ALASKA LEGISLATURE COMMITTEE FILES, 1989-1990 8672
6722 SENATE TRANSPORTATION 1126

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

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

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

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

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

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

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

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

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

THE PROVISIONS OF AS 28 15.231(b)].

(b) A person convicted of a violation of AS 28.05.095(b) is guilty of an infraction, and may be fined up to $50. The person may also be assessed demerit points as determined by regulations of the department, notwithstanding the provisions of AS 28.15.231(b). A person who violates AS 28.05.095(b) [AS 28.05.095(a)] by failing to provide a child safety device or safety belt [SEATBELT] may provide a peace officer, including a village safety officer, proof of purchase or acquisition, and installation, of an approved child safety device or safety belt [SEATBELT]. If the proof is provided within 30 days after the issuance of a citation for the infraction, the court shall dismiss the citation and no points shall be assessed under this subsection [(a) OF THIS SECTION] unless the person has

(1) been convicted previously for violating AS 28.05.095 [THAT SECTION] by failing to provide a child safety device or safety belt [SEATBELT];

(2) been cited for failure to provide a child safety device or safety belt [SEATBELT] and has forfeited the bail required by the citation; or

(3) provided [THE] proof under [REQUIRED BY] this subsection on a prior occasion.

6-0357J
Ford
2/15/89

Original sponsors: Sturgulewski, Uehling, and Duncan

IN THE SENATE

CS FOR SENATE BILL NO. 59 (Trans)

IN THE LEGISLATURE OF THE STATE OF ALASKA

SIXTEENTH LEGISLATURE - FIRST SESSION

A BILL

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

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

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

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

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

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

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

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

(1) passengers in a school bus or an emergency vehicle;

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

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

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

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

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

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

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

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

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

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

THE PROVISIONS OF AS 28.15.231(b)].

(b) A person convicted of a violation of AS 28.05.095(b) is guilty of an infraction, and may be fined up to $50. The person may also be assessed demerit points as determined by regulations of the department, notwithstanding the provisions of AS 28.15.231(b). A person who violates AS 28.05.095(b) [AS 28.05.095(a)] by failing to provide a child safety device or safety belt [SEATBELT] may provide a peace officer, including a village safety officer, proof of purchase or acquisition, and installation, of an approved child safety device or safety belt [SEATBELT]. If the proof is provided within 30 days after the issuance of a citation for the infraction, the court shall dismiss the citation and no points shall be assessed under this subsection [(a) OF THIS SECTION] unless the person has

(1) been convicted previously for violating AS 28.05.095 [THAT SECTION] by failing to provide a child safety device or safety belt [SEATBELT];

(2) been cited for failure to provide a child safety device or safety belt [SEATBELT] and has forfeited the bail required by the citation; or

(3) provided [THE] proof under [REQUIRED BY] this subsection on a prior occasion.

Alaska State Legislature

SENATOR
ARLISS STURGULEWSKI
Senate President Pro Tempore
Chairman, Senate Rules Committee

2957 SHELDON JACKSON STREET
ANCHORAGE, ALASKA 99508

P.O. BOX V
JUNEAU, ALASKA 99811
(907) 465-3818

Senate

M E M O R A N D U M 08 February 1989

TO: Senator Lloyd Jones
Chairman, Senate Transportation Committee

FROM: Senator Arliss Sturgulewski

RE: Senate Bill 59

I respectfully request that Senate Bill 59 be scheduled for a hearing before the Senate Transportation Committee as soon as is practicable.

It has been conclusively demonstrated that seatbelt use results in a savings of both lives and money. Study after study shows that persons injured in automobile accidents have less severe injuries and spend far less on health care if they are using a seat belt at the time of the accident. It has been estimated that 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 $800 million in direct costs to society.

Without question, Alaskans can be healthier and safer if strongly encouraged to use safety devices in motor vehicles. This proposed law is designed to encourage compliance rather than punish those who don't wear safety belts. That is the reason behind making non-compliance a secondary offense.

In addition to making safety belts mandatory, this legislation removes the rural exemption to the current child safety device statute [see AS 28.05.095 (b)(4)]. Information is included which discusses the role of Department of Public Safety and the Alaska Safety Belt Use Coalition in education and provision of child safety device loaner programs.

The Department of Education has contacted this office with a request that the schoolbus exemption (as is in current law) be replaced in the legislation. I support that change and would request that a committee substitute be developed to

reflect the schoolbus exemption. The Department will be sending a letter explaining its reasons for the request.

Attached are a number of editorials from newspapers statewide encouraging us to pass this legislation. In addition, I have attached a sectional analysis, extracts of studies done, and statistical information about accident and compliance rates.

Zero fiscal notes and position papers of support have been received from the Department of Public Safety, the Alaska Court System, and the Department of Health and Social Services.

SECTIONAL ANALYSIS
COMMITTEE SUBSTITUTE FOR SENATE BILL 59 (State Affairs)
08 February 1989

SECTION ONE:

Repeals and reenacts AS 28.05.095, adding a new (a) requiring a person 16 years of age or older to be restrained by a safety belt in a motor vehicle when either a passenger or the driver.

Subsection (b) is current language [of old (a)] with the exception of line 22, after "is" [BETWEEN FOUR AND SIX] is deleted and "is four but not yet 16" is added.

Subsection (c) is current (b), exceptions:
(1) [A SCHOOL BUS OR AN EMERGENCY VEHICLE] is changed to (1) passengers in an emergency vehicle.

(2) new exeption for mail or newspaper carriers.

(3) "child" is changed to "person". Section is old (2).

(4) "child is changed to "person" and "or (b)" is added after "(a). Section is old (3).

Current (4) is an exemption for rural areas. The bill removes that exemption.

Subsection (d) is the old subsection (c)

Subsection (e) is new. This section provides that a peace officer may not stop a motor vehicle to determine if the passenger or driver is wearing a safety device, nor may a peace officer issue a citation unless the peace officer stopped the motor vehicle for another reason. This section makes the violation a secondary offence.

SECTION 2:

This is a technical change - "child" is changed to "person" and "safety belt" is added.

SECTION 3:

Subsection (a) allows the court to fine a person who is not wearing a safety belt in a motor vehicle or who removes a safety belt from a motor vehicle so as to be exempted from the requirement to wear a safety belt. The $15 fine may be waived by the court if $15 is donated to the Emergency Medical Services entity in the area where the violation occured.

Sectional

Subsection (b) adds the penalty for violating the requirement that a child be in a child safety device that was deleted from subsection (a). The Committee Substitute adds language limiting the fine for this infraction to $50.

Collateral references. — 7A Am. Jur. 2d, Automobiles and Highway Traffic, §§ 185 to 203.
60 C.J.S. Motor Vehicles, § 26.

Sec. 28.05.090. Citation form. [Repealed, § 6 ch 178 SLA 1978.]

Sec. 28.05.091. Seizure of unsafe or defectively equipped vehicle. A motor vehicle which is driven on a highway or vehicular way or area, and which has been determined to be defective in equipment so as to be unsafe for driving, is an unlawful vehicle and may be impounded by a peace officer or an employee of the department officially designated for that purpose. The owner or person in lawful possession of the vehicle shall pay the necessary costs of impounding and storing the vehicle. The impounding of a vehicle is in addition to any other penalty. Nothing in this section prevents the driving or moving of a defective vehicle in the manner directed by the peace officer or employee to a place for

(1) the correction of a defect in the equipment;
(2) dismantling or wrecking; or
(3) storage without repair. (§ 6 ch 178 SLA 1978)

Sec. 28.05.095. Child safety devices. [Effective June 8, 1985.] (a) Except as provided in (b) of this section, a driver may not transport a child under the age of seven 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 between four and six 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 seatbelt, whichever is appropriate for the particular child.

(b) Subsection (a) does not apply to

(1) a school bus or an emergency vehicle;
(2) a child or class of children exempted by regulation under AS 28.05.096;
(3) a child required to be restrained by seatbelts under (a) of this section if the motor vehicle is not equipped with seatbelts; or
(4) a motor vehicle exempt under AS 28.10.011(11).

(c) A person may not remove a seatbelt from a vehicle solely to be exempted under (b)(3) of this section. (§ 1 ch 99 SLA 1984)

Effective dates. — Section 3, ch. 99, SLA 1984, makes this section effective one year after enactment. Chapter 99 was approved by the governor on June 8, 1984.

Sec. 28.05.096. Exemptions and alternative safety devices. [Effective June 8, 1985.] (a) The commissioner of public safety may

Related statutes

adopt regulations to exempt a child or a class of children from the requirements of AS 28.05.095 if the commissioner determines that the use of a child safety device is impractical because of physical or medical conditions of the child.

(b) The commissioner of public safety shall specify alternative means of protection for children exempted under this section. (§ 1 ch 99 SLA 1984)

Effective dates. — Section 3, ch. 99, SLA 1984, makes this section effective one year after enactment. Chapter 99 was approved by the governor on June 8, 1984.

Sec. 28.05.097. Child safety device loan program. [Effective June 8, 1985.] (a) There is established a child safety device loan program in the Department of Public Safety, highway safety planning agency.

(b) The director of the highway safety planning agency shall design the child safety device loan program to work in conjunction with private and federal programs operating in the state and shall

(1) provide to every hospital and birthing center in the state, subject to the availability of funds, child safety devices for infants and children to be loaned to the public at nominal fees;

(2) disseminate materials, printed advertisements, and radio and television messages to educate the public about the risks of injury to and death of unrestrained infants and children in motor vehicles and to explain to the public the provisions of AS 28.05.095.

(c) A peace officer who stops a driver for an alleged violation of AS 28.05.095 shall inform the driver about the loan program. (§ 1 ch 99 SLA 1984)

Effective dates. — Section 3, ch. 99, SLA 1984, makes this section effective one year after enactment. Chapter 99 was approved by the governor on June 8, 1984.

Sec. 28.05.098. Sale of child safety devices. [Effective June 8, 1985.] A person may not sell, offer for sale, or install in any motor vehicle a child safety device that does not conform to all applicable federal standards for the device on the date of the sale, offering, or installation. (§ 1 ch 99 SLA 1984)

Effective dates. — Section 3, ch. 99, SLA 1984, makes this section effective one year after enactment. Chapter 99 was approved by the governor on June 8, 1984.

Sec. 28.05.099. Penalty. [Effective June 8, 1985.] (a) A person convicted of a violation of AS 28.05.095(a) or (c) is guilty of an infraction and may be assessed demerit points as determined by regulations of the department, notwithstanding the provisions of AS 28.15.231(b).

(b) A person who violates AS 28.05.095(a) by failing to provide a child safety device or seatbelt may provide a peace officer, including a

village safety officer, proof of purchase or acquisition, and installation, of an approved child safety device or seatbelt. If the proof is provided within 30 days after the issuance of a citation for the infraction, the court shall dismiss the citation and no points shall be assessed under (a) of this section unless the person has

(1) been convicted previously for violating that section by failing to provide a child safety device or seatbelt;

(2) been cited for failure to provide a child safety device or seatbelt and has forfeited the bail required by the citation; or

(3) provided the proof required by this subsection on a prior occasion. (§ 1 ch 99 SLA 1984)

Effective dates. — Section 3, ch. 99, SLA 1984, makes this section effective one year after enactment. Chapter 99 was approved by the governor on June 8, 1984.

