, MD
 NORTH STAR COUNCIL ON AGING, INC.
 PATRICK BRADY, MD
 PERATROVICH, NOTTINGHAM & DRAGE, INC.
 PHYLLIS KIEHL, MD
 PIONEER HONDA
 POOL ARCTIC, INC.
 REVIEW BOARD ON ALCOHOLISM
 ROTARY CLUB OF KODIAK
 SAM DEPALTIS, MD
 SEA-LAND SERVICE, INC.
 SHERMAN BEACHAM, MD
 SPENARD AUTO
 STATE ADVISORY COUNCIL ON EMS
 STEPHEN KULIN, MD
 THE FAMILY PRACTICE ASSOCIATION
 TRYON WEILAND, MD
 UNIVERSAL MOTORS, INC.
 WILLIAM FITTS, MD
 WILLIAM BROWNER, MD
 WILSYK ALASKA, INC.



Los Angeles Times

exchange proposal that would give it more than 3,000 acres of subsurface land in the Arctic National Wildlife Refuge, is offering to cut the federal government in on its potential oil profits.

The Native corporation, one of six trying to trade their way into a piece of the expected riches from oil development in the arctic refuge, said it is willing to reserve one-eighth of its royalty payments for the government.

lar Affairs Committee earlier this month by Uwe Gross, Koniag's vice president and chief operating officer.

In that letter, Gross said the federal government would be receiving from Koniag's arctic holdings the same royalty percentages it earns from oil production in other parts of the country.

Further, Gross said, the state of Alaska would be entitled to whatever percentage of that reserved royalties that the Congress decides is appropriate under a

tion on Capitol Hill and from the state.

Both feel, in essence, that the Native corporations could reap huge profits at the expense of their respective treasuries in exchange for Native lands in other refuges that either the federal government doesn't need or which could be more cheaply acquired through outright purchase.

The General Accounting Office last fall issued a report urging that the land

erty they would acquire was most likely undervalued by hundreds of millions of dollars.

Under the exchange proposal, six Native groups would trade 866,000 acres of their lands for subsurface rights to about 166,000 acres in the arctic refuge's coastal plain, rated the most promising unexplored prospect for a major oil find in the United States.

Most of the Native corpo-

Please see Page C-2, SWAP

Bill ties insurance rate to seat belt use

By LARRY PERSILY
The Associated Press

JUNEAU — House members Thursday amended mandatory seat-belt legislation to include a 5 percent reduction in automotive insurance rates for bodily injury liability.

"It's an incentive for people to buckle up, because they'll save on their insurance," said Rep. Max Gruenberg, D-Anchorage and sponsor of the amendment.

The House already approved mandatory seat-belt legislation Tuesday, but the chamber reconsidered and amended the measure Thursday before sending it to the Senate.

Similar legislation passed the House last session, but died in the Senate.

Gruenberg's amendment says insurance companies doing business in Alaska must reduce bodily injury liability premiums by 5 percent one year after the seat-belt law takes effect.

The premium reduction was proposed to reflect the anticipated savings in medical claims because of increased seat-belt use, Gruenberg said.

Bodily injury liability coverage costs between \$100 and \$200 a year for most Alaskans, said Bob Sims of the state Insurance Division. A 5 percent rate cut would save drivers about \$5 to \$10 a year.

The amendment would allow insurance companies to seek the division's permission for a smaller rate decrease,

if they can show the seat-belt law has not cut costs enough to justify a 5 percent reduction.

The new law also would allow the division to order a larger rate reduction if a company finds that increased seat-belt use has resulted in greater savings than expected in medical claims, Gruenberg said.

Members offered four amendments to House Bill 105 in an hour-long debate Thursday that repeated much of the rhetoric from Tuesday's two-hour debate on the bill.

If approved by the Senate and Gov. Steve Cowper, the bill would impose a maximum \$15 fine on drivers and passengers for failure to use seat belts.



Anchorage Daily News file photo
Rep. Max Gruenberg

Suspect in illegal elk killing kidnapped, buried woman 20

By BRIAN S. AKRE
The Associated Press

JUNEAU — A man being sought in the illegal shooting of elk in Alaska was once convicted of kidnapping a college woman and burying her alive in Georgia 20 years ago.

Gary Steven Krist, 43, of Sitka is charged with his mother and a Washington man of

killing two elk on a southeast Alaska island. The charges were filed Feb. 8, but Krist remained at large Thursday, said Lt. Bill Valentine of the state Fish and Wildlife Protection Division in Juneau.

Valentine said Krist is believed to be in the Seattle area, and that a warrant probably will be issued for his arrest soon.

In 1969 Krist, then 23, was convicted of

kidnapping Barbara Jane Mackle, the daughter of a wealthy Florida land developer, and burying her alive in a ventilated coffin.

Mackle, a student at Emory University in Atlanta, was abducted from an Atlanta-area motel where she was staying with her mother in December 1968.

Trial testimony indicated that Krist took

Mackle to a tranquilized ar coffin was close of dirt.

Krist mailed victim to her p: \$20 bills and

Daily News 2/24

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Lost?

Never heard of it.

Before my time.

Never came across my desk, etc. etc. etc.

Read your paper. Those clowns in Juneau would have a field day. That's what they're fighting for now. To get their hands on that money. Bye, bye Permanent Fund.

— Nick P. Kutzgar, Sr.

There are no harmless drugs

After reading what Mr. Ron Rau of Sitka wrote, "pot keeps people from alcoholism", I just couldn't believe what I was reading. You had better get your head out of your pot plants.

You say, "after 15 years of harmless legality." Harmless to whom? You're sure not speaking of my life, my family or friends. You need to get out and see what your harmless pot has done for some people. I can't think of anyone who does just pot. Most do pot, alcohol, and some even cocaine. You stated that pot smoking keeps hundreds of Alaskans from that much worse evil of alcoholism. Where do you get your figures on this? Wake up. Look around you. What makes people like you think they can and deserve something (drugs) to ease feeling and making decisions? That you can smoke pot because it keeps you from becoming an alcoholic, you have to have a crutch, pot. They are both mind altering drugs.

Tell your three close friends for whom pot keeps them from alcoholism, that they are just playing head games. Pot is a drug just as alcohol is. So they are still dependent on a drug. People like you and your friends keep that myth about pot being harmless going. It's a lie. Pot, just like alcohol, kills. Pot is a leader. It leads you into many other things.

But Mr. Rau, your kind of thinking and rationalization of the use of marijuana makes me ill, and I really wonder what pot has done to your mind. So people, please, support Rep. Terry Martin when he tells the truth. There are no harmless drugs.

— Donna D. Yarbrough

Answers on safety-belt backing

Recently there has been some confusion about the reasons why the auto industry is involved in safety belt legislation.

I would like to point out that the federal criteria necessary to exempt the auto manufacturers from the installation of air bags is very stringent. Although 31 states and D.C. have already passed safety belt use laws, less than 5 have met the criteria set up by the federal government. The proposed Alaska law meets 3 out of 7 of the necessary criteria and therefore, does not affect the air bag exemption.

The model 1990 vehicles will include some form of passive restraint which will consist of either automatic safety belt systems and/or air bags. The auto industry has always stressed the importance of wearing safety belts. They are installing air bags in

vehicles now as a supplement to safety belts, not as a replacement.

The Alaska Safety Belt Use Coalition makes no secret of the fact that our funding has always come from the auto industry. We advocate the passage of a safety-belt use law and promote the use of safety belts. We are a grass-roots movement comprised of over 8,000 individuals and 51 organizations representing a wide range of interests. who believe that a safety-belt use law will save lives, decrease injuries and save the state of Alaska millions of dollars each year.

There has been a lot of speculation as to why the auto industry would fund safety belt use law efforts. I hope this will help answer the questions left unanswered by previous media reports.

— Frank Bickford, executive director
Alaska Safety Belt Use Coalition

Ball is in Bradley's court

On April 4, the voters in District 13-A will return to the polls to decide whether Brad Bradley or David Finklestein will represent them during the remaining 1989-90 legislative session. One advantage of the special election is that it gives the candidates and the voters a chance to resolve the controversy Brad Bradley raised on the last few days of the fall campaign.

I believe Bradley has an obligation to substantiate the claims he (and others on his behalf) made with radio ads, brochures and phone calls on Nov. 5, 6 and 7. Claims such as his opponent was a draft evader. Finklestein's 1956 birthdate is evidence that he was too young to be drafted for military service when the draft ended in 1973.

I suggest that Bradley bring forth his evidence in a series of debates in which these and other issues of concern to the electorate can be discussed. The debates should focus on each candidate's position on the issues and their goals for the district and Alaska.

The ball is in Brad Bradley's court. He can rise to the occasion and debate the issues in an open public forum or he can direct most of his resources toward the same negative, unsubstantiated attack of David Finklestein's character so late in the campaign that his opponent has no time to respond. Brad Bradley's choice to debate or sling mud will be more revealing of his character than any campaign advertisement.

— Keith Jose

Police haven't earned respect

Greetings! It is hard to believe but somehow understandable that our highly paid police officers could forget to read someone their Miranda Rights! With someone who just shot and killed a person, you would think they would be very careful to go by the book. Do these guys have rocks in their heads? I see the police nowadays but I don't respect them! They haven't earned my respect nor have they earned their pay!

— Jim Kammermeyer

Daily News 2/24/89

Daily News 2/22/89

...than three miles of the Bering Straits between Little Diomede and Big Diomede. The smaller island, a tiny Eskimo hamlet, is in Alaska, while the larger one is a Soviet military outpost.

Murkowski said Native villagers from Savoonga, Gambell and Nome, will meet in Anchorage with representatives of the U.S. State Department and the Soviet Union to establish a re-unification plan for Yupiks from Saint Lawrence Island and Little Diomede and their kinfolk in Siberia.

Alaska Eskimos said they would like the proposed compact to closely resemble an almost forgotten 1938 U.S.-Soviet agreement, which said Alaska and Siberian Na-

Please see Page C-3, BORDER

Ominous clouds rolling through Arctic Valley didn't dampen skiers' enjoyment this past weekend as snow returned and downhillers came out in force at Alpenglouw. The weather forecast called for more snow

Buckle-up bill passes House vote

By LARRY PERSILY
The Associated Press

JUNEAU — The House Tuesday passed mandatory seatbelt legislation, despite protests from rural lawmakers who said the measure is not practical in small communities with few roads or cars.

"The rural areas of the state of Alaska are under much different conditions" than urban centers with highways and high-speed traffic, said Rep. Lyman Hoffman, D-Bethel.

The legislation would require drivers and passengers of most vehicles to buckle up, if the vehicles have seatbelts installed.



Martin



Hoffman

Failure to use a seatbelt would result in a maximum \$15 fine, although the courts could waive the fine if the person makes a donation of the same amount to the emergency medical services agency in their area.

School bus and emergency vehicle passengers would be exempt from the new law, as would drivers of mail and newspaper curbside delivery vehicles.

House Bill 105 passed 23-14 and goes next to the Senate for its consideration. It is sponsored by House Speaker Sam Cotten, D-Eagle River.

Police could not stop a driver just to determine compliance with the seatbelt law, Cotten said. Tickets for failure to use seatbelts could be issued only if the driver were stopped for another violation.

"We look forward to the state Senate passing this im-

portant safety legislation and making Alaska the 32nd state to have a safety belt use law," said Frank Bickford, executive director of the Alaska Safety Belt Use Coalition.

Similar legislation passed the House last session, but died in the Senate.

"I'm against passage of this legislation," Rep. Kay Wallis, D-Fort Yukon, told her colleagues during Tuesday's two-hour debate on the bill. "We have no business to dictate through legislation what the citizens of this state do in the privacy of their cars."

Please see Page C-3, BUCKLE

Vessel gas spills fuel

The Associated Press

A Seattle-based fish processor's hull near Saint Paul Island spilled gallons of diesel fuel into the Gulf of Alaska, the Coast Guard said Tuesday.

Lt. Matt Kahr, a spokesman for the Marine Safety Office in Anchorage, said the vessel apparently ruptured walled diesel tanks on rocks off the island, which is one of hundreds of thousands of islands at this time of year.

"We don't know what time of day the spill occurred, but it has been some (oily) sheen observed on the water."

A little extra courtesy not just pleasant, but bankable

Good news was all over the place in Tuesday's paper, what with visiting Russians, a visiting president, and steady oil prices.

But the story that really warmed the cockles of my heart wasn't the Russians' or



But there used to be at least a fiction in this country that the people offering a service were glad to be of help to customers, that customers were something one actually enjoyed having.

These days, as often as not, it's the

greeting. And restaurant who guests, serves your coat — a more and more same thing.

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Daily News file photo

BUCKLE UP: Bill passes

Continued from Page C-1

Education is the best way to promote the use of seatbelts, she said.

"Here again we have a situation where rural Alaska wants to separate itself from urban Alaska," said Rep. Terry Martin, R-Anchorage.

"Rural Alaskans in the past have voted for bills they were absolutely opposed to, as long as they were exempt," Martin said.

Most traffic accidents occur close to home, whether that home is urban or rural, said Rep. Virginia Collins, R-Anchorage, who supported the bill.

Mandatory seatbelt legislation "has the potential to save as many as 35 lives in Alaska each year," the Department of Public Safety reported in its testimony on the measure.

Opposition came from Rep. Dick Shultz, R-Tok. "I'm just concerned about people concerned about me ... it really does bother me," he said of government interference with how people choose to run their lives.

Shultz and other House members offered a dozen amendments and amend-

'We have no business to dictate . . . what the citizens of this state do in the privacy of their cars.'

— Rep. Kay Wallis

ments to amendments in an attempt to exempt rural communities from the law, but all failed.

An amendment offered by Rep. Fran Ulmer, D-Juneau, did pass. It would allow the Alaska Supreme Court to permit payment of a seatbelt fine by mail, without a court appearance. The amendment was offered to save people a trip to court to pay their fine.

Voting against the bill were Reps. Ramona Barnes, Mark Boyer, Cliff Davidson, Richard Foster, Peter Goll, Lyman Hoffman, Ron Larson, Eileen MacLean, Mike Miller, Fritz Pettyjohn, Bert Sharp, Dick Shultz, Robin Taylor and Kay Wallis.

HATCHER PASS: State tentatively approves

Continued from Page C-1

the concept plan exactly where the facilities are going to be located. They show some hotels, day lodges, and so forth, on slopes that, although the concept plan shows they're flat, are actually pretty steep," Sundberg said.

Fish and Game did studies on bear, moose and salmon that use the area of the proposed resort last summer and this winter. The habitats would be hurt by the development, but the harm probably could be mitigated, Sundberg said.

Department of Natural Resources officials said they are aware of the holes in Mitsui's plan, but said the broad brush is all the company was required to submit under its \$65,000-a-year lease. Veronica Gilbert, regional director of the depart-

to fly helicopters for skiing and sightseeing met resistance from current users of the Hatcher Pass backcountry, and a road to connect the two halves of the resort would be very difficult and expensive to build because it crosses a series of gullies.

Both issues will be considered in an amendment to the Hatcher Pass Management Plan, Gilbert said. A judge ruled last week the state acted correctly when it leased Sector B to Mitsui before amending the management plan.

Mitsui plans to use Sector B to build more than 1,000 condominiums, as well as a golf course, dude ranch, and facilities for other summer activities. But the only ski lift shown in the area is impractical, said von Allmen.

"For the skiing, Sector B is not contributing. For real

Army avia Fort Wain

The Associated Press

FAIRBANKS — An Chinook helicopters on Mount McKinley is to receive the Year Award.

Chief Warrant Officer veteran and head of the Fort Wainwright, is scheduled to receive the award in Atlanta during early A

Babcock, 40, pilots some of the most inhospitable aircraft often on the flanks of North America's aircraft often in the air and cold at the moment helicopter crews to wear weather gear.

Last year, Babcock rescued on the 20,320 composed of 10 pilots mechanics.

Babcock said he is proud should be shared.

"There's 24 other guys responsible just as much as I am, as well as the fact I couldn't do it myself,"

The Army Aviation Squadron 4, is giving Babcock the award.

The association each year awards a series of awards.

Army Aviator of the Year Babcock has logged 10,000 hours in helicopters, a huge craft that can carry 27-30 troops or

ward Rep. Fran Ulmer with much of the money to pay claims against oil underpayment of the royalties from Prudhoe Bay.

Commission adds members Monday approved representative seat to the Industries Commission. The commission is to provide a greater voice for the goods and services industries do not compete with. Rep. C.E. Swackhammer, sponsor of the bill. The commission will operate inside a metal shop, farm, and industries that employ inmates. The House voted 27-7 on the measure to send it to the Senate.

Plan passed aimed at standardizing law enforcement led by the state was passed. Senate Bill 23 would require local law-enforcement agencies to report their crime statistics in a uniform way that they choose to take part in. Sen. Jan Faiks, sponsor of the bill, said the statistics are skewed because local agencies compile their figures using different methods. The Senate passed the bill 16-3.

Jurisdiction extended should ask the federal government to give its claim to submerged lands off the state's coastline, says The Kodiak Democrat. A pair of legislative bills would give the state's jurisdiction over its offshore, and asking the federal government to transfer title to the lands to the state. Alaska already has claims out to sea. Shortly before the month, then-President Ronald Reagan extended federal claims, Davidson said.

Vote might be April 30 legislative leaders are considering a tentative schedule that would end by April 30, nine days ahead of the deadline. The proposal calls for the Senate president and committee members to report on budget bills and other considerations. March 31 would be the deadline for the Senate to send its bills to the House.

people expected too much this point from Mitsui," Davidson said. "What has been presented is a concept development plan. It's an idea that Mitsui has still to conduct a market study to determine if the resort is financially feasible. Daly said the concept plan is sufficient to provide a basis for work.

Meanwhile, the legislature is considering a \$175 million request from the Department of Natural Resources

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Times 2/9/89

file SB 59

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City/State

Lawmakers belt out new bill

Cowper, legislators back mandatory buckling up

By BRIAN S. AKRE
Associated Press

JUNEAU — After four years of failure, backers of mandatory seat-belt legislation say they expect to succeed this year in getting the legislature to order Alaska motorists to buckle up.

After its second public hearing, their bill was approved Wednesday by the Senate State Affairs Committee and sent to the Transportation Committee for further consideration.

The bill has received virtually no public comment so far. Its primary sponsor, Sen. Arliss Sturgulewski, said the public has become less concerned about the opponents' argument that the law would infringe on personal liberty.

"I feel good about it this year," the Anchorage Republican said after Wednesday's hearing. "I think it will get

through the legislature."

Seat-belt legislation has faced major obstacles in recent years. In 1987 then-Senate President Jan Faiks, R-Anchorage, bottled up the legislation by referring it to five committees. Last year the chairman of the State Affairs Committee, former Sen. Mitch Abood, R-Anchorage, killed the bill by keeping it off the Senate floor.

Those in a position to block the bill this year are unlikely to do so.

The Transportation Committee chairman, Sen. Lloyd Jones said he expects to refer the bill to the floor. Senate President Tim Kelly, House Speaker Sam Cotten and Gov. Steve Cowper support the legislation. Cotten is sponsoring a companion bill in the House.

"I think it will go," said Jones,

R-Ketchikan.

The bill would require anyone riding in a motor vehicle to wear a seat belt. Children under 4 would have to be restrained by an approved safety seat. Exceptions are provided for passengers in emergency vehicles, mail or newspaper deliverers.

State law already requires children younger than 7 to use seat belts or a safety seat.

Under the proposed law, a driver or passenger who fails to buckle up would be subject to a maximum \$15 fine. Failure of a driver to restrain a child in a safety seat or belt would be punishable by a maximum \$50 fine. Both would be classified as infractions.

Police would be prohibited under the law from stopping drivers to determine

See Bill, page B-4



'I feel good about it this year. I think it will get through. . .

— Sen. Arliss Sturgulewski

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Ice Capades or escapades?



quite accurate when he said that," Durr said from her Juneau office Wednesday afternoon. The special police commissions were not intended to allow local city officers carte blanche outside their jurisdictions, Durr said.

"The commissions were specifically intended to allow local police officers to assist the state troopers on narcotics arrests and investigations and other backup calls," Durr said. "They are not to be used by local police as justification to jump in their patrol cars and go anywhere they want.

"If, for some legitimate rea-

commission to make an arrest," she said.

A few hours after his comments, Lamb called The Times to say he had been mistaken on that point and that Durr was correct.

"I got confused with what we did when I was a police officer in Chicago," Lamb said. "As city police officers there, we were first sworn in as state police, so we could operate statewide if necessary, and then sworn in as city officers," he said. "I'm sorry if I gave the wrong impression at the chamber today."

Bill: Buckling up

Continued from page B-1

they are complying with the law, unless the officer has reason to believe the driver is in violation of another law.

Sen. Al Adams, D-Kotzebue, and the father of six children, said the bill should specify that several unbuckled children in a car should be counted as one violation. Sturgulewski said she was willing to amend the bill to include that change.

Adams expressed the opinion of many opponents of the bill before the committee approved it.

"I don't think it is a necessary

piece of legislation," he said. "I think everyone in this room can put on a seat belt without the government forcing it."

The bill is being backed by a coalition of groups that is funded heavily by the auto industry, which sees seat belts as a better alternative to more expensive air bags.

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CORRECTION

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Continued from page B-1

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10 am - 5 pm Sunday

Wasilla
Hours:
8 am - 5 pm
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September 1, 1980, by each manufacturer, shall comply with the requirements of S4.1.2.1.

S4.1.3.2 *Passenger cars manufactured on or after September 1, 1987, and before September 1, 1988.*

S4.1.3.2.1 Subject to S4.1.3.2.2 and S4.1.3.4, each passenger car manufactured on or after September 1, 1987, and before September 1, 1988, shall comply with the requirements of S4.1.2.1, S4.1.2.2 or S4.1.2.3.

S4.1.3.2.2 Subject to S4.1.5, an amount of the cars specified in S4.1.3.2.1 equal to not less than 25 percent of the average annual production of passenger cars manufactured on or after September 1, 1984, and before September 1, 1987, by each manufacturer, shall comply with the requirements of S4.1.2.1.

S4.1.3.3 *Passenger cars manufactured on or after September 1, 1988, and before September 1, 1989.*

S4.1.3.3.1 Subject to S4.1.3.3.2 and S4.1.3.4, each passenger car manufactured on or after September 1, 1988, and before September 1, 1989, shall comply with the requirements of S4.1.2.1, S4.1.2.2 or S4.1.2.3.

S4.1.3.3.2 Subject to S4.1.5, an amount of the cars specified in S4.1.3.3.1 equal to not less than 40 percent of the average annual production of passenger cars manufactured on or after September 1, 1985, and before September 1, 1988, by each manufacturer, shall comply with the requirements of S4.1.2.1.

S4.1.3.4 For the purpose of calculating the numbers of cars manufactured under S4.1.3.1.2, S4.1.3.2.2 or S4.1.3.3.2 to comply with S4.1.2.1, each car whose driver's seating position will comply with these requirements by means other than any type of seat belt is counted as 1.5 vehicles.

8. Standard No. 208 is amended by adding the following new sections:

S4.1.4 *Passenger cars manufactured on or after September 1, 1989.* Except as provided in S4.1.5, each passenger car manufactured on or after September 1, 1989, shall comply with the requirements of S4.1.2.1.

S4.1.5 *Mandatory seatbelt use laws.*

S4.1.5.1 If the Secretary of Transportation determines, by not later than April 1, 1989, that state mandatory safety belt usage laws have been enacted that meet the criteria specified in S4.1.5.2 and that are applicable to not less than two-thirds of the total population of the 50 states and the District of Columbia (based on the most recent Estimates of the Resident Population of States, by Age, Current Population Reports, Series P-23, Bureau of the Census), each passenger car manufactured under S4.1.3 or S4.1.4 on or after the date of that determination shall comply with the requirements of S4.1.2.1, S4.1.2.2, or S4.1.2.3.

S4.1.5.2 The minimum criteria for state mandatory safety belt usage laws are:

(a) Require that each front seat occupant of a passenger car equipped

with safety belts under Standard No. 208 has a safety belt properly fastened about his or her body at all times when the vehicle is in forward motion.

(b) If waivers from the safety belt usage requirement are to be provided, permit them for medical reasons only.

(c) Provide for the following enforcement measures:

(1) A penalty of not less than \$25.00 (which may include court costs) for each occupant of a car who violates the belt usage requirement.

(2) A provision specifying that the violation of the belt usage requirement may be used to mitigate damages with respect to any person who is involved in a passenger car accident while violating the belt usage requirement and who seeks in any subsequent litigation to recover damages for injuries resulting from the accident. This requirement is satisfied if there is a rule of law in the State permitting such mitigation.

(3) A program to encourage compliance with the belt usage requirement.

(d) An effective date of not later than September 1, 1989.

(Sec. 103, 119, Pub. L. 99-563, 80 Stat. 718 (15 U.S.C. 1392, 1407))

Issued: July 11, 1984.

Elizabeth H. Dole,
Secretary of Transportation.

(FR Doc. 84-12688 Filed 7-11-84; 12:21 pm)

BILLING CODE 4910-00-0

Sec. Transp. didn't rule - court did ruling. only 2 states have met criteria.

Falks wants. Sturg. will get

Frank Bickford
2-1-89

TESTIMONY IN SUPPORT OF SB 59 ██████████
SAFETY BELT USE LAW
=====

THE ALASKA SAFETY BELT USE COALITION STRONGLY ENDORSES SB 59 ██████████ SAFETY BELT USE LAW. THE COALITION, FORMED IN 1985, ADVOCATES THE PASSAGE OF A SAFETY BELT USE LAW AND PROMOTES THE USE OF SAFETY BELTS.

SAFETY BELT USE LAWS THAT HAVE BEEN PASSED IN 31 STATES AND D.C. MOTIVATE PEOPLE TO BUCKLE UP. THOSE STATES FOUND THAT VOLUNTARY USE WAS LOW AND THROUGH LEGISLATING THE USE OF SAFETY BELTS THE INCENTIVES TO USE THEM HAVE RESULTED IN SIGNIFICANT NUMBERS OF LIVES SAVED AND COSTS REDUCED.

THE COALITION IS A GRASS ROOTS MOVEMENT COMPRISED OF OVER 8,000 INDIVIDUALS AND 51 ORGANIZATIONS REPRESENTING A WIDE RANGE OF INTERESTS, INCLUDING HEALTH CARE DELIVERY SYSTEMS, BUSINESS AND INDUSTRY, EDUCATION, FRATERNAL, SERVICE AND CIVIC ORGANIZATIONS WHO BELIEVE THAT A SAFETY BELT USE LAW WILL SAVE LIVES, DECREASE INJURIES AND SAVE THE STATE OF ALASKA MILLIONS OF DOLLARS IN EXPENDITURES EACH YEAR.

THE LATEST HIGHWAY USERS FEDERATION REPORT ESTIMATES THAT A MANDATORY SEAT BELT USE LAW CAN SAVE 35 LIVES A YEAR, REDUCE THE HARDSHIP AND COST OF OVER 600 INJURIES AND SAVE \$18 MILLION A YEAR TO THE STATE OF ALASKA IN MEDICAL COSTS, INSURANCE EXPENSES, LEGAL COSTS, LOSS OF PRODUCTIVITY AND OTHER COSTS SUCH AS POLICE, FIRE DEPARTMENT AND EMERGENCY MEDICAL SERVICE COSTS.

EDUCATIONAL CAMPAIGNS PROMOTING SAFETY BELT USE HAVE BEEN LAUNCHED HERE AND ACROSS THE COUNTRY. SAFETY BELT USAGE INCREASES TEMPORARILY DURING THE CAMPAIGN AND THEN RETURNS TO A LOW PERCENTAGE. THE AMOUNT OF MONEY SPENT IS GREAT AND THE RESIDUAL IMPACT SLIGHT. SAFETY BELT USE LAWS AND AN AGGRESSIVE EDUCATIONAL CAMPAIGN MUST BE COMBINED TO ACHIEVE MAXIMUM USE. IN THE ABSENCE OF A LAW EVEN WITH AN EDUCATIONAL CAMPAIGN, LESS THAN 32% OF THE POPULATION WILL BUCKLE UP. HOWEVER, A STATEWIDE POLL (ALASKA) LAST YEAR SHOWED THAT 81% OF ALASKANS WOULD WEAR SAFETY BELTS IF REQUIRED BY LAW.

A SAFETY BELT USE LAW IS THE INCENTIVE TO ESTABLISH THE SAFETY HABIT IN THOSE WHO OTHERWISE WOULDN'T BUCKLE UP.

IF A PERSON IS KILLED OR INJURED, IT AFFECTS MORE PEOPLE THAN THE VICTIM. PERSONS ARE NOT ALLOWED A "FREEDOM TO CHOOSE" TO PAY THE HEALTH CARE COSTS OF THOSE WHO "CHOOSE" NOT TO WEAR THEIR SAFETY BELTS.

THE COST OF NEEDLESS FATALITIES AND SERIOUS INJURIES ARE PAID BY ALL PERSONS - NOT SIMPLY THE VICTIM - IN INCREASED TAXES, INSURANCE PREMIUMS AND HEALTH CARE COSTS.

UNBELTED OCCUPANTS CAUSE INJURIES TO OTHER OCCUPANTS BY BECOMING "UNGUIDED MISSILES." THUS, THE "FREEDOM TO CHOOSE" TO WEAR THE BELT DOES AFFECT OTHERS DIRECTLY.

OTHER SIMILAR TRAFFIC - SAFETY LAWS PROTECT MOTORISTS AND OTHERS, SUCH AS SPEED LIMITS, DRINKING AND DRIVING AND DRIVER LICENSING. SAFETY BELT USE LAWS ARE CONSISTENT WITH THESE AND OTHER LAWS.

TRAFFIC ACCIDENTS DO NOT HAPPEN ON PERSONAL HIGHWAYS AND STREETS ---- THE COSTS TO SOCIETY IN TERMS OF MEDICAL, REHABILITATION, UNEMPLOYMENT AND WELFARE SERVICES SUPERSEDE THE "RIGHT" OF PEOPLE TO SERIOUSLY OR FATALLY INJURE THEMSELVES OR OTHERS BY NOT BUCKLING UP. IN 1985, 1986 AND 1987, 201 OUT OF 231 ALASKANS KILLED IN MOTOR VEHICLE ACCIDENTS WERE NOT "BUCKLED UP." THIS TRAGEDY COULD HAVE BEEN PREVENTED. STATISTICS FROM SAFETY EXPERTS SHOW THAT THERE IS A BETTER THAN 50 PERCENT PROBABILITY THAT THE DEATHS WOULD HAVE BEEN AVOIDED IF ALASKA HAD A SAFETY BELT USE LAW.

THE PROPOSED SAFETY BELT USE LAW IN ALASKA IS A SECONDARY OFFENSE - REQUIRING THAT A MOTORIST BE STOPPED FOR ANOTHER OFFENSE BEFORE A \$15 TICKET (WHICH MAY BE DONATED TO EMERGENCY MEDICAL SERVICES) CAN BE ISSUED FOR NOT USING SAFETY BELTS.

SECONDARY ENFORCEMENT WILL NOT IMPOSE ADDITIONAL BURDENS ON LAW ENFORCEMENT OFFICERS RESPONSIBLE FOR CITING MOTORIST UNDER THIS ACT. SAFETY BELTS REDUCE TRAFFIC FATALITIES, WHICH ARE EIGHT TIMES AS EXPENSIVE TO INVESTIGATE AS NON-INJURY ACCIDENTS. IN FACT, OFFICERS WOULD HAVE MORE TIME TO CONCENTRATE ON OTHER TRAFFIC ENFORCEMENT PROGRAMS.