Article 3. Subpoenas, Notices and Hearings.

Collateral references. — Necessity and sufficiency of notice and hearing before revocation of driver's license, 10 ALR2d 833, 60 ALR3d 361, 60 ALR3d 427

Sec. 28.05.111. Subpoenas; witnesses and documents. (a) The commissioner and officers and employees of the department designated by the commissioner may, for good cause, subpoena witnesses to give testimony under oath or to give written deposition upon a matter under the jurisdiction of the department with respect to this title, and regulations adopted under this title. A subpoena issued under this section may require the production of relevant books, papers, documents, records or other tangible things designated in the subpoena.

(b) A subpoena issued under this section shall be served at least five days before the return date, either by personal service made by a peace officer or another person who is not less than 18 years of age or by registered or certified mail. Return acknowledgment is required to prove service by mail. The fees for the attendance and travel of witnesses are the same as for witnesses appearing before the district court.

(c) A subpoena issued under this section may be enforced by the district court. (§ 6 ch 178 SLA 1978)

Sec. 28.05.121. Giving of notice. When the department is authorized or required to give notice under this title or regulations adopted under this title, unless a different method of giving notice is otherwise expressly provided, notice shall be given by a qualified person, either by personal delivery to the person to be notified or by registered or

STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: CSSB 59 (SA)
PUBLISH DATE:

FISCAL NOTE

REQUEST:

Revision Date: 2/9/89
Title: Mandatory use of safety devices in motor vehicles
Sponsor: Senator Sturgulewski, et al
Requestor: Senate State Affairs

Agency Affected: Public Safety
BRU: Highway Safety Planning Agency
Component:

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

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	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. Section 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.

JM 2/9/89

Prepared by: Ellen Moore, Program Coordinator
Division: Highway Safety Planning Agency
Phone: 465-4375
Date: 2/9/89

Approved by Commissioner: D.A.H. for Arthur English
Agency: Department of Public Safety
Date:

Fiscal Notes + position papers

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

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: SB 59
PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: "An act relating to the mandatory use of safety devices in motor vehicles."
Sponsor: Sturgelewski
Requestor: Sturgelewski

Agency Affected: PUBLIC SAFETY
BRU: Highway Safety Planning Agency
Components: _____

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
REVENUE	0	0	0	0	0	0

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: Ellen Moore, Program Coordinator — Phone: 465-4375
Division: Highway Safety Planning Agency — Date: January 19, 1989
1/20/89

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)

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 / DIVISION OF MOTOR VEHICLES

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.

STATE OF ALASKA

OFFICE OF THE GOVERNOR

BILL ANALYSIS

DEPARTMENT	DIVISION	BILL NUMBER	SPONSOR
Public Safety	Highway Safety	SB 59	Sturgulewski

SHORT TITLE OF BILL
Safety Devices

DEPARTMENT POSITION
Support

PREPARED BY	DATE	COMMISSIONER'S SIGNATURE	DATE
Ellen Moore	01/19/89		

SUMMARY

OTHER AGENCIES AFFECTED BY BILL	CONSTITUENT GROUP(S) AFFECTED BY BILL
Alaska Court System Alaska State Troopers Emergency Medical Services (H&SS)	
ORGANIZATIONAL SUPPORT FOR BILL	**ORGANIZATIONAL OPPOSITION TO BILL**
Highway User's Federation; North Star Council on Aging; AK Safety Belt Use Coalition; AK Dental Society; AK Council on EMS; Society of Safety Engr's; MADD (JNU)	

FISCAL IMPACT: ☒ NONE ☐ FISCAL NOTE ATTACHED

BACKGROUND/LEGISLATIVE INTENT

The intent of this legislation is to reduce the frequency and severity of injuries sustained in motor vehicle collisions by increasing the use of safety belts by motorists in this State.

ANALYSIS OF BILL/PROGRAM EFFECTS

Passage of safety belt use legislation would have an immediate and significant impact on automobile accident-induced injuries and fatalities. The degree of success of this legislation will depend upon the quality of the educational and enforcement efforts surrounding its implementation.

AMENDMENTS PROPOSED

PLEASE ATTACH A SEPARATE SHEET FOR ADDITIONAL COMMENTS OR ANALYSIS

STATE OF ALASKA
1988 LEGISLATIVE SESSION

BILL VERSION: SB 59
PUBLISH DATE: _____

FISCAL NOTE

REQUEST:

Revision Date: _____
Title: "An act relating to the mandatory use of safety devices in motor vehicles."
Sponsor: Sturgelewski
Requestor: Sturgelewski

Agency Affected: PUBLIC SAFETY
BRU: Highway Safety Planning Agency
Components: _____

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						
REVENUE						

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						
PART-TIME						
TEMPORARY						

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

Approved by Commissioner: _____
Date: _____
Agency: Department of Public Safety

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:
Title: An act relating to mandatory use of safety devices in motor vehicles
Sponsor: Sturgulewski, Uehling, Duncan
Requestor:

Agency Affected: Alaska Court System
BRU: Trial Courts
Components:

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, General Counsel Phone: 264-8228
Division: Alaska Court System Date: 01/24/89

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

Distribution (by preparer):
Legislative Finance
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MEMORANDUM

State of Alaska

DEPARTMENT OF PUBLIC SAFETY

TO: Senator Arliss Sturgulewski
Sixteenth Alaska State Legislature

DATE: February 2, 1989

FILE NO:

TELEPHONE NO: 465-4371

FROM: T. Michael Lewis
Governor's Highway Safety Representative
Highway Safety Planning Agency

SUBJECT: Determination of Mandatory Seatbelt Law Compliance

In response to questions concerning the determination of compliance by the Secretary of Transportation on the criteria of the State mandatory seatbelt laws, I offer the following information:

Section 4.1.5.1 of Motor Vehicle Safety Standard No. 208 (copy attached) requires that the Secretary of Transportation shall determine, no later than April 1, 1989, that state mandatory safety belt use laws have been enacted that meet the criteria specified in S4.1.5.2 and are applicable to not less than two-thirds of the total population of the fifty states and the District of Columbia.

In order to ascertain the current status of this determination, I called the Regional Office of the National Highway Traffic Safety Administration, Department of Transportation. I was told by that office that:

1. The due date of that determination is not until April 1, 1989, and that no determination has been made at this time.

2. Because of the common knowledge that only one, of the thirty-one states that have enacted mandatory seatbelt laws, is in full compliance with S4.1.5.2, it is highly doubtful if the Secretary will issue a determination of compliance statement.

3. As a result of the failure of the states to fully comply with the criteria of S4.1.5.2, all passenger vehicles manufactured after September 1, 1989 must be equipped with approved passive restraint systems.

If you require any additional information, please do not hesitate to give me a call at 465-4374.

cc: Arthur A. English, Commissioner
Department of Public Safety

Attachment

TML:cg

Backup

S4.1.3.1.2 Subject to S4.1.5, an amount of the cars specified in S4.1.3.1.1 equal to not less than 10 percent of the average annual production of passenger cars manufactured on or after September 1, 1983, and before September 1, 1986, 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 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 purposes 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.

3. 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-25, 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. (49 F.R. 28962—July 17, 1984. Effective: August 16, 1984)]

S4.2 Trucks and multipurpose passenger vehicles with GVWR of 10,000 pounds or less.

S4.2.1 Trucks and multipurpose passenger vehicles, with GVWR of 10,000 pounds or less, manufactured from January 1, 1972, to December 31, 1975. Each truck and multipurpose passenger vehicle with a gross vehicle weight rating of 10,000 pounds or less, manufactured from January 1,

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BEFORE DEC 2, 1988

REPORT TO THE WASHINGTON STATE LEGISLATURE:

THE IMPACT OF THE 1986 MANDATORY SAFETY BELT USE LAW

December 1988

Prepared by: The Division of Governmental Studies and Services
Washington State University
Pullman, WA. 99164-4870

Craig Curtis, J.D., M.A
Research Associate

Nicholas P. Lovrich, Ph.D.
Director

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?

In addition to these fundamental concerns, this report also contains some exploratory analyses of the correlates of safety belt use, of the impact of differing levels of enforcement activity on aggregate and individual level safety belt use, and of the sources for cues received by the public for the encouragement of seatbelt use. These several analyses were undertaken to provide the Washington Traffic Safety Commission with information required to plan the most proper use of its resources in future efforts to increase the level of compliance with the MUL across the state.

FINDINGS ON MUL OUTCOMES AND ACCEPTANCE

On the matter of rates of safety belt use, a combination of three distinct methods of analysis were employed: 1) direct observation of vehicles in the field; 2) analysis of collision reports; and 3) self-reports of safety belt use obtained in a state-wide survey of the public. All three methods of analysis indicate the same outcome -- namely, the MUL has indeed resulted in a higher rate of use of safety belts than obtained prior to the enactment of the law.

With respect to the level of acceptance of the MUL among those who are charged with the law's enforcement, surveys of the Troopers and administrative officers of the law enforcement agency that writes the vast majority of citations for violation of the MUL -- the Washington State Patrol -- indicate clearly that the MUL is supported and enforced with vigor. Similarly, county and municipal law enforcement officers who enforce traffic

laws and their administrative leadership also report a high level of support and enforcement within their jurisdictions. On balance, the law enforcement agencies contacted report that they view the MUL as an effective tool in the on-going fight to enhance traffic safety and reduce roadway fatalities in Washington. Much the same sentiment, moreover, is voiced by the judges surveyed; they too tend to share the view that the MUL represents an important tool for the state in its effort to promote a safer driving environment for the people of Washington.

As for the level of acceptance of the MUL among the public, there is clear evidence from a state-wide survey of the general adult citizenry that public support for the MUL is high -- on the order of nearly eight in ten citizens expressing the opinion that they favored the MUL. The public tends to view the law as both a proper enactment, and one which is quite effective in accomplishing its stated purpose.