IN THE PAST THREE YEARS OVER 8,000 ALASKANS HAVE SIGNED LETTERS OF SUPPORT FOR THE PROPOSED SAFETY BELT USE LAW AND OVER 50 BUSINESSES HAVE PASSED SUPPORTIVE RESOLUTIONS.

ONCE SB 50 PASSES THE LEGISLATURE AND IS SIGNED BY THE GOVERNOR, THE ALASKA SAFETY BELT USE COALITION PAYS FOR A ONE YEAR EDUCATIONAL CAMPAIGN (T.V., RADIO, NEWSPAPER, AND DIRECT MAIL PUBLIC SERVICE ANNOUNCEMENTS, AS WELL AS PRESENTATIONS TO INTERESTED ORGANIZATIONS, SCHOOLS, AND COMMUNITIES) PROMOTING THE LAW. THIS SERVICE PROVIDED BY THE COALITION WILL MEAN THE STATE WILL NOT HAVE TO SPEND MONEY TO IMPLEMENT THE LAW.

THE STATISTICS, THE PUBLIC SUPPORT, THE EDITORIAL SUPPORT (ANCHORAGE TIMES, ANCHORAGE DAILY NEWS, FRONTIERSMAN, VALLEY SUN, JUNEAU EMPIRE AND FAIRBANKS DAILY NEWS MINER), AND LEGISLATIVE SUPPORT SHOWS THAT THE PROPOSED SAFETY BELT USE LAW IS ONE THAT ALASKA CAN LIVE WITH.

RESOLUTIONS & LETTERS OF SUPPORT FOR A SAFETY BELT USE LAW (CSHB 167/jud.am)
As of December 20, 1988


AAA Alaska
Alaska Academy of Physicians Assistants
Alaska Avis Rent-A-Car
Alaska Branch/3 M
Alaska Chiefs of Police Association
Alaska Dental Society
Alaska Health Education Consortium
Alaska Nurses Association
Alaska Peace Officers Association
Alaska Review Board on Alcoholism
Alaska Medical Association
Alaska Medical Association Auxiliary
Alaska Treatment Center
Alpine Associates
American Society of Safety Engineers/AK Chapter
Anchorage Obstetrics & Gynecology
Anchorage Sand & Gravel
Anchorage Gymnastics
Arco Alaska
B & C Supply
Blue Cross of Washington and Alaska
Chevron USA
Chuck E. Cheese, Inc.
Consolidated Freightways
Donall Transportatoin dba Pacific Movers
Director's Federal Safety & Health Council/Southcentral Alaska
Eastwind, Inc.
FBI National Academy Associates
Firestone Stores
Goodyear Tire & Rubber, Co.
Harold's Rent-A-Truck
Health Association of Alaska
Highway Users Federation of Alaska
Humana Hospital/Executive Committee
Jackovich Industrial & Construction Supply
Joy E. Rosston-Zimmerman, B.N.C., A.N.P. (Humana Medical Plaza)
Juneau Retired Teachers Association
Junior Towne
Mammoth of Alaska
Mark J. Zimmerman, M.D., F.A.C.O.G. (Humana Medical Plaza)
Morrison-Knudsen, Co.
Mothers Against Drunk Driving/Juneau & Anchorage Chapters
North Star Council on Aging
Peratovich, Nottingham & Drage, Inc.
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Anchorage Daily News



Winner, 1976 Pulitzer Prize Gold Medal for Public Service

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Founded in 1946 by Norman C. Brown

A way to prevent needless deaths

This year, the legislature has a chance to help fight one of the most serious health problems in the state — and it can do so with very little money or effort.

The health problem is accidental injuries. They are the second leading cause of death for all Alaskans — and the leading cause among young Alaskans. Too many of these deaths come in motor vehicle accidents — some 231 over the past three years.

There's a simple way to cut this carnage on the state's highways: Require people to wear seat belts. Of those 231 victims, 201 were not belted in.

A bill to mandate seat belt use passed the state House last year but never made it to the Senate floor for a vote. This year, with new legislative leadership, prospects for a seat belt law look much better.

In the past, some people have resisted a seat belt law because they see it as an infringement on their personal freedom. Why they object is a mystery. The resulting "intrusion" into people's lives is on a par with a parking ticket — and has considerably more justification. When a parked car overstays its welcome, there's just one less parking space available. When car passengers fail to buckle up, they invite serious injury and death, and increase the costs we all pay for emergency services, insurance and health care.

Alaska's proposed seat belt law offers us all a gentle reminder to do what's good for everyone. The violation would be a secondary offense, meaning that drivers cannot be cited unless they are stopped for some other violation. The fine would be a mere \$15. If violators don't want to send their checks to the government, they can donate the \$15 to emergency medical services.

Seat belts save lives — but only if people wear them. A mandatory seat belt law is a reasonable way to get more people to buckle up.



ANCHORAGE TIMES

1-25-89

A matter of safety *Time*

THERE IS truly only one basic question to be answered when it comes to trying to decide whether Alaska should adopt a law which requires motorists to buckle up their seat belts when they get behind the wheel.

Do seat belts save lives?

And the overwhelming evidence — from all kinds of national statistics down to the doctors in the emergency rooms of Anchorage hospitals — is that they do.

It also is evident that without a law some people will not buckle up. So the law is necessary.

It is necessary in the same way that everyone who boards an airplane is required to fasten his or her seat belt.

And it is no more onerous a requirement than making it a law that motorists must halt at stop signs and red lights, yield to emergency vehicles or obey speed limits.

THIS ISN'T a debate over the infringement of personal liberties, as some opponents attempt to make it.

If you think your freedom would be abridged by a mandatory seat belt law, you no doubt are in a simmering fit right now because the state requires you to have a driver's license before you can legally operate a motor vehicle.

What's the difference?

Both items, as a matter of fact, are life-saving ingredients to making our streets and highways safer. You don't want to be on the same road with drivers who are not licensed. That's a law that looks after your own safety. So, too, would one requiring you to do what you may now forget to do when you slip behind the wheel — and that's to snap the seat belt in place.

Opponents argue that the lobbying for enactment of the seat belt law is nothing more than a deceitful ploy by the auto industry to try to avoid eventually providing

air bags in all vehicles.

But so what if auto makers support the use of seat belts? So do a lot of other people, including the insurance industry, various medical societies and individual doctors, and every other motorist whose life has been saved because a seat belt was secure at the time of an accident.

Sen. Arliss Sturgulewski, the Anchorage Republican who is a prime sponsor of the seat belt law in this session of the legislature, is correct.

It's simply a matter of safety, pure and simple. Forget all the extraneous arguments. Stick to the basic reason why.

JUST THE other day, new statistics proved the point.

A study of all traffic accidents in North Carolina from 1983 to 1987 showed a dramatic drop in the number of deaths and serious injuries after a mandatory seat belt law was enacted. This report estimated that North Carolina may have 1,100 fewer severe and fatal highway injuries every year as a result of mandatory seat belt use.

A second study of 1,384 accident victims taken to trauma units of four Chicago-area hospitals showed that hospital admissions decreased by nearly 65 percent and related costs dropped 68 percent for those who were wearing seat belts. This study said the average cost of treating accident victims who were wearing seat belts was \$534, compared to \$1,583 for victims who didn't wear belts.

The Journal of the American Medical Association, reporting on the new studies, said this: "Safety belts turn out to be an economical way of trying to reduce that health-care dollar."

Thirty-one states and the District of Columbia have seat belt laws.

Alaska should become the 32nd state to get on this safety bandwagon.

Tuesday, January 17, 1989

Make it mandatory

The Legislature could do a simple thing that would save lives, reduce injuries and save money. It could pass a law making the use of safety belts in vehicles mandatory.

Many people don't like the idea of mandatory safety belt laws. The use of safety belts should be a personal choice, they say. The government has no business dictating personal choices.

It's a compelling argument, but not so compelling as the harm that is done by not wearing safety belts. According to a 1987 study, mandatory use of safety belts in Alaska would save 35 lives a year, reduce injuries to more than 600 persons, save \$5 million worth of lost labor and decrease other economic losses associated with highway death and injury by \$13 million. Not just the victims, but everyone pays the cost of not wearing safety belts in terms of increased taxes, insurance premiums and health care costs.

Thirty-one states and the District of Columbia have passed mandatory safety belt laws. In every state, use of safety belts has increased substantially.

Educational programs promoting safety belt use fail to provide the incentive to buckle up that a law requiring it does. We reluctantly move from a position of advocating voluntary compliances to urging the Legislature to make safety belts mandatory. They should, however, avoid some of the problems that Washington state encountered when they initially failed to provide for exemptions for certain types of delivery vehicles.

FAIRBANKS

Daily News - Miner

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5-4-88

Seatbelt bill should be passed

Lodged within the bowels of the Alaska Legislature is a bill that, plain and simple, would save lives. It is the seatbelt bill.

Opponents say any law requiring Alaskans to buckle their seatbelt is an infringement on their "civil liberties." They say that if they want to increase the likelihood of being injured or killed in an automobile accident by 15 to 25 percent, then that's their business.

Wrong. In fact, all of us pay the price of those individuals who cherish their "civil liberties" more than their lives. According to U.S. Secretary of Transportation Jim Burnley, seatbelt laws save more than the human suffering a serious traffic accident leaves in its wake.

"Belt laws are helping to reduce the staggering societal costs of motor vehicle crashes,

currently estimated to be \$74 billion a year," he wrote in USA Today. That includes medical, municipal and state services, increased insurance expenses and other public expenditures.

The cost of not having a seatbelt law can be estimated in blood, too. If all 50 states had seatbelt laws, Secretary Burnley estimates 3,100 lives would have been saved last year alone. That is more than the population of Wrangell killed because of the lack of seatbelt laws.

What is this "threat" to our "civil liberties" that the Alaska Senate is protecting us from? The bill now bottled up in the Senate State Affairs Committee would make driving without wearing a seatbelt a secondary offense. That means you could not be stopped by a police officer solely for not wearing a seatbelt. But if you were stopped for another traffic offense and didn't have your seatbelt fastened, you would have to pay a \$15 fine or donate that amount to emergency medical services.

Pardon us, but that is hardly an infringement on anyone's civil liberties. All it would do is heighten public awareness of the need to wear seatbelts.

Thirty-two states and Washington, D.C., have seatbelt laws. Obviously, those lawmakers know that any law that saves so many lives makes good sense.

Hopefully, Alaska's lawmakers would agree — if they ever got a chance to vote on the bill.

What happens if Alaska's legislators don't pass a seatbelt law this year? More people will die, more people will be injured, and the next legislature will have to do what this one refused to.

Pass a seatbelt law.
Please.

ISSUE: Should
Alaska have a seat-
belt use law?

USA
TODAY

Life

FRIDAY, DECEMBER 23, 1988

The big benefits of buckling up

By Dan Sperling
USA TODAY

Wearing seat belts reduces car-crash victims' injuries by 60 percent and cuts their hospital costs by more than \$1,000, a new study suggests.

Dr. Elizabeth Mueller Orsay, assistant professor of emergency medicine at the University of Illinois School of Medicine in Chicago, and colleagues studied 1,364 emergency-room patients who had been in auto accidents.

Fifty-eight percent wore a safety belt when the accident occurred; 42 percent didn't.

Seat-belt wearers had a 60 percent reduction in injury severity, a 65 percent decrease in hospital admissions and a 66 percent reduction in hospital costs compared with those who wore no seat belt.

How seat-belt wearers fared compared with those who didn't:

► Seven percent of the seat-belt wearers had to remain in the hospital overnight, compared with 19 percent of the other patients.

► The average hospital charge for seat-belt wearers was \$534, compared with \$1,583 for those not wearing a seat belt.

"This study very strongly shows the benefits of buckling up, both for the individual and for society as a whole," says Orsay, whose study is reported in today's *Journal of the American Medical Association*.

Car accidents are the USA's leading cause of death among people age 5 to 34, and cost the country an estimated \$57 billion a year, says Orsay.

About 3.2 million people are injured each year in car accidents. Though the government estimates that if everyone used seat belts, traffic fatalities would be cut in half and injuries reduced by 65 percent, only 31 states and the District of Columbia have laws requiring their use.

Another report, in the same issue, estimates that North Carolina's mandatory seat-belt law, enacted last year, has resulted in 1,100 fewer severe and fatal highway injuries annually.

FORUM

Alaskans can live with proposed safety belt law

By FRANK BICKFORD

One thing alone can save 35 Alaskan lives a year, reduce the hardship and costs of over 600 injuries, save \$5 million worth of lost labor, and decrease economic losses associated with highway death and injury alone by

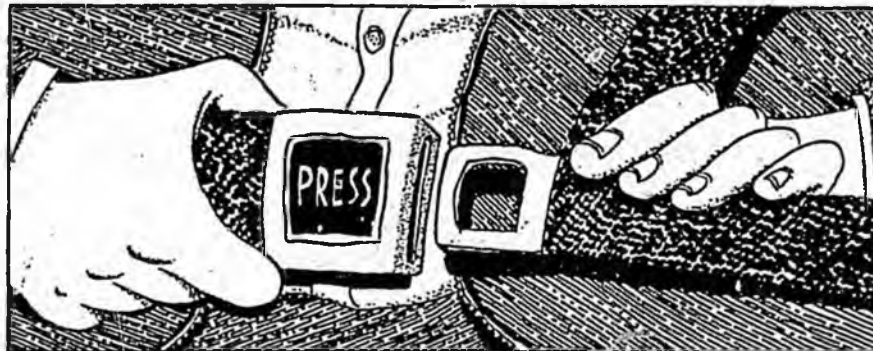


as much as \$13 million, according to estimates from The Alaska Highway Users Study. That one thing is wearing the safety belts already in our cars.

These facts are just four of the reasons Alaska needs a law requiring safety belt use. Although a major purpose of the Alaska Safety Belt Use Law would be to promote the safety of drivers and passengers using their safety belts, such a law would also promote the safety of other street and highway travelers, and promote the public welfare by reducing public expenditures.

In other words, if Alaska requires safety belts to be worn — everyone can benefit! Belt-use laws that have been passed in 31 states and D.C. motivate people to buckle up. Those states found that voluntary use is low. Legislating the use of safety belts saved significant numbers of lives and reduced costs.

Educational campaigns promoting safety belt use have been launched here and across the country. Use of safety belts increases temporarily during the campaign and then returns to a low percentage. The amount of



money spent is great and the residual impact slight.

Safety belt use laws and an aggressive educational campaign must be combined to achieve maximum use. In the absence of a law even with an educational campaign, less than 32 percent of the population will buckle up. However, a Hellenthal statewide poll last year showed that 81 percent of Alaskans would wear safety belts if required by law.

A safety belt use law is the incentive to establish the safety habit in those who otherwise wouldn't buckle up.

If a person is killed or injured, it affects more people than the victim. Persons are not allowed a "freedom to choose" to pay the health care costs of those who "choose" not to wear their safety belts.

The cost of needless fatalities and serious injuries are paid by all persons — not simply the victim. Taxes, insurance premi-

ums and health care costs increase for us all. Unbelted occupants cause injuries to other occupants by becoming "unguided missiles." Thus, the "freedom to choose" to wear the belt does affect others directly.

The costs to society for medical care, rehabilitation, unemployment and welfare services supercede the "right" of people to seriously or fatally injure themselves or others by not buckling up. As a citizen and taxpayer, your rights are infringed upon by those who aren't responsible enough to buckle-up voluntarily; they leave you to pick up the tab for increased costs.

Other similar traffic-safety laws protect motorists and others, such as speed limits, drinking and driving and driver licensing. Safety belt use laws are consistent with these and other laws.