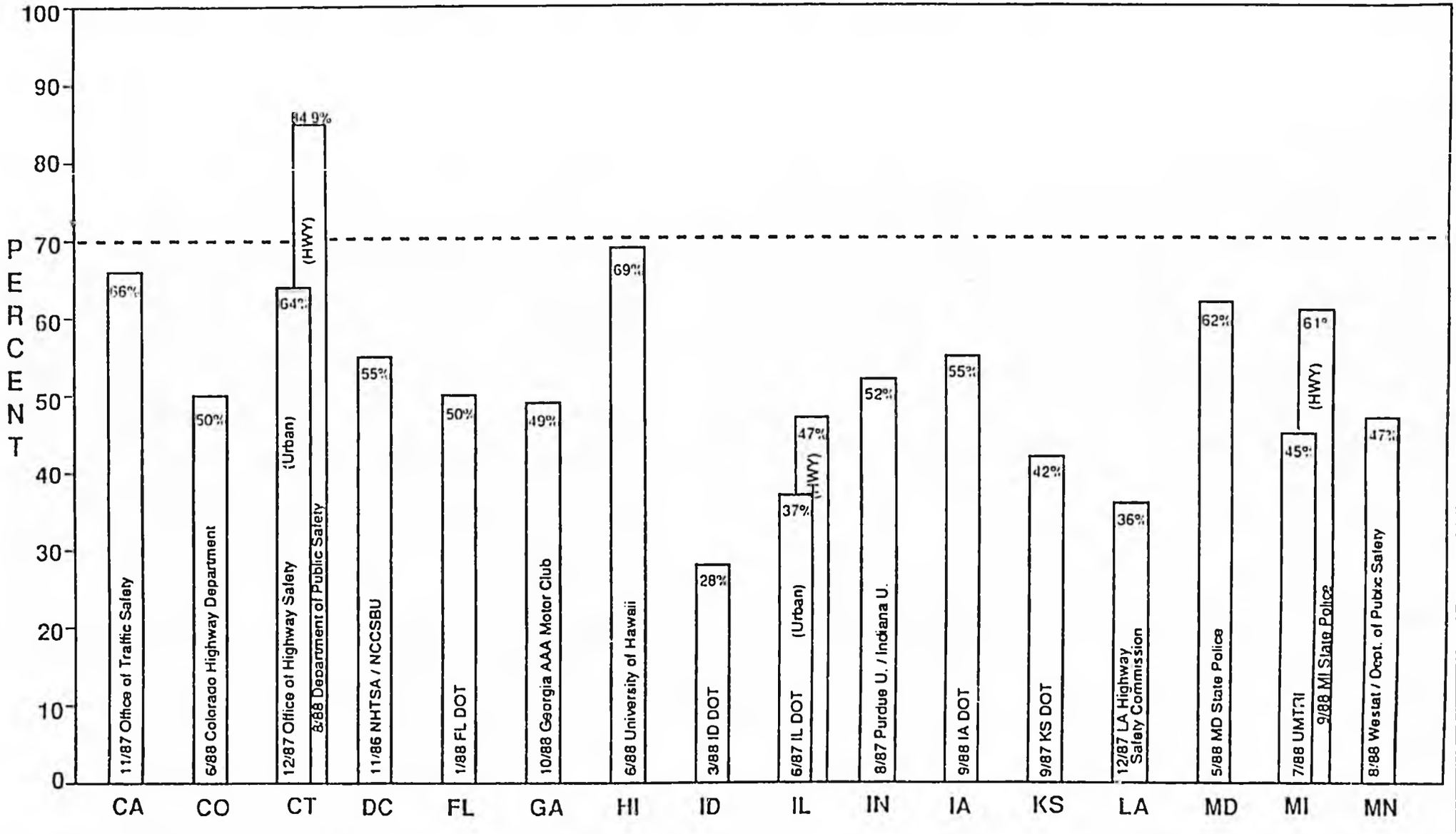
Finally, as to the outcome of societal benefits to be attributed to the impact of the MUL, the analyses presented in this report document the savings in lives and severe injuries, and the concomitant savings in monetary terms, which have accrued to the state as a result of the implementation of the MUL. Using time series analyses and trend line extrapolation, it is estimated that, during 1986 and 1987, some 35 fewer fatalities, 822 fewer non-fatal disabling injuries and 1,745 fewer minor injuries than were predicted in the absence of the MUL actually occurred. These figures translate into a savings in the range of $16 to $24 million. These figures represent savings calculated on the basis of standardized formulae developed by the National

Safety Council and the National Highway Traffic Safety Administration with respect to losses resulting from fatal or non-fatal disabling injury collisions such as lost wages, medical expenses, property damage, insurance administrative costs, etc.

CONCLUSIONS

Washington's MUL would appear to have been generally successful in accomplishing its express purpose of motivating citizens to make use of their safety belts. The public is supportive of the law, the agencies of law enforcement and the judicial authorities judge the law to be proper and efficacious, and the indicators of public compliance and amount of losses resulting from fatal and non-fatal disabling injury collisions suggest that positive outcomes are attributable to the MUL. While this generally positive outlook on the MUL is clearly appropriate, it is also necessary to note that higher levels of compliance are being reported in other countries with similar laws. It is also likely that the rate of use of safety belts and the level of societal benefits might be greater yet if more youth-oriented, school-age programs were initiated and the MUL was a primary enforcement offense as opposed to a secondary enforcement offense. In sum, the results and findings reported herein indicate a positive start for the MUL, and they also indicate that more progress yet is to be expected in this important area of public policy.

COMPLIANCE RATES IN POST-LAW STATES



December 1988

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COMPLIANCE RATES IN POST-LAW STATES

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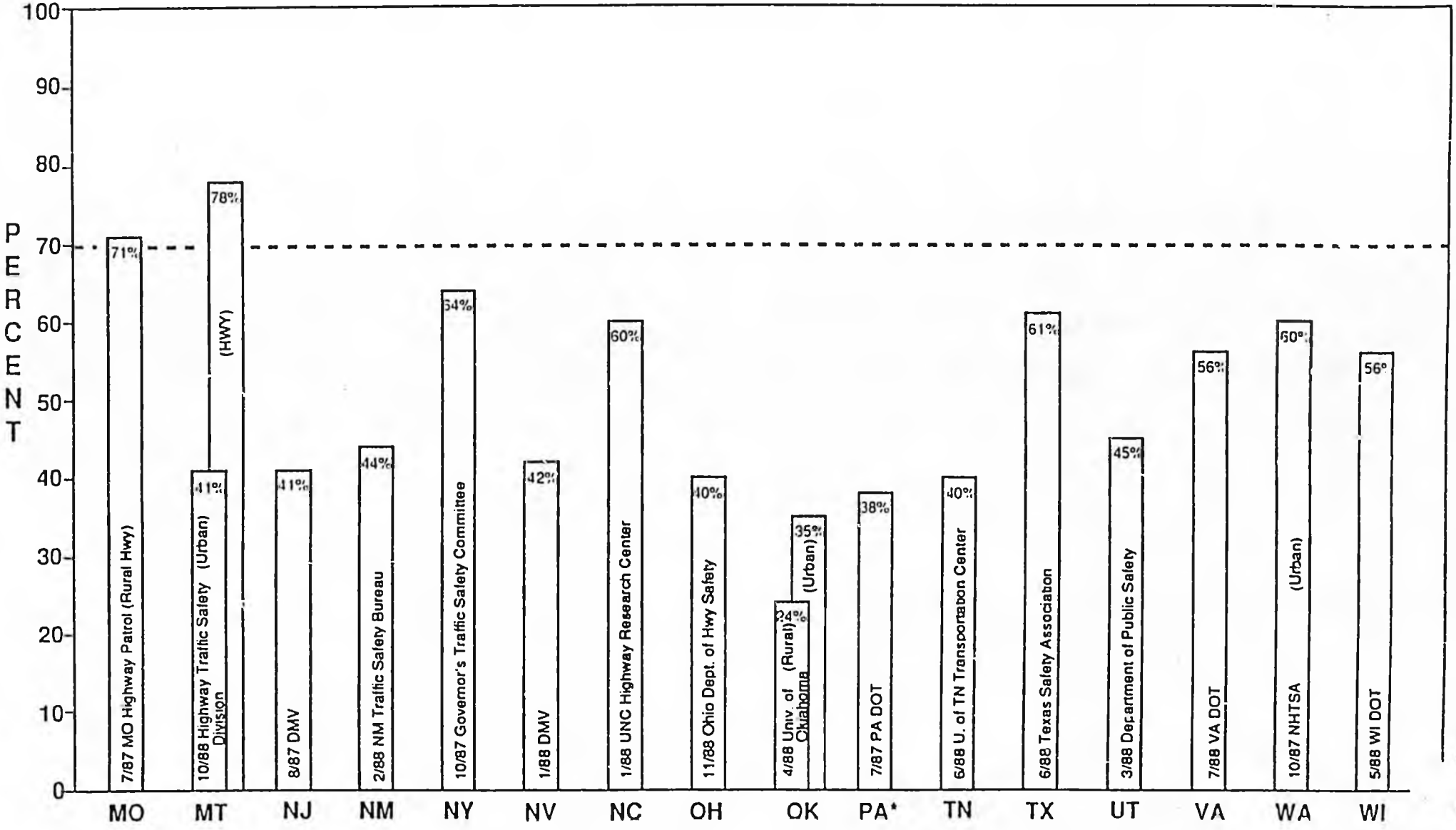


* Use rates prior to law taking effect

FACT SHEET:

UNIVERSITY OF MICHIGAN

"Effects Of Mandatory Safety Belt Use On Hospital Admissions"

August 1988

This study assessed the effects of Michigan's safety-belt-use law on more than 8,000 motor-vehicle injuries which resulted in hospitalizations at 14 area hospitals.

It was conducted by the University of Michigan School of Public Health from data collected through the Michigan Inpatient Database from January 1980 through October 1986. Major findings of this study include:

- The Michigan safety-belt-use law passed in July 1985 has resulted in a 19-percent reduction in hospitalizations due to automobile accidents.
- There were 20 percent fewer injuries to body extremities following the passage of Michigan's belt-use law.
- Hospitalizations lasting more than one week decreased nearly 25 percent after the law went into effect.
- After the state safety-belt-use law went into effect, minorities experienced 22 percent fewer injuries.
- A 32-percent decline in injuries occurred among patients using public-health insurance after passage of the state law.
- With regard to the contention that safety belts may cause injuries, researchers concluded "the benefits of restraints far exceed the risks associated with them."

* * *

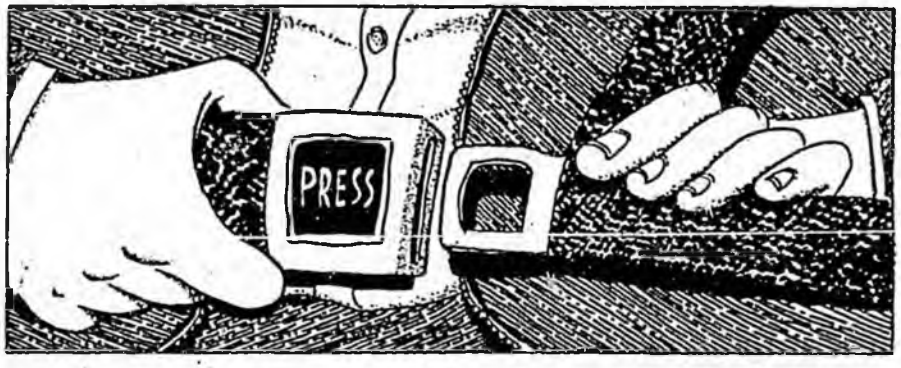
FORUM

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

COMPASS
POINTS OF VIEW FROM OUR COMMUNITY



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 premiums 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 Alaska is a secondary offense-requiring t a motorist be stopped for another offe before a $15 ticket (which may be donate emergency medical services) can be iss for not using safety belts.

Secondary enforcement will not imp additional burdens on law enforcement ficers responsible for citing motorists un this act. Safety belts reduce traffic fat ties, which are eight times as expensive investigate as non-injury accidents. In f officers would have more time to conc trate on other traffic enforcement progra

In the past three years Hellenthal Associates has conducted extensive st wide and local polls that show more thar percent of Alaskans supporting a safety b use law.