Ninety percent of those persons killed in motor vehicle accidents in Alaska during 1985, 1986, and 1987 were not wearing safety belts.

The proposed safety belt use law in Alaska is a secondary offense-requiring that a motorist be stopped for another offense before a \$15 ticket (which may be donated to emergency medical services) can be issued for not using safety belts.

Secondary enforcement will not impose additional burdens on law enforcement officers responsible for citing motorists on this act. Safety belts reduce traffic fatalities, which are eight times as expensive to investigate as non-injury accidents. In fact, officers would have more time to concentrate on other traffic enforcement programs.

In the past three years Hellenthal Associates has conducted extensive statewide and local polls that show more than 80 percent of Alaskans supporting a safety belt use law.

In the past three years more than 80,000 Alaskans have signed letters of support for the proposed safety belt use law and over 100 businesses have passed supportive resolutions.

The Alaska State House in 1987 passed the safety belt use law with bipartisan support. The Senate in 1988 failed to act on the legislation but 1989 looks more favorable for passage. Supporters of the law include Speaker of the House, Sam Cottrell; Senate President Tim Kelly, and the Governor Steve Cowper.

The statistics, the public support, and editorial support of many newspapers and legislative support show that the proposed safety belt use law is one that Alaska can live with.

□ Frank Bickford is executive director of the Alaska Safety Belt Use Coalition.

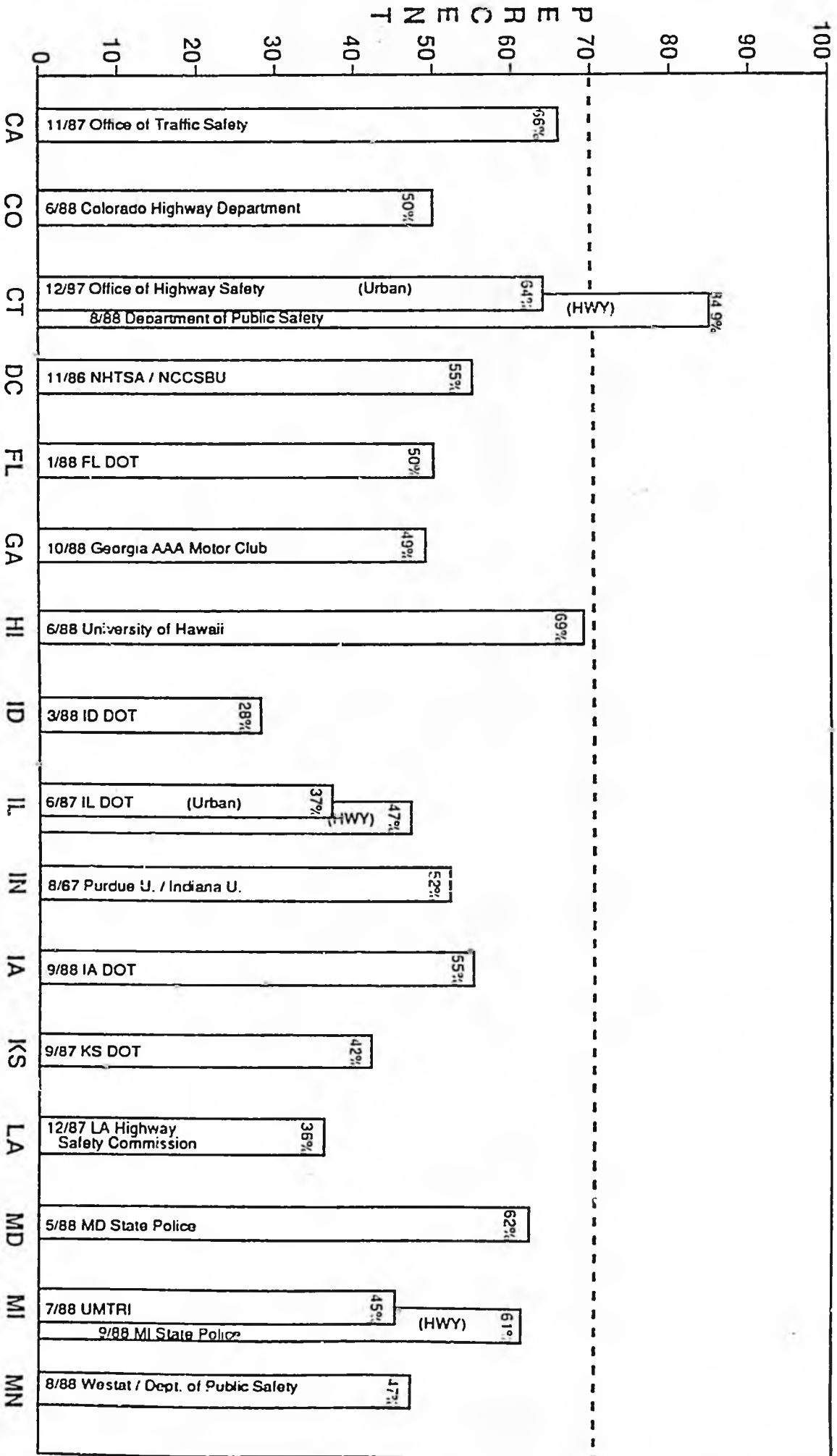
SB 59

COUNTRIES WITH SAFETY BELT USE LAWS

Country	Effective Date	Country	Effective Date
Australia	1/72	United States and Territories	
Austria	7/76	California	1/86
Belgium	6/75	Colorado	7/1/87
Brazil	6/72	Connecticut	1/1/86
Bulgaria	1976	Dist. of Columbia	12/12/85
Canadian Provinces		Florida	7/1/86
Alberta	7/87	Hawaii	12/16/85
British Columbia	10/77	Georgia	9/1/88
Manitoba	1/84	Idaho	7/1/86
Newfoundland	8/82	Illinois	7/1/85
New Brunswick	11/83	Indiana	7/1/87
Nova Scotia	1/85	Iowa	7/1/86
Ontario	1/76	Kansas	7/1/86
Quebec	8/76	Louisiana	7/1/86
Saskatchewan	7/77	Maryland	7/1/86
Czechoslovakia	1/69	Michigan	7/1/85
Denmark	1/76	Minnesota	8/1/86
East Germany	1/80	Missouri	9/28/85
Finland	7/75	Montana	10/1/87
France	10/79	Nevada	7/1/87
Greece	12/79	New Jersey	3/1/85
Hong Kong	10/83	New Mexico	1/1/86
Hungary	7/77	New York	12/1/84
Iceland	10/81	North Carolina	10/1/85
Ireland	2/79	Ohio	5/6/86
Israel	7/75	Oklahoma	2/1/87
Ivory Coast	1970		
Japan	12/71	Pennsylvania	11/23/87
Jordan	12/83	Puerto Rico	1/1/74
Luxembourg	6/75	Tennessee	4/21/86
Malaysia	4/79	Texas	9/1/85
Netherlands	6/75	Utah	4/29/86
New Zealand	6/72	Virginia	1/1/88
Norway	9/75	Washington	6/11/86
Poland	1/84	Wisconsin	12/1/87
Portugal	1/78		
Singapore	7/81	United Kingdom	1/83
South Africa	12/77	USSR	1/76
Spain	10/74	West Germany	1/76
Sweden	1/75	Yugoslavia	1/85
Switzerland	1/76	Zimbabwe	7/80
Turkey	10/84		

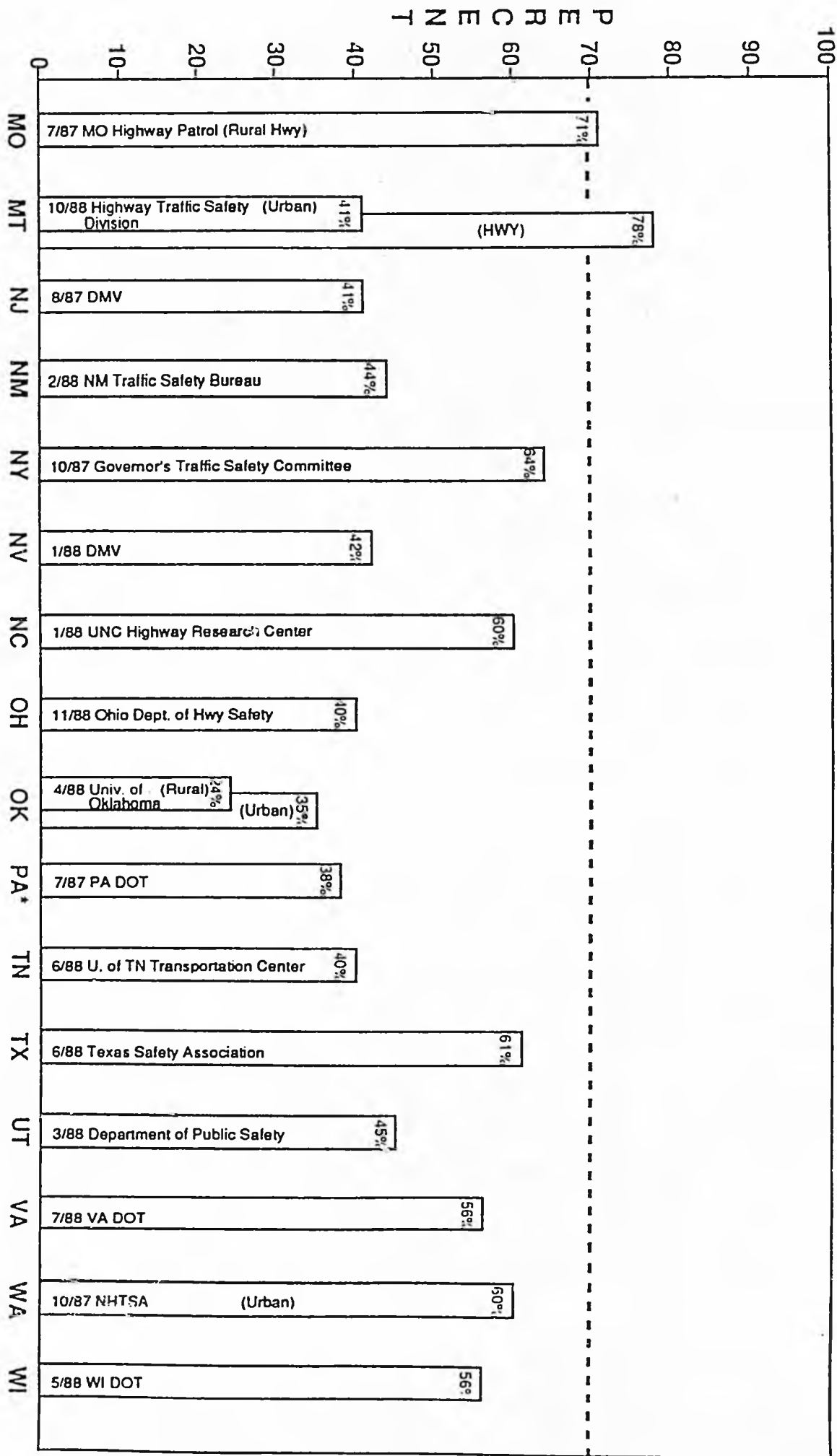
SOURCE: University of Michigan Transportation Research Institute.

COMPLIANCE RATES IN POST-LAW STATES



COMPLIANCE RATES IN POST-LAW STATES

Page 2



* Use rates prior to law taking effect

Facts and Attribution

- * Safety-belt use has saved 10,938 lives since 1983. Of those, state safety-belt-use laws were credited with saving 6,906 lives. National Highway Traffic Safety Administration (NHTSA), 1988
- * The probability of being involved in a motor-vehicle injury accident during a 75-year lifetime is better than 86 percent. NHTSA, 1987
- * There were 41,435 fatal accidents resulting in 46,386 fatalities in 1987. (Includes drivers or passengers in all types of motor vehicles, pedestrians and bicyclists.) NHTSA, 1988
- * There were 25,144 passenger-car fatalities and 3,042 light-truck fatalities in 1987. NHTSA, 1988
- * Approximately 3,896,000 people were injured in traffic crashes in 1986. (2,835,000 in passenger car accidents alone.) NHTSA, 1988
- * The severity of approximately 100,000 injuries is reduced each year as a result of states having passed safety-belt-use laws. University of North Carolina Highway Safety Research Center, 1987
- * In 1986, an average of one person was killed in traffic accidents every 11 minutes. NHTSA, 1988
- * Unrestrained passenger car occupants are twice as likely to receive moderate to critical injuries in the event of a crash as restrained occupants. NHTSA, 1987
- * On a national basis, each 10 percent increase in safety-belt use results in 30,000 less serious and moderate injuries and a savings of approximately \$800 million in direct costs to society. David A. Sleet, San Diego St. University, 1986
- * Traffic crashes rank as the No. 1 killer of Americans ages 1-40. NHTSA, 1988
- * In terms of years of life lost to Americans (based on life expectancy data), injuries as a result of motor vehicle accidents exceed cancer by 1.1 million years and top heart disease and strokes by 900,000 years. Institute of Medicine, National Research Council and the National Academy of Sciences, 1985
- * Of motor vehicle-related deaths, 82 percent occur during normal weather conditions. NHTSA, 1988
- * Less than one half of 1 percent of all injury-producing, passenger-car collisions involve fire or submersion. NHTSA, 1988

- * Safety belts reduce the likelihood of fatal or serious injuries by 40 to 55 percent. NHTSA, 1988
- * Automobile accidents cost employers an average of \$120,000 per death and \$1.9 billion annually. National Highway Users Federation and the American Safety Federation (HUF), 1985
- * The cost of all traffic deaths and injuries in the United States during 1986 was about \$74.2 billion, including:
 - \$27.4 billion in property damage
 - \$16.4 billion in lost productivity
 - \$ 4.1 billion in medical costs
 - \$26.3 billion in other costs (such as insurance administration, legal and court costs and emergency services.) NHTSA, 1988
- * People thrown from their cars are 25 times more likely to be killed than if they stayed in their vehicle. About three out of four people involved in a fatal crash who were thrown from their vehicles in 1984 were killed. NHTSA, 1986
- * Of the total passenger-car fatalities, 92 percent occur in the front seat. NHTSA, 1988
- * Three out of every four traffic accidents happen within 25 miles of the home. National Safety Council, 1986
- * The overall fatality risk of back-seat passengers is reduced by 24 to 40 percent through lap-belt use. NHTSA, June 1988
- * Safety-belt-use legislation has been passed in 31 states and the District of Columbia, covering nearly 207,000,000 persons. Traffic Safety Now, Inc., 1988
- * It is estimated if 70 percent of passenger car occupants regularly wore their safety belts in 1985, 7,400 lives would have been saved and 135,000 moderate to severe injuries would have been avoided. NHTSA, 1986
- * NHTSA estimates lap belts in the rear seat could have saved an estimated 660 lives and prevented 10,200 serious injuries in 1987 if use were 100 percent. NHTSA, 1988
- * Safety-belt use among drivers has risen from 14 percent in 1984 to more than 43 percent in 1988. Among states with safety-belt-use laws, 51 percent of motorists observed in 1987 wore their safety belts compared to only 27 percent in states without laws. NHTSA, 1988

The Case for Safety Belt Use

Safety belts have been required equipment for automobiles in the United States for 20 years. But it has been only recently that Americans have made extensive use of these effective devices. As recently as 1982, only 11% of American motorists were "buckling up." Today, 31 states and the District of Columbia have safety belt use laws on the books, and overall belt use is estimated to be at an all-time high of 46%.

See also pp 3593 and 3598.

The primary reason for this turnabout has been a refocusing of highway safety efforts, to concentrate more on drivers themselves rather than just on regulating manufacturers. Former Secretary of Transportation Elizabeth Dole settled a 15-year-long battle over air bags in 1984. Her solution: if states representing more than two thirds of the population enacted safety belt laws, manufacturers would not be required to install air bags or automatic safety belts. The auto industry has since lobbied intensively for safety belt laws in the state legislatures. The Department of Transportation and other groups, such as Traffic Safety Now and the American Coalition for Traffic Safety, have also waged a large-scale public information campaign promoting safety belt use.