In the past three years more than 8, Alaskans have signed letters of support the proposed safety belt use law and over businesses have passed supportive reso tions.

The Alaska State House in 1987 pas the safety belt use law with bipartis support. The Senate in 1988 failed to act the legislation but 1989 looks more fav able for passage. Supporters of the i include Speaker of the House, Sam Cott Senate President Tim Kelly, and the Gov nor Steve Cowper.

The statistics, the public support, editorial support of many newspapers a legislative support show that the propo safety belt use law is one that Alaska c live with.

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

Anchorage Daily News

Winner, 1976 Pulitzer Prize Gold Medal for Public Service

Gerald E. Grilly, Publisher
Howard Weaver, Managing Editor
Michael Carey, Editorial Page Editor

Katherine Fanning, Editor and Publisher 1971 to 1983
Lawrence Fanning, Editor and Publisher 1967 to 1971

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.

AGENDA 89

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.

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

Robert B. Atwood
President and Publisher

Elaine Atwood
Assistant Publisher

William J. Tobin
Vice-President, Editor-in-Chief

Editorials

You buckle up in Canada

IN THE for-what-it's-worth department, all the provinces of Canada now have laws making mandatory the use of seat belts by motorists.

Prince Edward Island was the last to join the national movement, putting its mandatory seat belt law into effect this past January.

British Columbia was an early member of the buckle-up brigade, enacting its mandatory law in October 1977. Alberta, among the Western provinces, joined the flock last July.

The reason, of course, is that seat belts save lives — even though their use is a habit that many motorists find hard to adopt.

Arguments that it infringes on personal rights to make it illegal to drive without seat belts are no more valid than saying that requiring a motorist to have a driver's license is an attack on one's liberties.

A bill to make it illegal to drive in Alaska without seat belts snapped into place was killed in the last legislative session. It died in committee, despite indications that it would have passed given the chance to reach the floor.

ONCE AGAIN, the argument was that it's none of the state's business whether a person buckles up — and that without the requirement, independent Alaskans will do what's right and they don't need the state telling them what to do.

The same Alaskans, however, apparently have no reluctance to fasten their seat belts when they board an airplane — something that also is mandated by the long arm of the law.

And the fact remains that there is more danger of a fatal accident on the highway than there is in the air.

So what's the problem, anyway?

Robert B. Atwood
President and Publisher

Elaine Atwood
Assistant Publisher

William J. Tobin
Vice-President, Editor-in-Chief

Editorials

The Anchorage Times

May 3, 1988

Buckle up, and do it now

IN THESE closing days of the lawmaking session, it would be good if the ladies and gentlemen of the legislature would quit fiddling around with lives and buckle up — and make the rest of us do it, too.

None of us complain about wearing seat belts when in airplanes. We're required to do it there.

So what's the big deal about requiring us to do the same when we drive around town or on the highway?

More people are killed on the roads than in airplane crashes. And a lot of those who are weren't wearing safety belts.

For three years now the legislature has had before it bills to make it illegal for drivers and passengers to ride without safety belts fashioned. Each year the effort has died on the sword of individual rights and arguments that the state shouldn't legislate against the risks a person is willing to take with his or her own life.

Baloney.

SEAT BELTS save lives when properly used. It's as simple as that.

And no big felony charge would be involved for those who don't, under this proposed legislation.

All that would be involved is a $15 fine for offenders.

And even that can be donated to a good cause. At the option of the guilty driver, the fine would go to emergency medical service units — the ambulance drivers and crews who speed to the scene and try to keep alive those injured in accidents.

Enough talk is enough. Pass it and let's get on with adopting a simple new habit.

Anchorage Daily News

Winner, 1976 Pulitzer Prize Gold Medal for Public Service

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Founded in 1946 by Norman C. Brown

A reasonable request

Have you ever stopped to think what happens in a high-speed car accident when you're not wearing a seat belt?

As the impact propels you from your seat, the first thing you hit is the steering wheel. As it crushes your chest, ribs break, tissue rips, and blood seeps inside your body. Next the windshield delivers a knockout blow to your head. The shattering glass slices your scalp and body as you are thrown from the car.

That grim scenario ought to be enough to persuade every automobile passenger to use seat belts. Unfortunately, it's not.

If the harm from not wearing seat belts were limited to the individual victim, wearing one might be strictly a personal decision. But the consequences of that choice inflict a toll on society too. Fellow citizens help pay the bills through higher costs for health care, insurance, and emergency services.

Given those costs, a coalition of health groups and safety-conscious citizens have proposed a bill to make seat belt use mandatory in Alaska. It's hardly a draconian measure. Passengers could be cited only if the car were stopped for other violations. The fine is a mere $15, which could be donated to emergency medical services.

But the bill, which has already passed the House, is locked in the crypt known as the Senate State Affairs Committee. The bill is a prisoner of those who say Alaskans have the right to ruin their lives without state interference.

It's true the measure can be considered paternalistic, because it tries to force Alaskans to do what's good for them. But driving public roads is a privilege, not some sacred individual right. A mandatory seat belt law is a reasonable way for the state to make its highways safer and cut the cost of not-so-inevitable bloodshed.

JUNEAU EMPIRE

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.

ISSUE: Should Alaska have a seatbelt use law?

"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 an 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.

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A PROFESSIONAL CORPORATION
3546 LATOUCHE STREET
ANCHORAGE, ALASKA 99508

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THOMAS P. VASILEFF, M.D.
ORTHOPAEDIC SURGERY
RICHARD D. McEVOY, M.D.
ORTHOPAEDIC SURGERY

December 23, 1988

Senator Arliss Sturgulewski
Alaska State Senate
Capitol Room 427
P. O. Box V
Juneau, Alaska 99811

Dear Senator Sturgulewski:

Please find enclosed articles about safety belt usage in automobiles. These articles appeared in the latest "Journal of the American Medical Association".

I hope these are helpful to you in your campaign to legislate for mandatory seat belts.

In addition, there was one article on minimal age drinking that you might find of interest.

Best Wishes to you for a Happy New Year.

Sincerely,

TPV

Thomas P. Vasileff, M.D.

TPV:bj
enc.

Editorial

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 survey[2] 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 study[5] 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

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Efficacy of Mandatory Seat-Belt Use Legislation

The North Carolina Experience From 1983 Through 1987

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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.

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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 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 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).

See also pp 3598 and 3651.

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

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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 design' 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 analysis[2] 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.[3] To examine vehicle damage and driver injury data with respect to driver alcohol involvement, we used ridit analysis.[4,5] To evaluate the statistical significance of ridit scores across several intervals, we used Mantel-Haenszel χ^2 analysis.[6]

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 chronologic 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 patrolman, 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 measured[7]; 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 moter 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 booklet[8] 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 al[7]; 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 occupants, 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 ($R^2 = 0.48$, $P = .038$). No discernible trends in the proportions of severe injuries and deaths were observed for rear-seat occupants.

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

	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)	
Injury	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

			Observed Use		Reported Use*	
Time Period	Month	Seat Position	No. Observed	% Belted	No. Reported	% Belted
Before the law	9/85	Driver	18212	25.4	1518	32.7
		Right front	6872	20.6	570	29.8
During warning period	11/86	Driver	21859	43.8	2048	65.2
		Right front	8123	37.2	719	60.5
After $25 fine	1/87	Driver	15847	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*

	Year				
Motor-Vehicle Occupants	1983	1984	1985	1986	1987
Targeted front-seat occupants					
All					
No. in crashes	18834	19289	19385	20603	21752
% severely or fatally injured	3.94	4.51	4.67	4.39	3.78
Drivers					
No. in crashes	13849	14306	14404	15318	16371
% 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	4.88	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.

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.[1] 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 notbeen 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	4.96	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[illegible]3	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 (113/10 336)	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.[9-13]

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 impact[7,13] 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 time[12]; the initial increase in belt use is followed by a decline, typically about four months after the law takes effect.[11] 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.

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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 ± $67 compared with $1583 ± $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.

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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-associated injuries, 1.3 million years of potential life before age 65 years were lost in 1984.[1] 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 fatalities by 50% and injuries by 65%.[5] Previous studies, based on police reports[6] 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.

See also pp 3593 and 3651.

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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 expressways (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-

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).[4] 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 ± 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).

Table 1.—Characteristics of Safety Belt Wearers vs Nonwearers

Characteristic	Safety Belts: Yes (n = 791)	Safety Belts: No (n = 573)	P*
Mean ± SEM age, y	35 ± 0.5	31.9 ± 0.7	.004
Male, %	49.7	55.8	.028
Reported mechanism of injury, %			
Rear-end collision	40.8	26.2	.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, %	5.6	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.

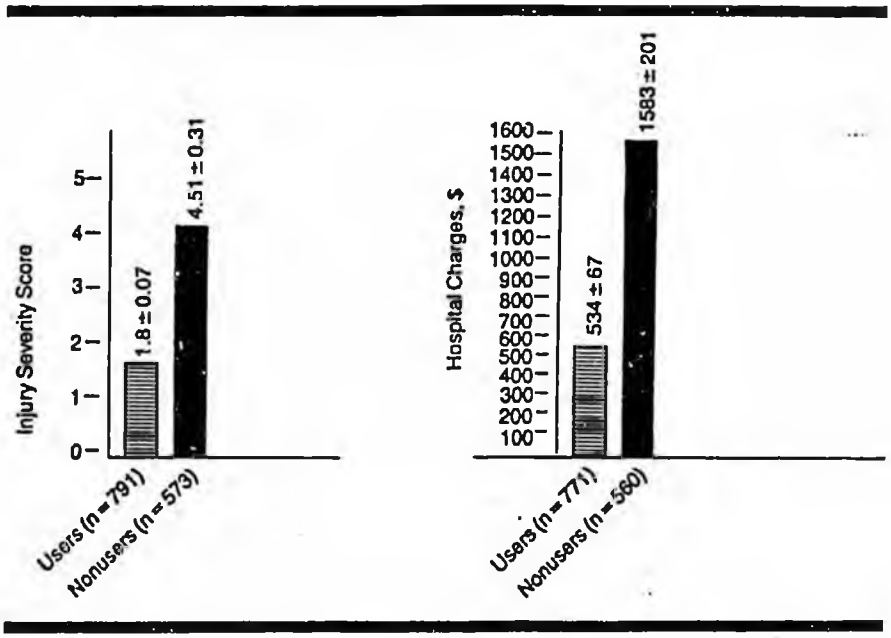

Fig 1.—Mean injury severity scores and hospital charges for safety belt users and nonusers. Patients who had worn safety belts had significantly lower injury severity scores ($P < .001$) and hospital charges ($P < .001$).

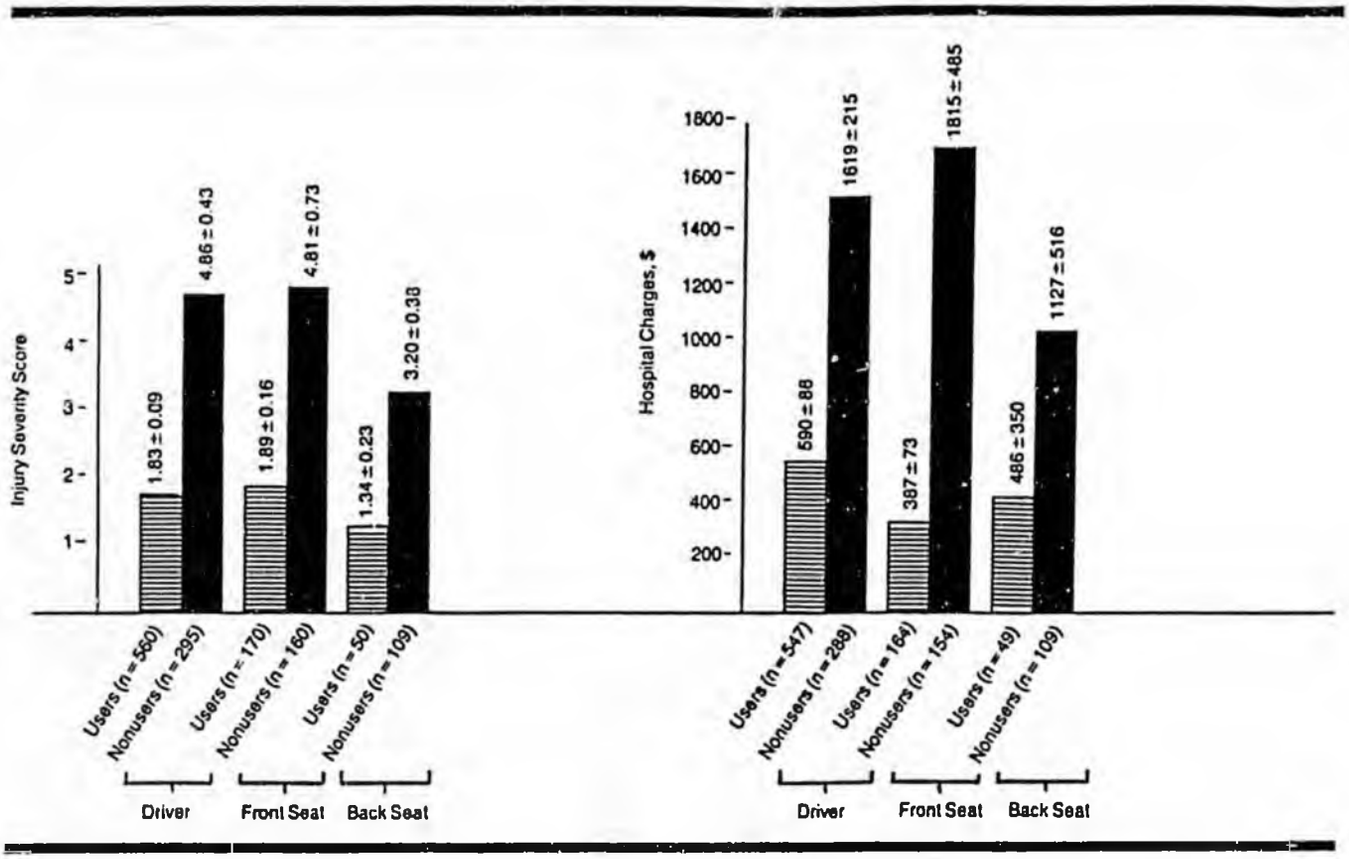

Fig 2.—Mean injury severity scores and hospital charges for safety belt users and nonusers by position in vehicle. Drivers, front-seat passengers, and back-seat passengers who had worn safety belts had significantly lower injury severity scores ($P<.001$, $P<.001$, and $P<.002$, respectively) and hospital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

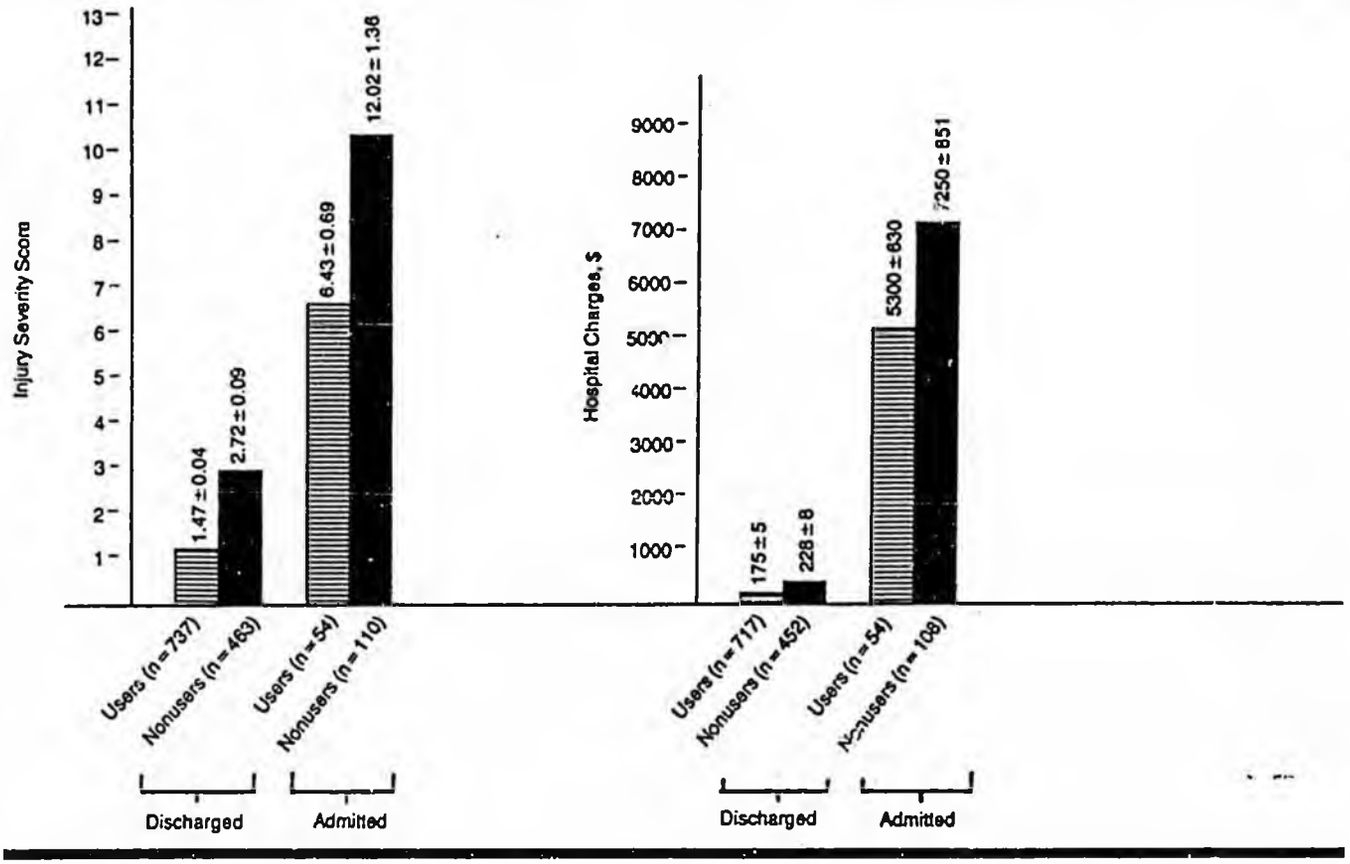

Fig 3.—Mean injury severity scores and hospital charges for safety belt users and nonusers by whether or not patients were admitted. Significantly fewer patients who had worn safety belts required admission ($P<.001$). Patients who did not require admission (includes patients transferred to other facilities) 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.

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

	Injury Severity Score†		Cost‡	
Variable	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 ± SD injury severity score was 2.42 ± 0.23 for safety belt users and 4.30 ± 0.22 for nonusers ($P=.0001$).
‡Adjusted mean ± SD cost was $912.80 ± $172.90 for safety belt users and $1508.90 ± $170.60 for nonusers ($P=.0005$).

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 ± $201, nearly three times the charges for restrained occupants ($534 ± $67, $P<.001$; Fig 1, right).

When the patient's position in the vehicle was evaluated, nonwearers consistently 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 ± $851 vs $5300 ± $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 ± $5 vs $228 ± $8 for unrestrained occupants ($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

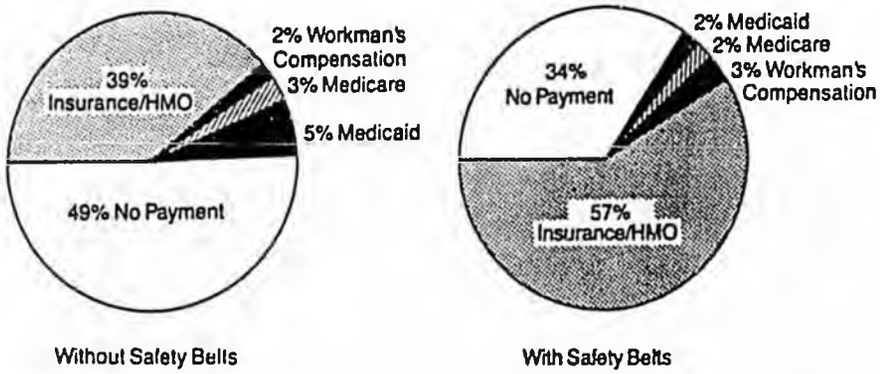

Fig 4.—Payment status for patients with and without safety belts. HMO indicates health maintenance organization.

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 studies[6] and government reports[9] 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 prehospital 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 differences 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 Wood[11] 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 al[12] 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.[9] 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,[12] from 15% to 90% in Australia,[13] and from 21% to 47% in New York state[25] after such legislation. Insurance incentives[26] and mass-media campaigns[27] 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.[24] 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.

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28. Cope JG, Grosanickle WF: An evaluation of three corporate strategies for safety belt use promotion. *Accid Anal Prev* 1986;18:243-251.
29. *How Thousands of Lives Can Be Saved: An Examination of Safety Belt Effectiveness*. Washington, DC, Highway Users Federation and the Automotive Safety Foundation, 1985.

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DELIVER TO: FRANK BICKFORD
(RECEIVER'S NAME)

DEPARTMENT/PHONE/EXT. 907-586-8315

COMPANY: ALASKA SEATBELT COALITION

FROM: ED GOOD (MVMA COUNSEL) ✓
(SENDER'S NAME) Check If Hotel Guest

DEPARTMENT/PHONE/EXTENTION

TOTAL PAGES INCLUDING COVER SHEET 3

*** IF ANY PROBLEMS IN RECEIVING, PLEASE CALL SENDER.

COMMENTS: FEDERAL REGISTER PAGE 27010, 7/7/84, S. 4.1.5.2 - CRITERIA - NO POSSIBILITY RESCISSION.

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Response re: Automakers & Dot regs "conspiracy"

FRANK -

SEPT. 1989 MO ... ALL CARS WILL HAVE PASSIVE RESTRAINTS. ALL RECOGNIZED TWO YEARS AGO STATE LAWS DON'T NEARLY APPROACH NHTSA CRITERIA - BUT WE KEPT PUSHING FOR LAWS ANYWAY TO SAVE LIVES ETC. MANUFACTURERS NOW OFFERING AIRBAGS, AS SUPPLEMENT TO BELTS, NOT REPLACING. CALL ME IF QUESTIONS. 202-775-2741

ED GOOD

September 1, 1986, 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 purposes 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.