The results are clear. Increased safety belt use has saved an estimated 11 000 lives since 1984, and tens of thousands of serious injuries have been prevented. The National Highway Traffic Safety Administration estimates that front-seat lap-shoulder belts are highly effective in protecting occupants in a crash, reducing the risk of death by 40% to 50% and the risk of moderate to serious injury by 45% to 55%.¹ These estimates were based on extensive data on crash and injury experience over the past decade.

Physicians and other professionals in the medical and public health fields can also play a key role in increasing safety belt usage. According to national health statistics, not only are motor vehicle crashes the leading cause of death among 5- to 34-year-olds, they account for the greatest number of productive years of life lost and are the most costly source of disability in the United States. Yet, a survey² of 209 Texas family physicians revealed that only 5% said they routinely ask their patients about safety belts. Fifty-eight percent neither advise nor discuss the risk, even when they are aware of nonuse. These physicians ranked nonuse of safety belts as less of a risk factor than smoking, obesity, excessive use of alcohol, high blood pressure, stress, lack of exercise, and a high-fat diet.

However, the American Academy of Family Physicians plans to introduce a continuing medical education course for physicians next year on how motor vehicle trauma can be reduced through patient education on the importance of using safety belts, child safety seats, and the extra protection provided by air bags. There is no doubt that increased safety belt education, especially among school-age children, will prove beneficial. Recent observations of 242 school-age children at a pediatric clinic dramatically demonstrated the influence of a physician's message to his or her young patients and parents on the importance of using safety belts.³ It was found that 38% of the young patients who received counseling were then observed wearing their belts, compared with 5% of those who

did not receive counseling.

Much more remains to be done to increase safety belt use across the country. Currently, surveys indicate that belt use in states with belt laws averages about 50%, but also varies widely from state to state, from 68% in Hawaii to only 27% in Tennessee.⁴ The most dramatic, sustained increases in safety belt use appear to have been in those communities where there is a combination of intensive law enforcement and public information and education. Not surprisingly, belt use is generally lower in states without belt laws, but those states also show substantial variance. And we know that many countries have attained very high safety belt use rates—such as 80% in Australia and parts of Canada and 95% in Great Britain and West Germany. We are therefore convinced that there are great opportunities for further increases in belt use all across America.

Our goal at the Department of Transportation and the goal of a wide spectrum of safety groups across America is to attain a national safety belt usage rate of 70% by 1990.

There has never been any question that safety belts and child safety seats are extremely effective in saving lives and reducing injuries. The problem has been convincing motorists to use them every time they get into their cars and trucks. When the National Transportation Safety Board reported in a 1986 study⁵ that use of rear-seat lap belts could cause injury in some crashes, some people mistakenly assumed that they were safer not wearing a belt at all. Nothing could be further from the truth. Our crash data conclusively show that lap-only safety belts are quite effective in reducing the risk of death and injury to occupants compared with wearing no belt at all. Furthermore, car manufacturers are now voluntarily taking the initiative to improve protection for rear-seat occupants even further by installing lap-shoulder belts as standard equipment in virtually all new cars by 1990.

The outlook on safety belt use is encouraging. More and more Americans are buckling up for safety, and each year more lives are being saved on our highways. But more than half of America's motorists are still unprotected. There is still much work for all of us—in government, in the private sector, and for health professionals—in spreading the important life-saving message of safety belt use.

As administrator of the National Highway Traffic Safety Administration, I urge physicians and major health care providers, as part of their daily routine, to advise patients about the importance of safety belts and the use of child safety seats to prevent injuries from motor vehicle crashes.

Diane Steed
National Highway Traffic
Safety Administration
Washington, DC

1. *Final Regulatory Impact Assessment on Amendments to Federal Motor Vehicle Safety Standard 208, Front Seat Occupant Protection*, publication DOT HS 806 572. US Dept of Transportation, 1984, p IV-2.

2. Mullen PD, Iiddle AK, Gottlieb NH, et al: Predictors of safety belt initiative by primary care physicians. *Med Care* 1985;26:376.

3. Macknin ML, Gustafson C, Gassman J, et al: Office education by pediatricians to increase safety belt use. *AJDC* 1987;141:1305-1307.

4. *Observed Safety Belt Use Statistics by State*. National Highway Traffic Safety Administration, 1988, pp 1-3.

5. *Effectiveness of Safety Belt Use Laws: A Multinational Examination*, publication DOT HS 807 018. US Dept of Transportation, 1986, pp 20-24.

Efficacy of Mandatory Seat-Belt Use Legislation

The North Carolina Experience From 1983 Through 1987

Terence L. Chorba, MD, MPH; Donald Reinfurt, PhD; Barbara S. Hulka, MD, MPH

The North Carolina General Assembly approved a law effective in October 1985 that mandated seat-belt use by front-seat occupants of passenger vehicles. In January 1987, a \$25 fine for infractions of this law went into effect. This study examined numbers of car occupants with severe and fatal injuries in crashes in North Carolina, controlling for the amount of vehicle damage as a measure of crash severity. After the law, significant decreasing trends were seen in the percentages of front-seat occupants who had severe or fatal injuries in crashes, although the involvement of alcohol in crashes was still associated with an increased risk of such injury. Projections indicate that a reduction of approximately 1100 severe or fatal injuries per year can be attributed to the seat-belt law in North Carolina. This study supports the hypothesis that the societal burden of crash-associated injury can be reduced by mandating seat-belt use.

(JAMA 1988;260:3593-3597)

AN ACT to Make the Use of Seat Belts in Motor Vehicles Mandatory, North Carolina Senate bill 39, went into effect on Oct 1, 1985. The act mandated seat-belt use by front-seat occupants of

See also pp 3598 and 3651.

passenger cars, allowed for a 15-month period during which warning tickets would be issued for violations, and provided for a \$25 fine for infractions that occurred after Jan 1, 1987. The act

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permitted vehicles to be stopped for a seat-belt law violation alone (primary enforcement) rather than requiring that a vehicle must first be stopped for some other traffic violation (secondary enforcement).

Because it is important for legislators and voters to know whether a law mandating seat-belt use and imposing a fine can achieve its legislative intent, in this study we attempted to determine if there were reductions in severe and fatal injury that resulted from mandating seat-belt use by front-seat occupants in North Carolina. If so, it would be expected that there would be reductions in morbidity and mortality among targeted front-seat passenger car occupants, and that such reductions would be in excess of those among occupants not covered by the law. This report presents analyses of numbers of per-

sons with severe and fatal injuries by occupant position in car crashes, controlling for the amount of vehicle damage as a measure of crash severity.

EXPERIMENTAL DESIGN AND METHODS

Subjects and Definitions

The study subjects were the drivers and other motor vehicle occupants in North Carolina crashes from January 1983 through September 1987.

The two classes of vehicles principally covered by North Carolina Senate bill 39 are passenger cars and station wagons. *Targeted* vehicles were defined as passenger cars and station wagons, and *nontargeted* vehicles as all other motor vehicles. *Targeted* occupants were persons to whom the act pertained (in targeted vehicles), viz, drivers and front-seat occupants 6 years of age or older. Car occupants 5 years of age or younger were covered by the North Carolina child-restraint law, not by Senate bill 39, and, hence, they were not a targeted group. *Nontargeted* occupants were persons to whom the act did not pertain; eg, rear-seat occupants of passenger cars, all occupants 5 years of age or younger, and occupants of motor vehicles other than passenger cars or station wagons.

Study Design and Statistical Methodology

The study design was a separate-sample pretest-posttest design¹ that examined crash data over three periods:

(1) before the belt law was in effect; (2) after the law was in effect but before implementation of a \$25 fine for violations, ie, during the warning period; and (3) after implementation of the \$25 fine. Included were analyses of belt use during the three periods and analyses of morbidity and mortality data from crashes by period and by quarter-year, stratified for various factors, including use and nonuse of seat belts, degree of vehicle damage, and alcohol involvement. Because data for only the first nine months of 1987 were available at the time of this study and because of the possibility that seasonality affected the data, data were also compared for the first nine months of 1983 through 1987.

Pearson χ^2 analysis¹ was used to examine aggregated vehicle damage data with respect to severe and fatal injuries. For drivers and passengers in the right front seat, 2×2 tables were constructed to compare the numbers of occupants with or without severe or fatal injuries in crashes by aggregated levels of vehicle damage (levels 1 and 2, mild crash; levels 3 and 4, moderate crash; and levels 5 through 7, severe crash). For each aggregated level of vehicle damage, occupants before the seat-belt law were compared with occupants during the warning period and after the \$25 fine.

For targeted and nontargeted vehicle occupants, the relation of severe and fatal injuries to year or to quarter-year was evaluated using the test for linear trends in proportions.² To examine vehicle damage and driver injury data with respect to driver alcohol involvement, we used ridit analysis.^{3,4} To evaluate the statistical significance of ridit scores across several intervals, we used Mantel-Haenszel χ^2 analysis.⁵

The significance level for all statistical analyses was $P < .05$.

Data Sources, Collection Procedures, and Analysis

The University of North Carolina Highway Safety Research Center (HSRC) crash data tapes were created from tapes of the North Carolina Division of Motor Vehicles and were produced in Raleigh, NC. We used HSRC tapes that included all reportable motor vehicle crashes that occurred in North Carolina from January 1983 through September 1987, and from these we created a 10% systematic sample, choosing every tenth report in chronological order. Crashes were defined as any collision involving a motor vehicle(s) resulting in injury to or death of any person or in total apparent property damage equivalent to or in excess of \$500. Crash report forms were filled out by an investigating officer (highway pa-

trolman, municipal police officer, etc), not by persons involved in the crash. All reporting agencies used the same standard report form. For this study, data from these tapes were used for assessments of injury, vehicle damage, and alcohol involvement. These assessments were performed as follows.

Injury Assessment.—The severity of personal injury and vehicular damage was scored by the investigating officer at the scene of the crash. Personal injury categories included the following: (1) fatality, (2) severe (incapacitating—obviously serious enough to prevent carrying on normal activities for at least 24 hours, eg, massive loss of blood or broken bone), (3) moderate (not incapacitating—injury other than severe injury or fatality evident at the scene), (4) mild (no visible sign of injury but complaint of pain or momentary unconsciousness), and (5) no injury. The validity of these assessments has been measured⁶; an overall rate of 74.7% agreement was found when injury judgments (severe or fatal vs not severe) of police were compared with those of emergency medical service personnel.

Vehicle Damage Assessment.—Damage sustained by motor vehicles was assessed in terms of a seven-point damage severity rating scale from least severe (level 1) to most severe (level 7) that has been standardized using photographs of damaged automobiles. These photographs were published in a small booklet⁷ and were provided to all reporting agencies for dissemination to all investigating officers in North Carolina.

Alcohol Involvement Assessment.—Analyses of alcohol involvement were based only on cases for which the investigating officer made a definite judgment of drinking or not drinking; ie, drivers classified as "unknown" or "not stated" were omitted. Drivers with involvement of alcohol included those classified as either "drinking—impaired" or "drinking—impairment unknown." The accuracy of such judgments of driver alcohol involvement in these reports has been measured by Waller et al⁸; 79.1% of arrested drivers classified by the investigating officer as drinking had measured blood alcohol concentrations (BACs) of 0.10% or higher, 90.5% had BACs of 0.05% or higher, and only 2.05% had BACs of 0.00%.

Data from the HSRC tapes were also used to quantify reported restraint use or nonuse.

For different periods, the numbers of severely or fatally injured occupants were compared with the total numbers of occupants involved in crashes for all occupants of motor vehicles, front-seat and rear-seat occupants, targeted occu-

pants, and nontargeted occupants of targeted and nontargeted motor vehicles. For drivers and occupants of the right front seat, injuries among persons wearing lap and shoulder belts and unrestrained persons were examined by the degree of vehicle damage in crashes with front-end impacts and non-front-end impacts during the three periods to determine the relative distributions of injury among occupants by reported belt use. Injuries among drivers involved and not involved with alcohol were also examined by the degree of vehicle damage.

Observed belt-use data in the population at risk were obtained by the HSRC under a grant from the Governor's Highway Safety Program; general seat-belt use was measured at 72 intersections around the state by four trained observers. Frequencies of observed use on the highway and reported use of restraints by drivers and other front-seat occupants involved in crashes were compared, as were the frequencies of different levels of injury associated with the reported use or nonuse of belts for vehicle occupants involved in crashes in each of the three periods: (1) before the belt law (January 1983 through September 1985), (2) during the warning period (October 1985 through December 1986), and (3) after implementation of the fine (January through September 1987).

RESULTS

Crash investigators submitted crash reports on 203 000 passenger cars or station wagons for 1983, 207 000 for 1984, 211 000 for 1985, 227 000 for 1986, and 172 000 for the first nine months of 1987. Of these reports, 62.7% were submitted by municipal police; 36.6% by the state highway patrol; and 0.7% by local sheriffs, rural or county police, and other traffic investigating agencies. From January 1983 through September 1987, approximately 55% of drivers involved in crashes were male, 74% were white, and 53% were 30 years old or younger. Forty-five percent of the crashes occurred on local streets, 52% occurred on primary or secondary roads, and less than 3% occurred on interstate highways. Of passenger vehicles involved in crashes, 61% had mild damage (level 1 or 2), 29% had moderate damage (level 3 or 4), and 10% had severe damage (levels 5 through 7). The distributions of these characteristics and measures of driver alcohol involvement showed no appreciable trends over the periods studied.

In examining the severity of injury for drivers and occupants of the right front seat in front-end and non-front-end crashes, lack of belt use was consis-

tently associated with distributions of injury skewed toward more severe degrees of injury. Data for drivers in front-end crashes are presented in Table 1. Drivers in crashes reportedly wore seat belts more frequently than did occupants of the right front seat (Table 2); this is consistent with observations of the population at risk.

Decreases were observed in the percentages of targeted occupants who had severe injuries and deaths in crashes in 1986 compared with 1985 and in 1987 compared with each of the four previous years (Table 3). When examined by quarter-year from the first quarter of 1983 through the first quarter of 1985, a significant increasing trend in the proportions of severe injuries and deaths was observed for targeted occupants ($R^2=0.47$, $P=.019$). When examined by quarter-year from the third quarter of 1985 (just before the warning period) through the third quarter of 1987, a significant decreasing trend was observed in the percentages of targeted occupants who had severe injuries and deaths in crashes ($R^2=0.38$, $P=.044$). In the first quarter of 1987 (just after implementation of the fine), a marked decrease was found in the percentage (3.50%) of targeted occupants of passenger vehicles who had severe or fatal injuries compared with data (5.06%) for the first quarter of 1985 (odds ratio [OR]=1.47 [95% confidence interval (CI), 1.23 to 1.76], $P<.0001$).

There was a decrease in the percentages of both drivers and occupants of the right front seat who had severe or fatal injuries in the first nine months of the year in 1986 compared with 1985 and in 1987 compared with each of the previous three years (Table 4). These decreases in percentages were principally observed among targeted front-seat occupants (Table 3). When examined by quarter-year from the first quarter of 1983 through the first quarter of 1985, a significant increasing trend in the proportions of severe injuries and deaths was observed for drivers of targeted vehicles ($R^2=0.58$, $P=.007$). Although an increasing trend in proportions was also observed among occupants of the right front seat who were severely injured or killed during the same time, the trend was not statistically significant. However, when examined by quarter-year from the third quarter of 1985 through the third quarter of 1987, significant decreasing trends in the proportions of severe injuries and deaths were observed for drivers of targeted vehicles ($R^2=0.52$, $P=.029$) and for occupants of the right front seat of targeted vehicles ($R^2=0.48$, $P=.033$). No discernible trends in the proportions of

Table 1.—Distribution of Injury for Drivers of Targeted Vehicles in Front-End Crashes by Injury Severity, Time Period, and Reported Seat-Belt Use*

Injury	Distribution of Injury, %					
	Belt Use Before Law (1/83-9/85)		Belt Use During Warning Period (10/85-12/86)		Belt Use After \$25 Fine (1/87-9/87)	
	Yes (N = 2605)	No (N = 13 581)	Yes (N = 5030)	No (N = 2920)	Yes (N = 4289)	No (N = 474)
None	84.1	75.6	80.7	65.5	79.7	58.7
Mild	10.0	10.9	11.3	14.8	12.0	12.2
Moderate	4.5	8.7	5.9	12.3	5.8	17.5
Severe	1.4	4.5	2.1	6.6	2.4	9.1
Fatal	0.0	0.3	0.1	0.7	0.1	2.5

*10% sample; data are aggregated for drivers who wore shoulder and lap belts and those who wore only lap belts.

Table 2.—Observed and Reported Use of Seat Belts by Drivers and Occupants of Right Front Seat by Time Period and Seat Position

Time Period	Month	Seat Position	Observed Use		Reported Use*	
			No. Observed	% Belted	No. Reported	% Belted
Before the law	9/85	Driver	18 212	25.4	1518	32.7
		Right front	6872	20.6	570	29.8
During warning period	11/86	Driver	21 859	43.8	2048	65.2
		Right front	8123	37.2	719	60.5
After \$25 fine	1/87	Driver	15 847	77.7	1689	91.2
		Right front	5828	70.6	531	89.3

*Persons in crashes.

Table 3.—Motor-Vehicle Occupants in Crashes in Targeted Vehicles With Severe or Fatal Injuries by Seat Position*

Motor-Vehicle Occupants	Year				
	1983	1984	1985	1986	1987
Targeted front-seat occupants					
All					
No. in crashes	18 834	19 289	19 385	20 603	21 752
% severely or fatally injured	3.94	4.51	4.67	4.39	3.78
Drivers					
No. in crashes	13 849	14 306	14 404	15 318	16 371
% severely or fatally injured	3.87	4.34	4.58	4.20	3.63
Occupants of right front seat					
No. in crashes	4711	4697	4749	5086	5224
% severely or fatally injured	4.14	4.94	4.86	4.76	4.19
Rear-seat occupants					
No. in crashes	2008	2169	2233	2313	2490
% severely or fatally injured	3.14	3.41	2.78	3.50	2.49

*10% sample during first 9 mo of year. Persons <6 years old were covered by the child-restraint law and are excluded from these data.

severe injuries and deaths were observed for rear-seat occupants.

Ridit analyses revealed the persistence over all three periods of significant differences between distributions of injury for drivers involved and not involved with alcohol for all levels of vehicle damage; this is consistent with the hypothesis that the risk of death or severe injury in a crash is increased by alcohol involvement.⁷ Even for mild

crashes in the first nine months of 1987, drivers who had been drinking sustained more severe injuries than those who had not been drinking (ridit = 0.560, Mantel-Haenszel $\chi^2=32.1$, $P<.001$). For severe crashes in the same period, the odds were almost 2:1 that drivers who had been drinking sustained more severe injuries than those who had not been drinking (ridit = 0.652, Mantel-Haenszel $\chi^2=55.5$, $P<.001$).

Table 4.—Motor-Vehicle Occupants in Crashes With Severe or Fatal Injuries by Seat Position*

Motor-Vehicle Occupants	Year				
	1983	1984	1985	1986	1987
Front-seat occupants					
All					
No. in crashes	24 157	24 672	25 204	26 729	28 850
% severely or fatally injured	4.06	4.70	4.98	4.64	3.95
Drivers					
No. in crashes	17 539	18 151	18 491	19 757	21 318
% severely or fatally injured	4.17	4.62	4.99	4.59	3.91
Occupants of right front seat					
No. in crashes	58 [†]	5829	6078	6413	6773
% severely or fatally injured	3.80	4.79	4.59	4.55	4.10
Nontargeted occupants					
All					
No. in crashes	8077	8231	8868	9207	10 194
% severely or fatally injured	3.76	4.59	4.72	4.61	3.90
Rear-seat occupants					
No. in crashes	2904	2848	3049	3101	3303
% severely or fatally injured	2.55	3.05	2.49	2.90	2.39

*10% sample during first 9 mo of year. Nontargeted occupants are persons to whom the seat-belt law did not pertain, viz, occupants of nontargeted vehicles, rear-seat occupants, and persons <6 years old.

Table 5.—Drivers Severely Injured or Killed in Targeted Vehicles in Front-End Crashes by Time Period and Level of Vehicle Damage*

Time Period	% (No.) of Drivers Severely Injured or Killed by Level of Vehicle Damage		
	Mild	Moderate	Severe
Before the Law (1/83-9/85)	1.09 (113/10336)	5.53 (256/4627)	22.05 (344/1560)
During warning period (10/85-12/86)	1.18 (60/5086)	5.22 (121/2320)	20.42 (164/803)
After \$25 fine (1/87-9/87)	0.92 (29/3140)	4.10† (54/1316)	20.79 (95/457)

*10% sample.
† $P < .05$ (derived from 2x2 tables comparing the number of drivers with or without severe or fatal injuries; drivers before the law were compared with drivers during warning period and after \$25 fine).

Table 5 includes χ^2 analyses of severe and fatal injuries for drivers of targeted vehicles in front-end crashes by the severity of vehicle damage for the three periods. Data for drivers in non-front-end crashes and for other occupants are not shown. When data before the law and during the warning period were compared, significant decreases in the proportions of persons with severe and fatal injuries were noted for drivers in moderate non-front-end crashes (OR=1.23 [95% CI, 1.03 to 1.47], $\chi^2=5.7$, $P=.017$) and for occupants of the right front seat in moderate front-end crashes (OR=1.56 [95% CI, 1.06 to 2.31], $\chi^2=5.6$, $P=.018$).

When data before the law and after the fine were compared, significant decreases in severe and fatal injuries were noted for drivers in moderate front-end crashes (OR=1.37 [95% CI, 1.00 to 1.87], $\chi^2=4.2$, $P=.040$). A significant decrease was also noted for drivers in moderate non-front-end crashes (OR=1.41 [95% CI, 1.13 to

1.76], $\chi^2=9.6$, $P=.002$). Decreases in severe and fatal injuries were also noted for occupants of the right front seat in moderate front-end crashes (OR=1.87 [95% CI, 1.10 to 3.22], $\chi^2=6.0$, $P=.014$). No significant differences were noted for occupants of the right front seat in non-front-end crashes.

Comparisons of the percentages of nontargeted occupants with severe or fatal injuries in crashes for the first nine months of each year revealed a significant decrease between 1985 (4.72%) and 1987 (3.90%) (OR=1.22 [95% CI, 1.06 to 1.41], $\chi^2=7.8$, $P=.005$; Table 4). Most of this decrease occurred between 1986 (4.61%) and 1987 (3.90%) (OR=1.19 [95% CI, 1.03 to 1.37], $\chi^2=5.9$, $P=.016$). A significant difference in proportions was observed for 1986 (3.50%) and 1987 (2.49%) when rear-seat occupants older than 5 years of age in targeted vehicles were evaluated for severe or fatal injuries in crashes (OR=1.42, [95% CI, 1.00 to 2.02], $\chi^2=4.3$, $P=.039$; Table 3). Among other

nontargeted occupants, a decrease in the percentages of severe and fatal injuries was also observed (although it was not statistically significant) between 1986 (5.00%) and 1987 (4.36%). Whether these trends toward reductions in severe and fatal injuries among nontargeted persons reflect technological improvements in automotive safety or changes in seat-belt use secondary to the law could not be determined using this data set.

COMMENT

We observed significant reductions in severe and fatal injuries in crashes among front-seat car occupants who were targeted by a mandatory seat-belt law, especially after implementation of a \$25 fine for infractions. These reductions were in excess of those observed among other occupants of the same vehicles. These results are consistent with reductions in morbidity and mortality observed elsewhere after mandatory belt-use legislation.^{8,13}

Estimates of the frequency of belt use by persons involved in nonfatal collisions are dependent on self-reporting to the investigating officer. Where there are seat-belt laws, self-reported belt use appears to be overestimated for all but the most severely or fatally injured. This would result in underestimation of the law's effect on morbidity and mortality for that segment of the population whose belt use has changed in response to the law. Injuries not apparent at the crash would also go unreported, as would crashes that did not involve injury or significant damage. Such underreporting alters measures of seat-belt effectiveness to the extent that such injuries would be less prevalent among belted persons than among nonbelted persons. However, there is no reason to suppose an effect of belt use on the reliability, validity, or completeness of crash reports.

Significant underreporting has been reported in official statistics of injuries from motor-vehicle collisions.¹⁴ If a differential shift in reporting occurred in favor of a given degree of injury, the results of this study would have been biased accordingly. Aside from a slowly increasing trend toward more severe and fatal injury reported for front-seat occupants before the law (Tables 3 and 4), a review of North Carolina crash data from 1979 through 1985 revealed no shift in injury distributions in crashes reported over several years before passage of the law. There is no reason to suppose that there was such a shift in underreporting in the two years after passage of the law.

Ridit analyses revealed that the seat-

belt law has not altered the relationship of driver alcohol involvement to injury outcome when one controls for crash severity. This is not surprising because alcohol is thought to reduce tolerance to impact¹⁴ and because North Carolina data consistently indicate less-frequent belt use among drivers involved with alcohol.

Dramatic increases in seat-belt use that occur immediately after seat-belt legislation are generally not sustained over time¹⁵; the initial increase in belt use is followed by a decline, typically about four months after the law takes effect.¹⁶ For the first nine months of 1987, the mean observed percentages of persons belted in North Carolina were 68% for drivers and 66% for occupants of the right front seat. Although these percentages decreased to 60% and 58%, respectively, in January 1988, seat-belt use has increased subsequently, with percentages of 63% for drivers and 63% for occupants of the right front seat observed in August 1988. Although present seat-belt use levels are lower than those in the nine-month period studied after implementation of the fine, the difference is small, and seat-belt use appears to be increasing again in North Carolina.

Whereas special enforcement campaigns undertaken elsewhere have resulted in dramatic increases in compliance with seat-belt laws,^{16,17} no such

campaign has yet occurred in North Carolina. During the first nine months of 1987, the State Highway Patrol issued 27 924 citations with fines (3103 per month) compared with 123 521 warning tickets for belt-law violations issued in 1986 (10 290 per month) by the same agency. In the absence of efforts to maximize enforcement, the decreases in morbidity and mortality presented here may not be sustained without other interventions (eg, educational efforts or installation of automatic restraints).

Impact studies are needed so that legislators and voters can determine whether mandating buckling up is worth the inconvenience and sacrifice of personal freedom. This study indicates that the North Carolina law has reasonably achieved its legislative intent. If one compares the numbers of severe and fatal injuries among targeted persons for the first nine months of 1987 (approximately 8220) with those of the first nine months of 1985 and 1986 (approximately 9040 and 9060, respectively) and extrapolates to 12 months, approximately 1100 fewer severe and fatal injuries per year would be observed among targeted persons in North Carolina after implementation of the \$25 fine. If one considers the total population of North Carolina (approximately 6 000 000), these data indicate that annually as many as one in every 5400

North Carolinians could be spared a severe or fatal injury because of this intervention, provided that the belt-use levels observed in the first nine months of 1987 are again attained. Although the expected protective value of buckling up is low for the individual, the data indicate that the collective advantage is large.

When North Carolina crash data from the period before implementation of the \$25 fine were compared with data from the first nine months of 1987, significant reductions were found in severe and fatal injuries for persons targeted by the law. The extent to which these reductions are directly attributable to a mandatory belt-use law remains unknown, but the law was the major automotive safety intervention introduced statewide during the periods examined. Whereas these data support the hypothesis that mandating seat-belt use results in reductions in crash-associated morbidity and mortality in targeted groups, compliance with the law and maintenance of these reductions will be a function of enforcement and educational efforts.

We thank the North Carolina Division of Motor Vehicles, Raleigh, for making statewide crash data available for this study, B. J. Campbell, PhD, for advice, and Eric Rodgman, MPH, for assistance in computer programming.

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Prospective Study of the Effect of Safety Belts on Morbidity and Health Care Costs in Motor-Vehicle Accidents

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To assess the impact of safety belt use on the extent of injuries sustained in motor-vehicle accidents and the incurred health care costs, 1364 patients were prospectively evaluated at four Chicago-area hospitals. Of these, 791 (58%) were wearing a safety belt whereas 573 (42%) were not. The mean injury severity score for safety belt wearers was 1.8 ± 0.07 vs 4.51 ± 0.31 in those not wearing a safety belt. Only 6.8% of safety belt wearers required admission vs 19.2% of those not wearing a safety belt. Restrained occupants incurred mean charges of $\$534 \pm \67 compared with $\$1583 \pm \201 in unrestrained occupants. Thus, safety belt wearers had a 60.1% reduction in severity of injury, a 64.6% decrease in hospital admissions, and a 66.3% decline in hospital charges. Our findings demonstrate the significant societal burden of nonuse of safety belts in terms of morbidity and the costs of medical care.

(JAMA 1988;260:3598-3603)

TRAUMA resulting from motor-vehicle accidents (MVAs) represents a major challenge to our health care delivery system and a significant societal burden. Motor-vehicle accidents are the leading cause of death in Americans aged 5 to 34 years and the seventh leading cause of death overall.¹ In 1982, an estimated 3.2 million people were injured in MVAs, of whom approximately 1.4 million were treated in emergency departments and 350 000 required hospitalization.² As a result of MVA-associ-

ated injuries, 1.3 million years of potential life before age 65 years were lost in 1984.³ The overall economic loss to the United States attributable to MVAs in 1980 has been estimated to be \$57.2 billion.⁴

The Department of Transportation postulates that universal use of safety belts would reduce MVA-related fatali-

See also pp 3593 and 3651.

ties by 50% and injuries by 65%.⁴ Previous studies, based on police reports⁵ or National Highway Traffic Safety Administration records,⁷ report a reduction of serious injury of belted front-seat occupants of 43% to 52%⁶ and a decline in fatalities of 43%.⁷ To our knowledge, no prospective studies based on medical data have specifically attempted to assess the efficacy with which safety belt use may prevent injury from motor-vehicular trauma. We undertook the following prospective study to assess the effect of safety belt use on the extent of injuries sustained during MVAs as well as the economic impact of their use.

MATERIALS AND METHODS

During the period of Jan 1 to July 1, 1986, data were collected on patients who presented after an MVA to the emergency department or trauma unit of four Chicago-area hospitals. Two of these hospitals (Mercy Hospital and Medical Center and Illinois Masonic Medical Center, Chicago) were urban community hospitals, one was a public inner-city hospital (Cook County Hospital, Chicago), and the fourth was a large suburban community hospital (Lutheran General Hospital, Park Ridge, Ill). These four hospitals were selected because they cover a wide geographic area within Cook County and a wide range of socioeconomic groups. In addition, the selected hospitals receive patients from a large assortment of urban crash settings, including expressway (high speeds) and city streets (lower speeds). Patients involved in MVAs that occurred in rural areas were not included.

All patients who presented with complaints referable to an MVA that had taken place within the previous 24 hours were eligible for inclusion. Pedestrians, bicyclists, motorcyclists, bus passengers, and those in trucks with more than two axles were excluded. Each weekday, the logs of each emergency department or trauma unit were reviewed in an attempt to identify any missed motor-vehicle injury cases. Cases thus identified were resubmitted to the examining physician with the medical record for completion and inclusion in the study.