5. 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-25, 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. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407))

Issued: July 11, 1984.

Elizabeth H. Dole,

Secretary of Transportation.

[FR Doc. 84-18666 Filed 7-11-84; 12:52 pm]

BILLING CODE 4910-59-M

SB 110

STATE OF ALASKA
1989 LEGISLATIVE SESSION

BILL VERSION: SSSB 110
PUBLISH DATE: 2/21/89

FISCAL NOTE

Revision Date: 2/21/89
Title: Airport Security Police

Agency Affected: DOT&PF
BRU: Anchorage and Fairbanks International Airports

Sponsor: Sturgulewski
Requestor: Senate Transportation

Components: Airport Safety

EXPENDITURES/REVENUES: (THOUSANDS OF DOLLARS)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL	0	0	0	0	0	0
CONTRACTURAL	14.4	14.4	14.4	14.4	14.4	14.4
SUPPLIES	0	0	0	0	0	0
EQUIPMENT	0	0	0	0	0	0
LAND & STRUCTURES	0	0	0	0	0	0
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS	0	0	0	0	0	0
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	14.4	14.4	14.4	14.4	14.4	14.4
REVENUE	0	0	0	0	0	0

FUNDING: (THOUSANDS OF DOLLARS)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS	0	0	0	0	0	0
OTHER*	14.4	14.4	14.4	14.4	14.4	14.4
TOTAL	14.4	14.4	14.4	14.4	14.4	14.4

* International Alport Revenue Fund

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)

Prepared by: D. Randy Simmons, Deputy Commissioner
Division: Budget and Finance

Phone: 465-3900
Date: 03/01/89

Approved by Commissioner: Mark S. Hickey
Agency: Department of Transportation and Public Facilities

Date: 03/01/89

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

- DOT/PF FN -

A review of the bill indicates the only additional cost would be in providing psychological testing and polygraph examination of new applicants. *

ANCHORAGE INTERNATIONAL AIRPORT

For Anchorage International Airport, historical employee turnover is nine (9) employees per year. It is estimated that three (3) applicants would receive the tests before final selection for each position. The cost of the examination is $400 ($250 for psychological and $150 for polygraph). The total cost would be nine (9) hires x three (3) applicants x $400.00 = $10,800.

FAIRBANKS INTERNATIONAL AIRPORT

For Fairbanks International Airport, historical employee turnover is three (3) employees per year. It is estimated that three (3) applicants would receive the tests before final selection for each position. The cost of the examination is $400 ($250 for psychological and $150 for polygraph). The total cost would be nine (3) hires x three (3) applicants x $400.00 = $3,600.

* A comment from the Department of Administration, Labor Relations, indicates that they see no immediate impact. However, they do feel that there may be long range impact, due to possible requests for salary increases due to the necessary certification.

Department of Transportation & Public Facilities

POSITION PAPER

MSH

BILL NO: SSSB 110

APPROVED: Mark S. Hickey
Commissioner

TITLE: Airport Security Police

DATE: March 1, 1989

The Department of Transportation and Public Facilities (DOT&PF) supports Sponsor Substitute for Senate Bill No. 110 as amended.

Certification as a basic police office is the accepted professional standard for most police agencies and their officers. Certification will mandate that all officers will meet and maintain a minimum level of professional training and expertise in their field. By assuring the proper training, liability limits may be lowered. Airport Safety Officers would be required to adhere to the law enforcement Code of Ethics, thus giving the Department a better means of discipline for noncompliance.

The acceptance of Airport Safety in the program will help management recruit candidates and employ officers who adhere to certain recognized professional standards. Certification is a recognition of professional achievement in the law enforcement career.

In summation, we believe the activities of the Airport Safety Officers are compatible with certification, and that certification will increase our ability to maintain a highly qualified professional staff. The establishment of minimum selection, training and retention requirements for Airport Safety Officers is vital to the International Airport System.

Introduced: 2/21/89
Referred: Transportation

6-0351H

IN THE SENATE BY STURGULEWSKI AND PEARCE

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 110

IN THE LEGISLATURE OF THE STATE OF ALASKA

SIXTEENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act relating to certain officers and employees of the Department of Transportation and Public Facilities who are stationed at an international airport."

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

* Section 1. AS 18.65.290(5) is amended to read:

(5) "police officer" means

(A) a full-time employee of the state or a local police department with the authority to arrest and issue citations; detain a person taken into custody until that person can be arraigned before a judge or magistrate; conduct investigations of violations of and enforce criminal laws, regulations and traffic laws; search with or without a warrant persons, dwellings, and other forms of property for evidence of a crime; carry a concealed weapon; and take other action consistent with exercise of these enumerated powers when necessary to maintain the public peace;

(B) an officer or employee of the Department of Transportation and Public Facilities who is stationed at an international airport and has been designated to have the general police powers authorized under AS 02.15.230(a);

* Sec. 2. AS 23.10.037(b) is amended to read:

(b) The provisions of (a) of this section do not apply to the state or a political subdivision of the state when dealing with police officers [POLICEMEN] in its employ or with persons applying to be

29 S

COMMITTEE COPY

employed as police officers [POLICEMEN]. In this subsection, "police officers" includes officers and employees of the Department of Transportation and Public Facilities who are stationed at an international airport and have been designated to have the general police powers authorized under AS 02.15.230(a).

* Sec. 3. Notwithstanding AS 18.65.290(5), as amended by sec. 1 of this Act, an employee of the Department of Transportation and Public Facilities who holds a position on the effective date of this Act that would be covered by the amendment made to AS 18.65.290(5) by sec. 1 of this Act and who does not hold a police officer certificate issued by the Alaska Police Standards Council is not subject to AS 18.65.130 - 18.65.290 or the regulations adopted under AS 18.65.130 - 18.65.290 while employed by the Department of Transportation and Public Facilities until two years after the effective date of this Act. During this two-year period, the Department of Transportation and Public Facilities may not discriminate against a person described by this section in an employment matter related to the person's wages and benefits payable, promotion and reassignment opportunities, or training necessary to attain certification because the person does not have a certificate issued by the Alaska Police Standards Council.

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 5-DAY NOTICE Feb. 24, 1989
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER

**FISCAL NOTE(S) MUST BE ATTACHED
IN ACCORDANCE WITH AS 24.08.035

DATE TURNED INTO OFFICE Mar 2, 1989

2/21/89

Mr. President:

TRSP Committee considered SSSB 110

certain officers and employees of the Department of Transportation and Public Facilities who are stationed at an international airport

and recommended:

[ ] replace with CS _____ [] same title
[] new title

[ ] attached amendment(s) and

[X] Trsp letter of intent adopted

[X] do pass

[ ] do not pass

[ ] no recommendation

[ ] individual recommendations

[ ] further referral to _____

FISCAL NOTE(S) attached [X] zero [ ] fiscal impact
[ ] appropriation no FN attached [ ] Gov. FN introduced w/ bill

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

Chairman signature and recommendation

[ ] Committee backup attached

ALASKA STATE LEGISLATURE

Sen. Lloyd Jones, Chairman
Sen. Bettye Fahrenkamp, Vice Chairman
Sen. John B. "Jack" Coghill
Sen. Paul Fischer
Sen. Pat Pourchot

P.O. Box V
Juneau, AK 99811

907-465-4921

Senate Transportation Committee

LETTER OF INTENT
SPONSOR SUBSTITUTE FOR SENATE BILL 110

It is the intent of the legislature that the Department of Transportation make every possible effort to ensure that persons currently employed as Airport Safety Officers are able to remain in state employment if found ineligible for certification by the Alaska Police Standards Council.

ALASKA PEACE OFFICERS ASSOCIATION

Anchorage Chapter
P. O. Box 103824
Anchorage, AK 99510
Phone 561-2878

Senator Arlyss Sturgulewski
Pouch V
Juneau, Alaska 99803

Re: Senate Bill No. 110

Dear Senator Sturgulewski,

The Alaska Peace Officers Association, Anchorage Chapter would like to thank you for your sponsorship of SB 110, an act relating to the jurisdiction of the Alaska Police Standards Council.

We have recognized for some time the expertise required and the danger present for the Department of Transportation and Public Facilities employees stationed at the airport. The men and women must be trained as firemen as well a police officers yet work without realizing the full benefit of either. This bill will correct that injustice.

Thank you again for sponsoring this important legislation. Please let us know if we can be of any assistance in securing passage of this bill.

Sincerely,

Dorothy P. Hansen

Dorothy P. Hansen
Secretary, Anchorage Chapter

1527D
DH

Alaska State Legislature

SENATOR
ARLISS STURGULEWSKI
Senate President Pro Tempore
Chairman, Senate Rules Committee

2957 SHELDON JACKSON STREET
ANCHORAGE, ALASKA 99508

While in Juneau
P.O. BOX V
JUNEAU, ALASKA 99811
(907) 465-3818

Senate

M E M O R A N D U M 22 February 1989

TO: Senator Lloyd Jones

FROM: Senator Arliss Sturgulewski

RE: Senate Bill 110

Senate Bill 110 is designed to upgrade the professional standards which must be met by airport safety officers. Currently airport safety officers must meet training standards equivalent to those of police officers but they do not fall under the jurisdiction of the Alaska Police Standards Council.

This legislation adds a subsection to the statute defining who comes under the jurisdiction of the Alaska Police Standards Council. This new subsection adds certain airport security officers to the definition of police officer for the purposes of Alaska Police Standards Council jurisdiction.

The Alaska Police Standards Council and the Department of Transportation both support this legislation. Attached is the letter we received from the Alaska Airport Safety Officers Association requesting the bill and explaining the association's reasons for wanting professional certification. Also attached is a letter of support from the Alaska Police Standards Council.

I believe that increased standards for Airport Safety Officers can only be of benefit to the state. I would appreciate your scheduling this bill as soon as is possible.

SECTIONAL ANALYSIS
SPONSOR SUBSTITUTE FOR SENATE BILL 110
22 February 1989

SECTION 1:

Adds (B) "an officer of employee of the Department of Transportation and Public Facilities who is stationed at an international airport and has been designated to have the general police powers authorized under AS 02.15.230(a)" to the definition of a "police officer" for purposes of the Alaska Police Standards Council jurisdiction.

SECTION 2:

Adds to the definition of "police officer" for purposes of allowing the state or a political subdivision of the state to administer a polygraph to an employee or job applicant.

SECTION 3:

This section allows airport safety officers to take two years to achieve certification. This section also provides that the department may not discriminate against any employee during that time.

- Sectional analysis -

Article 2. Alaska Police Standards Council.