Initial data were collected prospectively for all study subjects by the examining physician. The physician administered a structured questionnaire that included the following data: (1) de-

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Read before the 17th Annual Meeting of the University Association for Emergency Medicine, Philadelphia, May 20, 1987.

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termination of safety belt usage, (2) position of subject in vehicle, (3) mechanism of injury (front-end, rear-end, or broadside collision), (4) posted speed limit at location of MVA, (5) mode of transport to hospital, and (6) final disposition (discharge, transfer to another facility, admission to hospital, or death in emergency department). The examining physician also noted on the questionnaire if there was evidence of alcohol use, ie, clinical intoxication, a smell of alcohol on the breath, or an alcohol level. The data were then analyzed as yes/no variables. Alcohol levels obtained for legal use were sent to state laboratories; the results were not made available for the purposes of this study and therefore are not included. For all subjective data collected, independent confirmation was sought from paramedics, police, or others whenever possible.

The medical records (emergency and inpatient, if applicable) of all subjects were subsequently reviewed by a member of the research team. Additional collected data included the time of registration, nature of injuries, and payment status. An injury severity score (ISS) was then calculated based on the *Abbreviated Injury Scale Manual* (1985 edition).⁸ A numerical score (1 to 5) is assigned to the severity of injury in each region; the squares of the three highest scores are then summated to obtain the ISS. Financial records were analyzed to determine the total hospital (excluding physician fees) and emergency department charges generated as a direct result of the MVA for each subject. The costs of consultants, admitting physicians, rehospitalizations, and rehabilitation were not included.

Study subjects were divided into two groups (restrained and unrestrained by safety belts) for the purposes of data analysis. Preliminary power calculations were made for an alpha of 0.05 and a power of 0.90 to detect a difference in ISS score of at least 0.5. The principal statistical tests used were *t* tests for comparisons of means of continuous variables and χ^2 tests for drawing inferences concerning proportions. Analyses of covariance and logistic regression analyses were performed to compare safety belt users with nonusers, controlling for possible confounding variables. The SAS statistical package on an IBM mainframe at the University of Illinois at Chicago was used to perform the analyses.

RESULTS

A total of 1364 patients were entered into the study. The mean age of the patients was 33.03 ± 0.42 years (mean

Table 1.—Characteristics of Safety Belt Wearers vs Nonwearers

Characteristic	Safety Belts		P*
	Yes (n = 791)	No (n = 573)	
Mean \pm SEM age, y	35 \pm 0.5	31.9 \pm 0.7	.004
Male, %	49.7	55.8	.029
Reported mechanism of injury, %			
Rear-end collision	40.8	28.2	.001
Front-end collision	24.1	37.6	
Struck broadside (passenger)	20.0	20.5	
Struck broadside (driver)	12.8	9.4	
Other	1.2	1.9	
Unknown	1.2	4.4	
Alcohol use, %	5.8	19.5	.0001
Ambulance transport, %	36.4	57.6	.0001
Posted speed limit (mph), %			
<30	40.5	39.6	NS
30-45	39.6	35.1	
>55	8.5	8.6	
Unknown	11.5	16.8	

*Percentages were compared by the Pearson χ^2 test. Means were compared by the two-tailed *t* test. NS indicates not significant.

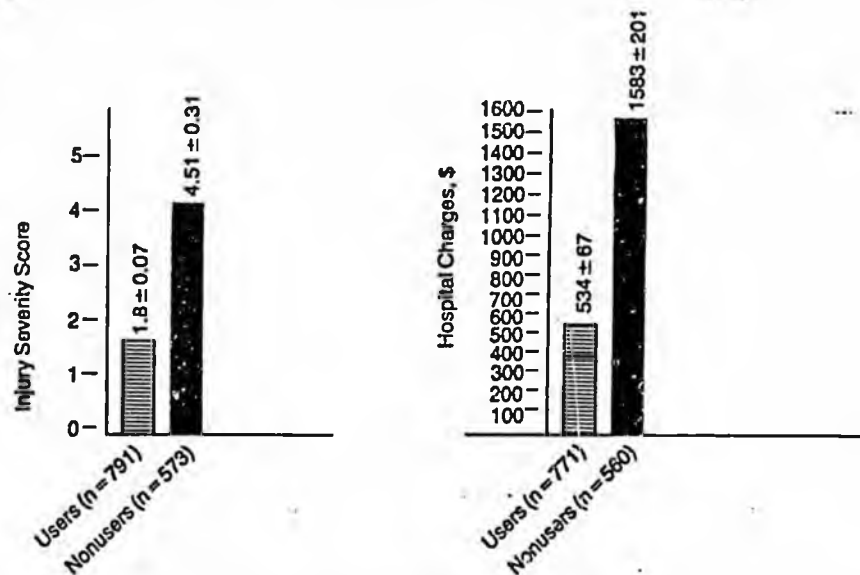


Fig 1.—Mean injury severity scores and hospital charges for safety belt users and nonusers. Patients who had worn safety belts had significantly lower injury severity scores ($P < .001$) and hospital charges ($P < .001$).

\pm SEM); 52.5% were men, 63.6% were drivers, 24.6% were front-seat passengers, and 11.3% were back-seat passengers. There was no significant difference noted in the month patients were seen (January through June), but there was a difference noted in the time they were registered; 37.1% were registered from 7 AM to 3 PM, 42.1% from 3 to 11 PM, and 20.8% from 11 PM to 7 AM ($P > .001$).

Seven hundred ninety-one patients (58%) claimed to be wearing safety belts, and 573 (42%) did not. Of those wearing safety belts, 603 (76.2%) were

wearing a shoulder harness and lap belt, 121 (15.3%) were wearing a lap belt only, and in 67 (8.5%) the safety belt type was not known. Differences were noted between the two groups with respect to age, sex, and reported mechanism of injury. Safety belt wearers were slightly older, more often female, and more likely to be involved in a rear-end collision. In addition, safety belt users were less likely to have used alcohol and less likely to require transport by ambulance. The groups were similar with respect to the posted speed limit where the accident occurred (Table 1).

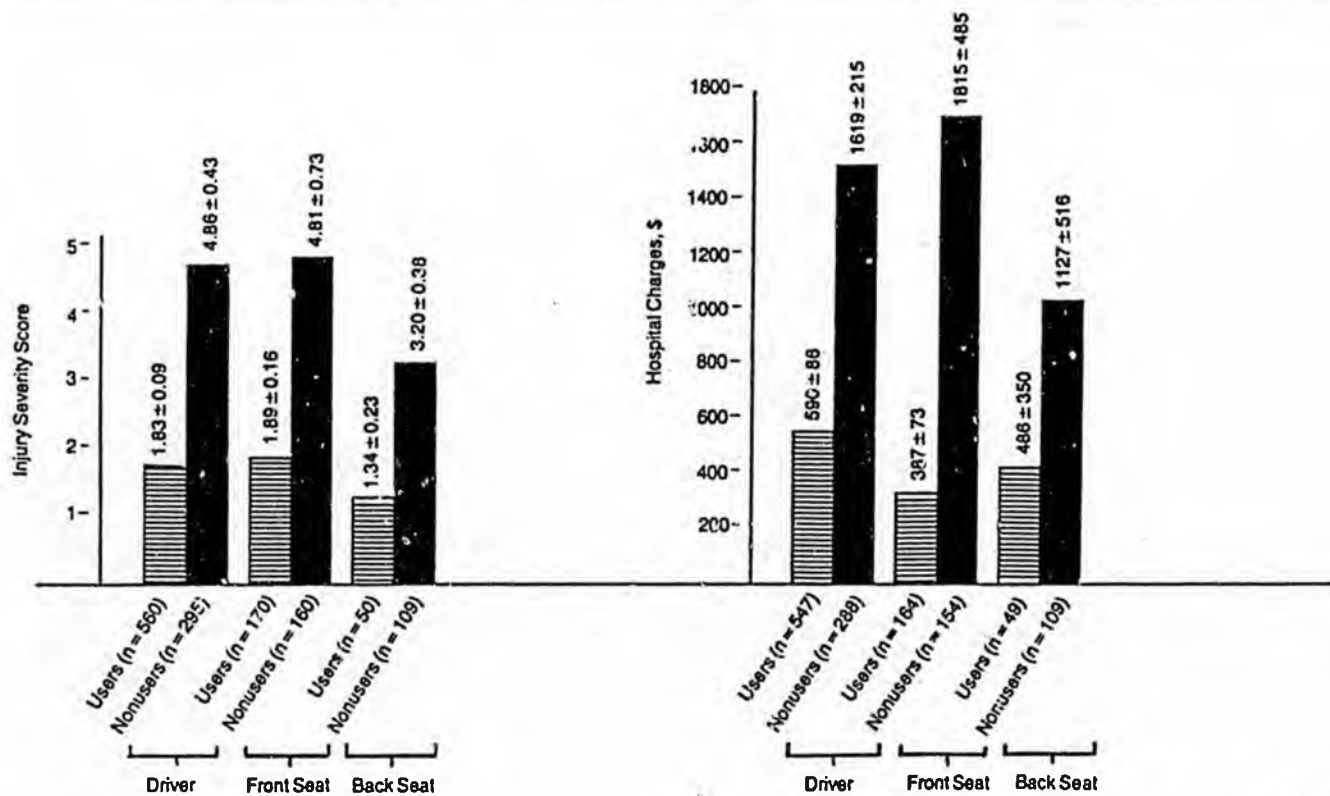


Fig 2.—Mean injury severity scores and hospital charges for safety belt users and nonusers by position in vehicle. Drivers, front-seat passengers, and back-seat passengers who had worn safety belts had significantly lower injury severity scores ($P < .001$, $P < .001$, and $P < .002$, respectively) and hospital charges ($P < .001$, $P < .004$, and $P < .031$, respectively).

Severity of Injury

The mean ISS for safety belt wearers was 1.8 ± 0.07 as opposed to 4.51 ± 0.31 for those not wearing safety belts ($P < .001$, Fig 1, left). Patients who had worn safety belts, whether they were drivers, front-seat passengers, or back-seat passengers, fared significantly better than their unrestrained counterparts (Fig 2, left).

When the reported mechanism of injury was evaluated, striking differences in ISS were noted between safety belt users and nonusers in front-end collisions (2.15 ± 0.18 vs 6.12 ± 0.64 , $P < .001$). Benefit was also provided by safety belts in broadside collisions, where restrained occupants had an average ISS of 2.01 ± 0.14 as opposed to 3.6 ± 0.34 for unrestrained occupants ($P < .001$). Smaller but significant differences in ISS were noted between the groups in rear-end collisions. Safety belt wearers had a mean ISS of 1.38 ± 0.06 vs 2.47 ± 0.14 for nonusers ($P < .001$).

Admission to the hospital may be another indication of severity of injury. A significantly greater number of unrestrained subjects required admission (including those who died in the emergency department). Only 54 (6.8%)

of the total 791 safety belt wearers required admission. However, 110 (19.2%) of the 573 patients who did not wear safety belts required admission ($P < .001$). Thus, two thirds of patients who required hospital admission were not wearing safety belts at the time of injury. Significant differences in ISS between the restrained and unrestrained groups remained in both the admitted and discharged groups (Fig 3, left). Regardless of admission status, unrestrained occupants utilized significantly more hospital days than restrained occupants (1.2 ± 0.2 days vs 0.4 ± 0.08 days, $P < .001$).

When only the most severely injured patients are considered, ie, those with an ISS of 12 or greater, again, the overwhelming majority were unrestrained. Thirty-six (81.8%) were not wearing safety belts; eight (18.2%) were ($P < .001$). There were five deaths during this study, all among patients who did not wear safety belts.

Multivariate methods, including analysis of covariance and logistic regression, were used to assess the independent effect of safety belt usage on ISS scores, controlling for other variables. Since age, alcohol use, and type of accident were observed to be associated with safety belt use and also may be

associated with the severity and cost of injury, they were assumed to be possible confounding variables. The posted speed limit was also included. Although there were sex differences in safety belt usage, there is no reason to believe that ISSs or costs should differ by sex, other factors being equal. Therefore, analyses of covariance were carried out comparing the ISSs of safety belt users and nonusers, with age in years, alcohol usage (yes or no), and type of accident (entered as dummy variables; front-end collision, rear-end collision, or other) as covariates. Results (Table 2) indicate that unrestrained patients had an ISS that was two points higher on average, even when all the confounding variables were controlled for. Alcohol users scored one point higher on average, as did patients who were involved in a front-end collision. Those in a rear-end collision had somewhat lower scores on average. Scores averaged higher with increasing age and slightly higher for a posted speed limit of 30 to 45 mph. Mean ISSs for restrained and unrestrained subjects were adjusted for differing values of the covariates in the two groups; safety belt wearers were observed to have a significantly lower adjusted mean ISS than nonwearers ($P = .0001$).

Logistic regression analysis was used

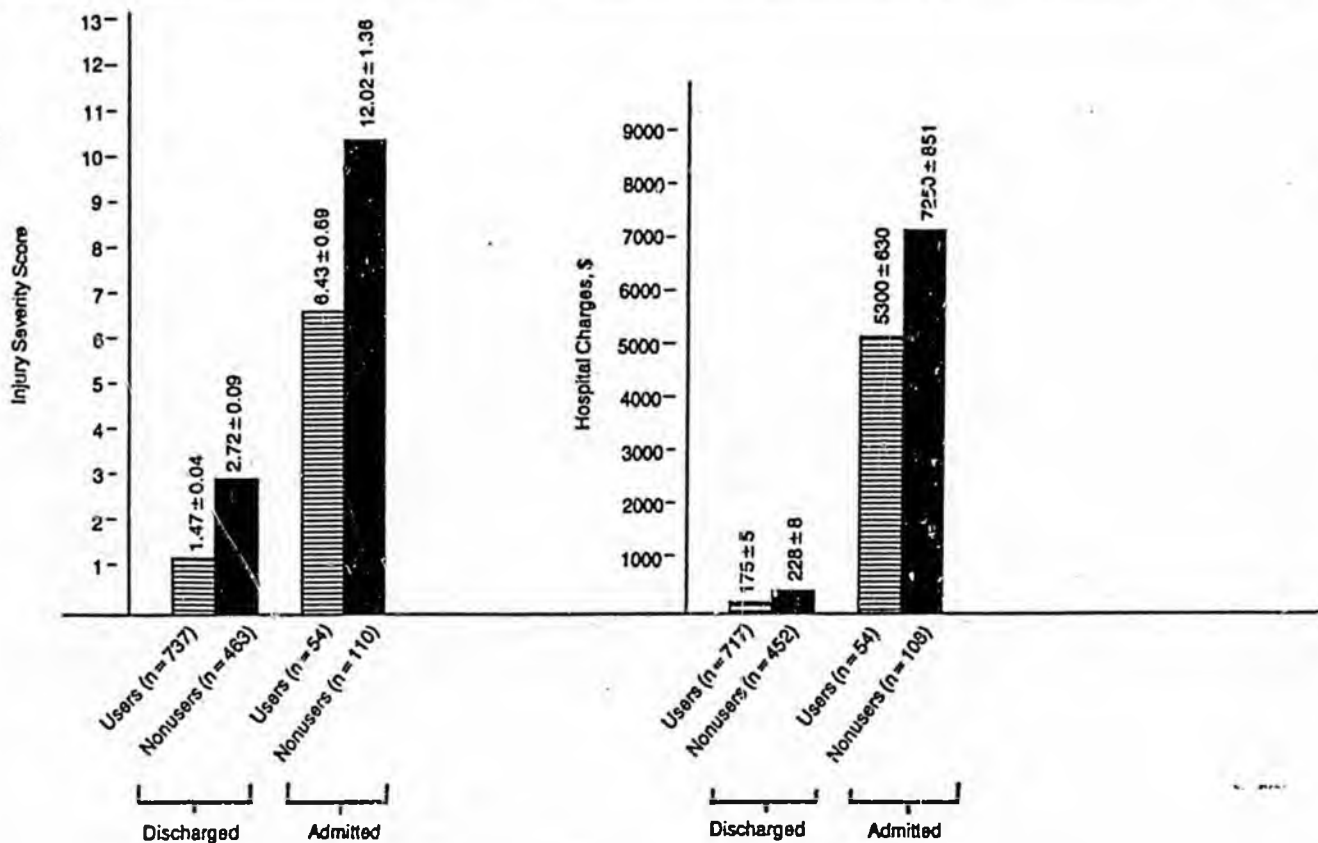


Fig 3.—Mean injury severity scores and hospital charges for safety belt users and nonusers by whether or not patients were admitted. Significantly fewer patients who had worn safety belts required admission ($P < .001$). Patients who did not require admission (includes patients transferred to other facilities) who had worn safety belts had significantly lower injury severity scores ($P < .001$) and hospital charges ($P < .001$). Patients who were admitted (includes patients who died in the emergency department) who had worn safety belts had significantly lower injury severity scores ($P < .001$) and demonstrated a trend toward lower hospital charges ($P = .076$).

to assess the association of safety belt use with severe injury, defined as an ISS of 12 or greater. Proportions of restrained and unrestrained subjects with severe injury were compared, using alcohol use and type of collision as covariates. Results (Table 3) indicate that the odds of severe injury were 4.8 times greater for nonusers of safety belts when other significant variables were controlled for. The odds ratio for front-end collisions was similarly large, while alcohol usage was not independently associated with severe injury. Since age was entered as a continuous variable, an odds ratio is not available. However, the proportion of patients with severe injury increased significantly with increasing age.