Sec. 18.65.130. Policy. The administration of criminal justice affects the health, safety and welfare of the people of this state, and requires education and training of a professional quality. It is a primary public interest that applicants meet minimum standards for employment as police officers, probation and parole officers, and correctional officers, and that criminal justice education and training be made available to police officers, probation and parole officers, and correctional officers serving in a probationary capacity and police officers, probation and parole officers, and correctional officers already in regular service. It is of secondary public interest to encourage the establishment of preliminary training programs for persons seeking to become police officers, probation and parole officers, and correctional officers. (§ 1 ch 178 SLA 1972; am § 1 ch 19 SLA 1981; am § 1 ch 112 SLA 1988)

Effect of amendments. — The 1988 amendment, effective July 1, 1988, inserted "probation and parole officers, and correctional officers" throughout the last two sentences.

Sec. 18.65.140. Creation. There is created in the Department of Public Safety the Alaska Police Standards Council. (§ 1 ch 178 SLA 1972; am E.O. No. 45 § 2 (1980))

Sec. 18.65.150. Composition of council. The council consists of the following persons:

(1) four chief administrative officers or chiefs of police of local governments;

(2) the commissioner of public safety or a designee of the commissioner;

(3) the commissioner of corrections or a designee of the commissioner;

(4) one correctional administrative officer who is employed at the level of a deputy director or higher; and

(5) four members of the public at large with at least two from the communities of 2,500 population or less. (§ 1 ch 178 SLA 1972; am § 2 ch 19 SLA 1981; am § 2 ch 112 SLA 1988)

Effect of amendments. — The 1988 amendment, effective July 1, 1988, inserted present paragraphs (3) and (4) and redesignated former paragraph (3) as present paragraph (5).

Sec. 18.65.160. Appointment. The commissioner of public safety or a designee and the commissioner of corrections or a designee shall serve during each commissioner's continuance in office. Other members of the council shall be appointed by the governor for staggered terms of four years, except that a member may not serve beyond the time the member holds the office that established eligibility for appointment. A vacancy on the council shall be filled for the remainder of a member's unexpired term in the same manner as the original appointment. (§ 1 ch 178 SLA 1972; am § 3 ch 19 SLA 1981; am § 3 ch 112 SLA 1988)

Effect— Related statutes —rve during amendm the" in the

Sec. 18.65.170. Chairman and vice chairman. The council shall select its chairman and vice chairman annually. (§ 1 ch 178 SLA 1972)

Sec. 18.65.180. Holding another office. Membership on the council does not disqualify a member from holding any other public office or employment. (§ 1 ch 178 SLA 1972)

Sec. 18.65.190. Compensation and expenses. The members of the council receive no salary, but are entitled to per diem and travel expenses authorized by law for other boards and commissions. (§ 1 ch 178 SLA 1972)

Sec. 18.65.200. Meetings. The council shall meet at least twice a year. The chairman shall set the time and place of the meeting, either on the chairman's own motion or on written request by any three members of the council. (§ 1 ch 178 SLA 1972)

Sec. 18.65.220. Powers. The council has the power to

(1) adopt regulations for the administration of AS 18.65.130 — 18.65.290;

(2) establish minimum standards for employment as a police officer, probation or parole officer, and correctional officer in a permanent or probationary position and certify persons to be qualified as police officers, probation or parole officers, and correctional officers under AS 18.65.130 — 18.65.290;

(3) establish minimum criminal justice curriculum requirements for basic, specialized, and in-service courses and programs for schools operated by or for the state or a political subdivision of the state for the specific purpose of training police recruits, police officers, probation and parole officers, and correctional officers;

(4) consult and cooperate with municipalities, agencies of the state, other governmental agencies, universities, colleges, and other institutions concerning the development of police, probation and parole officer, and correctional officer training schools and programs of criminal justice instruction;

(5) employ an administrator and other persons necessary to carry out its duties under AS 18.65.130 — 18.65.290;

(6) investigate when there is reason to believe that a police officer, probation or parole officer, or correctional officer does not meet the minimum standards for employment; in connection with the investigation the council may subpoena persons, books, records, or documents related to the investigation and require answers in writing under oath to questions asked by the council or the administrator. (§ 1 ch 178 SLA 1972; am § 4 ch 19 SLA 1981; am § 1 ch 1 SLA 1984; am § 4 ch 112 SLA 1988)

Effect of amendments. — The 1988 amendment, effective July 1, 1988, rewrote paragraph (2), which read "establish minimum standards for employment as a police officer in permanent or probationary positions and certify persons to be qualified as police officers under AS 18.65.130 — 18.65.290"; in paragraph (3), made a minor punctuation change and substituted "recruits, police officers, probation and parole officers, and correctional officers" for "recruits or police officers"; in paragraph (4), deleted "boroughs" preceding "municipalities" and inserted "probation and parole officer, and correctional officer"; and inserted "probation or parole officer, or correctional officer" in paragraph (6).

Editor's notes. — Section 11, ch. 112, SLA 1988 requires the council to report to the legislature by February 15, 1989, regarding the administrative and policy changes that the council makes with respect to correctional, probation, and parole officers as a result of the inclusion of those officers within the authority of the council by ch. 112, SLA 1988.

Sec. 18.65.230. Training programs. The council shall establish and maintain police training programs, probation and parole officer training programs, and correctional training programs through those agencies and institutions that the council considers appropriate. (§ 1 ch 178 SLA 1972; am § 5 ch 112 SLA 1988)

Effect of amendments. — The 1988 amendment, effective July 1, 1988, deleted "Police" at the beginning of the catchline and inserted "probation and parole officer training programs, and correctional officer training programs."

Sec. 18.65.240. Standards. (a) A person may not be appointed as a police officer, except on a probationary basis, unless the person (1) has satisfactorily completed a basic program of police training approved by the council, and (2) possesses other qualifications the council has established for the employment of police officers, including but not limited to minimum age, education, physical and mental standards, citizenship, moral character, and experience. The council shall prescribe the means of presenting evidence of fulfillment of these requirements.

(b) The council shall issue a certificate evidencing satisfaction of the requirements of (a) of this section to an applicant who satisfies those requirements or who satisfies the requirements of (a) (2) of this section and satisfactorily completes a program or course of instruction in another jurisdiction equivalent in content and quality to that required by the council for approved police education and training programs in this state.

(c) The council may deny or revoke the certificate of a police officer who does not meet the standards adopted under (a) (2) of this section. (§ 1 ch 178 SLA 1972; am §§ 5, 6 ch 19 SLA 1981)

Sec. 18.65.242. Standards for correctional, probation, and parole officers. (a) The council shall establish qualifications for employment of p sons as correctional, probation, and parole officers, including

(1) minimum age, physical and mental standards, citizenship, moral character, and experience; and

(2) minimum education standards.

(b) The council shall

(1) prescribe the means of presenting evidence of fulfillment of the requirements set out in (a) of this section; and

(2) issue a certificate evidencing satisfaction of the requirements of (a) of this section to an applicant who

(A) satisfies the requirements of (a)(1) of this section; and

(B) meets the minimum education standards of (a)(2) of this section by satisfactorily completing a training program for correctional, probation, or parole officers established under AS 18.65.230 or a course of instruction in another jurisdiction equivalent in content and quality to that required by the council for approved correctional, probation, or parole officer education and training programs in this state.

(c) In the evaluation of applicants against the mental standards developed under (a)(1) of this section, the council shall use evaluation methods that do not discriminate against applicants of different ethnic origins. (§ 6 ch 112 SLA 1988)

Effective dates. — Section 12, ch. 112, SLA 1988, provides: "Except for AS 18.65.248, added by sec. 6 of this Act, this Act takes effect July 1, 1988."

Sec. 18.65.245. Denial or revocation of certificate. The council may

(1) deny a certificate to an applicant for a correctional officer certificate or a probation or parole officer certificate if the applicant does not meet the standards adopted by the council under AS 18.65.242(a);

(2) revoke the certificate of a correctional officer or a probation or parole officer who, having been issued a certificate, fails to meet the standards adopted by the council under AS 18.65.242(a). (§ 6 ch 112 SLA 1988)

Effective dates. — Section 12, ch. 112, SLA 1988, provides: "Except for AS 18.65.248, added by sec. 6 of this Act, this Act takes effect July 1, 1988."

Sec. 18.65.248. Employment of correctional, probation, and parole officers. (a) A person may not be appointed as a correctional officer or as a probation or parole officer unless the person has a valid certificate issued by the council under AS 18.65.242.

(b) The provisions of (a) of this section do not apply to a person employed on a probationary basis, except that employment on a probationary basis may not exceed the period authorized for probationary employment determined by the council. (§ 6 ch 112 SLA 1988)

Effective dates. — Section 10, ch. 112, SLA 1988 provides: "AS 18.65.248, added by sec. 6 of this Act, takes effect six months after the date on which the Alaska Police Standards Council adopts regulations establishing training programs for correctional, probation, and parole officers under AS 18.65.230, as amended by sec. 5 of this Act, and defining qualifications for employment as those officers under AS 18.65.242, added by sec. 6 of this Act."

Section 12, ch. 112, SLA 1988, provides: "Except for AS 18.65.248, added by sec. 6 of this Act, this Act takes effect July 1, 1988."

Editor's notes. — Section 9, ch. 112, SLA 1988 provides:

"(a) Notwithstanding AS 18.65.248, added by sec. 6 of this Act, a person employed by the state as a correctional, probation, or parole officer on the effective date of AS 18.65.248, may continue to be employed as an officer without a certificate issued by the Alaska Police Standards Council. The Department of Corrections may not discriminate against a person employed as a correctional, probation, or parole officer under this subsection in any matter relating to the officer's employment status, wages and benefits payable, promotion and reassignment opportunities, or training necessary to attain certification because the officer does not have a certificate issued by the Alaska Police Standards Council.

"(b) A person continuing in employment under the exemption provided in (a) of this section who terminates that employment after the effective date of AS 18.65.248 may be reemployed by the state as a correctional, probation, or parole officer only if the person holds a valid certificate issued by the Alaska Police Standards Council."

For legislative letter of intent in connection with sec. 9(a), ch. 112, SLA 1988, see 1988 House Journal 2395.

Sec. 18.65.250. Financial assistance. (a) The Governor's Commission on the Administration of Justice has the authority to assist political subdivisions and police departments in meeting the costs involved by extending financial assistance for travel, per diem, tuition and other costs.

(b) Only those political subdivisions and police departments complying with AS 18.65.130 — 18.65.290 are eligible for financial assistance authorized under AS 44.19.116. This subsection applies only to those funds made available for providing minimum police standards. (§ 1 ch 178 SLA 1972; am § 7 ch 19 SLA 1981)

Sec. 18.65.260. Grants. (a) The council may accept donations of property, both real and personal, and grants of money from a governmental unit or public agency, or from an institution or person. An arrangement made under this section shall be detailed in the annual report of the council. The report must include the identity of the donor, the nature of the transaction, and the conditions of the grant, if any. All money received by the council under this section shall be deposited in the state treasury to the account of the council.

(b) The council shall provide for and administer a funding program authorized in (a) of this section. In the administration of the program the council shall promote the most efficient and economical program for police training, including the maximum utilization of existing facilities and programs to avoid duplication. (§ 1 ch 178 SLA 1972; am § 8 ch 19 SLA 1981)

Sec. 18.65.270. Applicability of Administrative Procedure Act. AS 18.65.150 — 18.65.290 shall be administered in compliance with the Administrative Procedure Act (AS 44.62). (§ 1 ch 178 SLA 1972)

Sec. 18.65.280. Exemptions. (a) The commissioner and deputy commissioner of public safety and the chief administrative officers of local police departments are exempt from the requirements of AS 18.65.240. However, a person appointed chief of a local police department after July 1, 1981, who performs any operational duties, shall meet the requirements of AS 18.65.240(a)(1).