Health Care Costs

Significant differences were also found in the health care costs of safety belt users and nonusers. Unrestrained occupants incurred mean charges of $\$1583 \pm \201 , nearly three times the charges for restrained occupants ($\$534 \pm \67 , $P < .001$; Fig 1, right).

When the patient's position in the vehicle was evaluated, nonwearers consistently

Table 2.—Comparison of Safety Belt Users and Nonusers on Injury Severity Score and Cost*

Variable	Injury Severity Score†		Cost‡	
	Coefficient	P	Coefficient	P
Safety belt nonuse	1.88	.0005	596.2	.0005
Alcohol use	1.13	.0016	730.1	.007
Front-end collision	0.79	.0039	583.0	.005
Rear-end collision	-0.71	.0048	-381.7	.047
Posted speed limit, mph				
30-45	0.74	.001	470.2	.0006
≥55	0.51	.81	394.8	.17
Age, y	0.032	.0001	22.7	.0001

*Analysis of covariance.
 †Adjusted mean \pm SD injury severity score was 2.42 ± 0.23 for safety belt users and 4.30 ± 0.22 for nonusers ($P = .0001$).
 ‡Adjusted mean \pm SD cost was $\$912.80 \pm \172.90 for safety belt users and $\$1508.90 \pm \170.60 for nonusers ($P = .0005$).

incurred higher charges than safety belt wearers (Fig 2, right). This difference reached statistical significance in drivers and front-seat passengers only. However, the number of back-seat passengers for statistical comparison was small ($N = 158$).

Patients who did not wear safety belts who required hospital admission demonstrated a trend toward higher charges (Fig 3, right; $\$7250 \pm \851 vs

$\$5300 \pm \630 , $P = .076$), though the sample size was small ($N = 162$). However, in patients who were discharged or transferred from the emergency department, a significant difference was demonstrated, with restrained occupants incurring average charges of $\$175 \pm \5 vs $\$228 \pm \8 for unrestrained occupants ($P < .001$). This represents a 23.3% reduction in charges for safety belt wearers (Fig 3, right).

Table 3. Logistic Regression Results Comparing Safety Belt Users and Nonusers by Injury Severity Score

Variable	Injury Severity Score > 12		
	Odds Ratio	95% Confidence Interval	P
Safety belt nonuse	4.94	2.03-12.02	.0004
Front-end collision	4.74	2.10-10.66	.0002
Alcohol use	1.59	0.68-3.74	.29
Posted speed limit, mph			
30-45	1.94	0.91-4.15	.09
>55	1.43	0.37-5.58	.60
Age (20-year difference)	2.01	1.35-2.99	.006

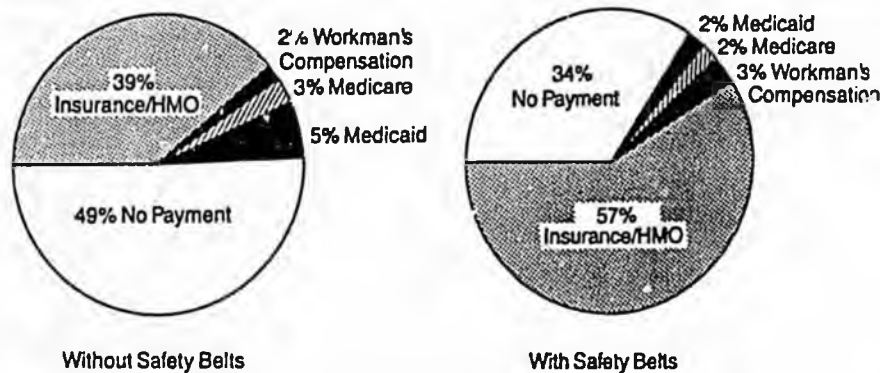


Fig 4.—Payment status for patients with and without safety belts. HMO indicates health maintenance organization.

Evaluation of payment status showed that the majority of unrestrained passengers either had no payment (49.2%) or were receiving governmental assistance (5% public aid, 3% Medicare). Of safety belt wearers, 57% had private insurance or were enrolled in a health maintenance organization, and 3% were covered by workman's compensation ($P < .001$, Fig 4).

Multivariate analyses were also conducted to assess the independent effect of safety belt use on health care costs, controlling for the covariates age, type of collision, posted speed limit, and alcohol usage (Table 2). The adjusted mean costs differed by about \$600 ($P = .0008$); alcohol users incurred charges approximately \$700 higher on average. Costs were higher in front-end collisions, lower in rear-end collisions, higher at 30 to 45 mph, and increased with the age of the patient.

COMMENT

This study suggests that safety belts provide a significant benefit in reducing injury and health care costs. We demonstrated a 60.1% reduction in severity of injury (51% after adjusting for other variables), a 64.6% decrease in hospital admissions, and a 66.3% decline in hospital charges (49% for adjusted means)

in safety belt wearers. To our knowledge, this is the first study evaluating the efficacy of safety belt use in the United States based on medical data. By utilizing the ISS system, an objective assessment can be made of the number and severity of injuries in relation to safety belt use. Previous studies⁴ and government reports⁵ used police reports in assessment of injury. In this system, the police officer assigns the accident victim an injury score of A, B, C, or K (severe, moderate, minor, or fatal injury). Obviously, data obtained by this system are of questionable reliability. In addition, this study is unique in that it also assessed the hospital charges associated with the care of the injured motorist.

Actual hospital and emergency department charges were used to estimate health care costs in this analysis. These are conservative estimates, in that direct charges generated by pre-hospital emergency services, rehospitalizations, and rehabilitation were not included. Furthermore, indirect costs resulting from time lost from work, increased insurance premiums, and lost productivity of those who die or are permanently disabled by MVAs were not measured. Inclusion of these costs may have resulted in even greater differ-

ences in cost estimates. The cost to care for patients who required hospitalization was higher for those who did not wear safety belts, though statistical significance was not reached (Fig 3, right). However, the sample size in this subgroup was small, suggesting a beta error. Larger sample sizes may demonstrate a statistically significant difference.

The four hospitals participating in the study were geographically scattered throughout Cook County to include a variety of roadways (highways and urban and suburban roads). Only rural roads were not represented. Baker et al,¹⁰ however, stated that mortality from MVAs may be highest in areas of low population density; this suggests that we omitted from our sample roads responsible for high mortality from MVAs. The months of January through June were chosen to cover a variety of road conditions in winter, spring, and summer in Chicago. In addition, the four hospitals admit patients from a wide variety of socioeconomic groups, with an assortment of vehicles and driving habits.

Throughout this study, we relied on patient reporting and/or paramedic reporting of safety belt use. The actual safety belt use rate in Illinois at the time of the study was 36%.⁹ Actual safety belt use may be appreciably different than reported, as it may be impossible to obtain physical evidence of safety belt use. Paramedics were asked to verify the presence or absence of restraint use at the scene. However, the accident victims were often out of their vehicles when the ambulance arrived. In only 23 of the 618 cases with patients transported to the hospital by ambulance was there disagreement on safety belt usage between paramedics and patients. If we assume, however, that restraint use is only overreported, ie, unrestrained patients stated that they were wearing a safety belt and not vice versa, then there would be an even greater benefit in reducing injury and cost if the true incidence were known.

It should be noted that only those patients who presented to the hospital following an MVA were included. Patients who did not present to the hospital, who presented over 24 hours following injury, or who went directly to the morgue were not included. In Cook County, paramedics must transport all seriously (or fatally) injured MVA victims to a hospital unless the patient has dependent lividity, rigor mortis, or decapitation, all unlikely events in traffic accidents. It is therefore unlikely that any fatalities were not included in the study due to direct transport to a

morgue. The number of uninjured motorists who did not present to a hospital is unknown and is not available through the Department of Transportation.

Studies conducted in other countries, many of which assessed the effects of safety belt legislation, also demonstrate the benefit of safety belt use.¹¹⁻²² Henderson and Wood¹¹ reported a 25% decrease in predicted deaths in the year following safety belt legislation in New South Wales, Australia. In an evaluation of the Swedish experience, Mellbring et al¹² reported a reduction in the number of MVA victims admitted to hospitals following legislation despite a 40% increase in reported MVAs. In England, a retrospective study comparing the 12 months preceding and following the enactment of safety belt use legislation revealed a mean ISS of 4.94 before and 2.8 after the law. A 42% reduction in the number of front-seat occupants who required hospital admission and a 27% decline in the number of deaths following introduction of the law was reported.

In the United States, New York was the first state to pass a mandatory-use safety belt law. In the first nine months after the law was enforced, MVA fatalities decreased by 17%, resulting in the lowest highway fatality rate (per 100 million miles driven) in several decades.³ In Illinois, where safety belt legislation took effect in July 1985, an estimated 55 to 60 lives were saved and 8000 serious injuries were prevented in the first year following enactment.⁴ Nationwide, the National Highway Traffic Safety Administration reported that safety belt usage of fatally injured MVA victims was about half the usage of those whose injuries were less incapacitating.²³ Unrestrained occupants were 40% more likely to be injured in an MVA and twice as likely to require hospitalization as restrained occupants.²⁴

Compulsory safety belt use legislation appears to be the most effective agent in increasing safety belt usage. Usage rates increased from just under 40% to 95% in England,¹⁴ from 20% to 80% in Sweden,¹⁵ from 15% to 90% in Australia,¹⁶ and from 21% to 47% in New York state²⁵ after such legislation. Insurance incentives²⁶ and mass-media campaigns²⁷ have been ineffective in altering the rate of safety belt usage. Other efforts to promote safety belt usage, including safety belt pledge cards, incentive plans, and "awareness" programs have met with variable success.²⁸

Mandatory safety belt use legislation has been a controversial topic in the United States. To date, 33 states and the District of Columbia have enacted such legislation, while two additional

states had safety belt use laws and later repealed them (Massachusetts and Nebraska). Worldwide, over 30 countries have passed mandatory-use laws. The United States is virtually the only developed nation that has not passed national safety belt legislation.²⁹

The Department of Transportation estimated the cost to society of injuries sustained in MVAs at about \$15.3 billion in 1980.⁴ Our results indicate a 66.3% decreased cost attributed to safety belt use. If this reduction is applied to the estimated \$15.3 billion, universal safety belt usage would save \$10.1 billion each year. In our era of rising health care costs, the safety belt may be a very efficient mechanism for saving lives and reducing costs.

Society bears the burden of MVAs, not only in direct health costs but also in lost productivity of workers (indirect costs). There were over 11 million lost workdays for survivors of MVAs in 1985.⁴ The administrative and overhead cost of motor-vehicle and health insurance premiums totaled nearly \$13.8 billion in 1980.⁴ Furthermore, in 1980, the federal government spent an estimated \$7.5 billion and state and local governments spent an estimated \$3.4 billion for MVA-associated expenses.⁴

This study analyzed automobile safety belt use and subsequent severity of injury and health care costs. Our data suggest that, in an urban setting, safety belt utilization was associated with decreased severity of injury from motor-vehicle trauma and reduced the medical care costs of injured motorists. This analysis in combination with existing evidence supports a more aggressive national posture toward safety belt usage for the benefit of both the individual and the American people.

This study was supported in part by the Illinois Coalition for Safety Belt Use, Springfield, Ill.

We thank Dorothy Bissell and Elizabeth Springer for their help in manuscript preparation. We are also grateful for the contributions made by the resident and attending staffs of the University of Illinois Affiliated Hospitals Emergency Medicine Residency and the University of Illinois Surgery Residency, without whose cooperation and efforts this study could not have been accomplished.

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REPORT TO THE WASHINGTON STATE LEGISLATURE:
THE IMPACT OF THE 1986 MANDATORY SAFETY BELT USE LAW

December 1988

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*Report sent direct to
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REPORT TO THE WASHINGTON STATE LEGISLATURE
THE IMPACT OF THE 1986 MANDATORY SAFETY BELT USE LAW

EXECUTIVE SUMMARY

THE MUL: Key Provisions

On June 11, 1986, the State of Washington put into effect the Mandatory Safety Belt Use Law of 1986 (MUL). Along with the majority of other states in the union, the State of Washington has declared that the failure to use a safety belt while a passenger or operator of a motor vehicle is a violation of the law. The MUL requires persons driving or riding in any vehicle in which federal law required the manufacturers to install safety belts to wear them. The law requires all persons 16 years old or older driving or riding in a motor vehicle, whether in front or in the back, to use safety belts. Children under the age of 16 are to use a safety belt, or must be restrained in an approved child safety seat if the child is young enough for the child restraint law to apply. Automobiles, trucks and vans are covered by the law. Persons riding in or driving a vehicle which did not have safety belts installed when manufactured are not subject to enforcement action.

The MUL provisions became fully active on January 1, 1987. During the interim "grace period" between June 11, 1986, and January 1, 1987, no citations were issued, although warnings were given to motorists. As of January 1, 1987, a penalty, which, when combined with the statutory assessment, could total \$47, may be imposed for violation of the MUL. The MUL is a secondary

enforcement law exclusively. This means that a vehicle may not be stopped just for an MUL violation. Once a vehicle is stopped for reasons related to a primary enforcement offense, such as speeding or failure to yield the right of way, an officer may issue an MUL citation if the operator and/or passengers of detained vehicles are in violation of the MUL.

MAIN QUESTIONS OF INTEREST: MUL Effect on Safety Belt Use; Level of Public Support for the MUL; Support for the MUL Among Law Enforcement and Court Agencies; and Evidence of Societal Benefit (Monetary) of the MUL

This report submitted to the Washington State Legislature contains a wide range of findings of interest, but the major concerns at this early point in the implementation of the MUL necessarily relate to the essential matters of DESIRED OUTCOMES and public and professional ACCEPTANCE. With regard to outcomes, the immediate concerns are: 1) Has the MUL increased the level of use of safety belts by the vehicle operators and passengers of motor vehicles traveling on the state's highways, roads and streets? AND 2) Has the MUL led to monetary savings attributable to the reduction of fatal and non-fatal disabling injury collisions? On the subject of acceptance of the MUL, again there are two essential questions: 1) Does the public accept the MUL as being a PROPER LAW and one that is EFFECTIVE in its stated purposes? AND 2) Do those charged with the responsibility of enforcement -- the police agencies and the courts -- accept the MUL as a proper and effective measure for promoting traffic safety on the state's roadways?