(b) A political subdivision with an established police training program meeting the requirements of AS 18.65.220(2) and (3) may exclude itself from the requirements of AS 18.65.240 by ordinance. The exclusion has no effect on eligibility to receive federal or state grants. (§ 1 ch 178 SLA 1972; am § 9 ch 19 SLA 1981)

Revisor's notes. — The words "a political subdivision" were substituted for "any local government" in subsection (b) by the revisor of statutes pursuant to AS 01.05.031.

Sec. 18.65.285. Municipal correctional employees. A municipality that employs persons in a municipal correctional facility may, by ordinance, require that those persons meet the requirements of AS 18.65.130 — 18.65.290 that are applicable to correctional officers. (§ 7 ch 112 SLA 1988)

Revisor's notes. — Enacted as AS 18.65.280(c). Renumbered in 1988.

Effective dates. — Section 12, ch. 112, SLA 1988, provides: "Except for AS 18.65.248, added by sec. 6 of this Act, this Act takes effect July 1, 1988."

Sec. 18.65.290. Definitions. In AS 18.65.130 — 18.65.290

(1) "chief administrative officer" means a chief of police or other official who is head of a police department in a political subdivision;

(2) "correctional officer" means a person appointed by the commissioner of corrections whose primary duty under AS 33.30 is to provide custody, care, security, control, and discipline of persons charged or convicted of offenses against the state or held under authority of state law;

(3) "council" means the Alaska Police Standards Council;

(4) "parole officer" means a person appointed by the commissioner of corrections to perform the duties of supervising the parole of prisoners under AS 33.16;

(5) "police officer" means a full-time employee of the state or a local police department with the authority to arrest and issue citations;

detain a person taken into custody until that person can be arraigned before a judge or magistrate; conduct investigations of violations of and enforce criminal laws, regulations and traffic laws; search with or without a warrant persons, dwellings, and other forms of property for evidence of a crime; carry a concealed weapon; and take other action consistent with exercise of these enumerated powers when necessary to maintain the public peace;

(6) "probation officer" means a person appointed by the commissioner of corrections to perform the duties of a probation officer under AS 33.05. (§ 1 ch 178 SLA 1972; am §§ 10, 11 ch 19 SLA 1981; am § 8 ch 112 SLA 1988)

Revisor's notes. — Reorganized in 1986 and 1988 to alphabetize the defined terms.

Effect of amendments. — The 1988 amendment, effective July 1, 1988, inserted paragraphs (2) and (4), and added paragraph (6).

(c) The commissioner shall adopt regulations to effectuate the purpose of this section that are consistent with standards established by participating federal agencies. (§ 1 ch 90 SLA 1966)

Sec. 02.15.210. Exclusive rights prohibited. The department may not grant an exclusive right for the use of an airway, airport, or air navigation facility under its jurisdiction. This section does not prevent the making of contracts, leases and other arrangements under AS 02.15.060 — 02.15.100 and 02.15.120, including exclusive contracts for the sale and delivery of in-bond merchandise described in AS 02.15.091. (§ 8B ch 123 SLA 1949; am § 3 ch 111 SLA 1982)

Collateral references. — 8 Am. Jur. 2d, Aviation, §§ 66, 67.

Sec. 02.15.220. Enforcement of aeronautics laws. (a) The department and its officers and employees, and every state and municipal officer charged with the enforcement of state and municipal laws, shall enforce and assist in the enforcement of this chapter and of all regulations adopted and orders issued under it and any other state regulations or laws pertaining to the operation of aircraft.

(b) Any person mentioned in (a) of this section may inspect and examine, at reasonable hours, any aircraft, premises, and the buildings and other structures thereon, where airports, air navigation facilities, air schools, or other aeronautical activities are operated or conducted. (§ 13 ch 123 SLA 1949)

Sec. 02.15.225. Accidents involving state or municipal aircraft. (a) An aircraft accident involving an aircraft operated by the state or a municipality shall be reported by the person who caused or authorized the operation of the aircraft to the National Transportation Safety Board and the Department of Public Safety.

(b) The Department of Public Safety shall request the National Transportation Safety Board to investigate each aircraft accident reported under (a) of this section. The Department of Public Safety shall supply information regarding the aircraft accident requested by the National Transportation Safety Board if the information is available to the Department of Public Safety.

(c) In this section "aircraft accident" means

(1) an occurrence associated with the operation of an aircraft that takes place between the time a person boards the aircraft with the intention of flight until the time the person disembarks and in which

(A) a person suffers death or serious injury as a result of being in or on the aircraft, or by direct contact with the aircraft or an object attached to the aircraft; or

(B) the aircraft receives substantial damage as defined under regulations of the National Transportation Safety Board;

(2) flight control system malfunction or failure;

(3) inability of a required flight crewmember to perform normal flight duties as a result of injury or illness;

(4) failures of a turbine engine rotor, excluding compressor blades and turbine buckets;

(5) in-flight fire;

(6) aircraft collision in flight; or

(7) disappearance of an aircraft believed to have been involved in an accident. (§ 1 ch 139 SLA 1984)

Sec. 02.15.230. Police powers vested. (a) The commissioner and those officers and employees of the department who the commissioner may designate have general police powers in aid of the enforcement of this chapter, and the regulations and orders issued under it and all other laws of the state relating to aeronautics.

(b) Upon bilateral agreement, the commissioner may designate individuals licensed under AS 18.65.400 — 18.65.490 and police officers employed by the state or its political subdivisions to be present during the final passenger screening process before the boarding of each flight required to be in compliance with passenger screening regulations of the Federal Aviation Administration. Persons designated under this section, while performing their duties under that agreement, have the general police powers set out in (a) of this section. (§ 13 B ch 123 SLA 1949; am § 2 ch 6 SLA 1978)

NOTES TO DECISIONS

Applied in Clark v. State, Ct. App. Op. No. 716 (File No. A-1840), 738 P.2d 765 (1987).

Sec. 02.15.240. Penalties. (a) A person violating a provision of this chapter, or a provision of a regulation adopted or order issued under this chapter is guilty of a misdemeanor, and upon conviction is punishable by a fine of not more than $500, or by imprisonment of not more than 90 days, or by both.

(b) For a violation of any section of this chapter, in addition to or in lieu of the penalties provided by (a) of this section, or as a condition to the suspension of a sentence which may be imposed, the court may prohibit the violator from operating an aircraft within the state for a period it may determine but not more than one year. Violation of the prohibition of court may be treated as a separate offense under this section or as a contempt of court. Whenever a conviction is obtained, the prosecuting authority shall notify the department. (§ 12 ch 123 SLA 1949)

AIRPORT SECURITY

The following is an extract of Federal Aviation Regulations, Part 107, as amended.

107.15 Law enforcement support.

(a) Each airport operator shall provide law enforcement officers in the number and in a manner adequate to support—

(1) Its security program; and

(2) Each passenger screening system required by Part 108 or Part 129.25 of this chapter.

(b) For scheduled or public charter passenger operations with airplanes having a passenger seating configuration (as defined in Part 108.3 of this chapter) of more than 30 but less than 61 seats for which a passenger screening system is not required, each airport operator shall ensure that law enforcement officers are available and committed to respond to an incident at the request of a certificate holder or foreign air carrier and shall ensure that the request procedures are provided to the certificate holder or foreign air carrier.

107.17 Law enforcement officers

(a) No airport operator may use or arrange for response by any person as a required law enforcement officer unless, while on duty at the airport, the officer—

(1) Has the arrest authority described in paragraph (b) of this section;

(2) Is readily identifiable by uniform and displays or carries a badge or other indicia of authority;

- FAA regs

(3) Is armed with a firearm and authorized to use it; and

(4) Has completed a training program that meets the requirements in paragraph (c) of this section.

(b) The law enforcement officer must, while on duty at the airport, have the authority to arrest, with or without a warrant, for the following violations of the criminal laws of the State and local jurisdictions in which the airport is located:

(1) A crime committed in the officer's presence.

(2) A felony, when the officer has reason to believe that the suspect has committed it.

(c) The training program required by paragraph (a)(4) of this section must provide training in the subjects specified in paragraph (d) of this section and either—

(1) Meet the training standards, if any, prescribed by either the State or local jurisdiction in which the airport is located, for law enforcement officers performing comparable functions; or

(2) If the State and local jurisdictions in which the airport is located do not prescribe training standards for officers performing comparable functions, be acceptable to the Administrator.

(d) The training program required by paragraph (a)(4) of this section must include training in—

(1) The use of firearms;

(2) The courteous and efficient treatment of persons subject to inspection, detention, search, arrest, and other aviation security activities;

STATE OF ALASKA

ALASKA POLICE STANDARDS COUNCIL

STEVE COWPER, GOVERNOR

P.O. BOX N
JUNEAU, ALASKA 99811-1200
PHONE: (907) 465-4378

January 13, 1989

The Honorable Arliss Sturgulewski
Alaska State Senator
P.O. Box V
Juneau, AK 99811

Dear Senator Sturgulewski:

Senate Bill No. 110

The Alaska Police Standards Council discussed the matter of the certification of Airport Safety Officers at their meeting on September 15-16, 1988, and it was their belief that a statute change should be initiated if the Department of Transportation felt that the certification of Airport Safety Officers is appropriate.

The council instructed me to advise Commissioner Mark S. Hickey that should his agency decide to initiate the necessary action for a statute change that the council would not oppose the legislation, and if deemed necessary would provide staff assistance to support the change.

The council members discussed at length the many parallels between the Airport Safety Officer and Municipal Police Officer positions, noting that they are required to attend the same training programs, the duties and responsibilities are very similar, they are sworn to uphold the laws of the State of Alaska and they are required to carry firearms on duty. Bearing these similarities in mind the council agreed that it would be reasonable to require the Airport Safety Officers to meet the same standards now in effect for police officers.

It should be noted that the council does not anticipate that this change in the statute would necessitate an expansion in the council's membership and they would not support legislation in this area.

Support
AK Police Standards Council

12-L17LH

In conclusion the council supports this bill and is in a position to assume the responsibility for the implementation of the certification of Airport Safety Officers with no increase in their FY 90 budget request.

Please contact me for further information.

Sincerely,

Jack W. Wray
Executive Director

JWW/vlh

cc: Representative Bette M. Cato
Richard Gressett, P.S.E.A.
Commissioner Mark S. Hickey, D.O.T.

PUBLIC SAFETY EMPLOYEES ASSOCIATION
ALASKA AIRPORT SAFETY OFFICERS

SERVING
ANCHORAGE • FAIRBANKS
• COLD BAY •

January 17, 1989

Senator Arliss Sturgulewski
Alaska State Senate
Mail Stop 3100
P.O. Box V
Juneau, AK 99811

Dear Senator Sturgulewski:

Federal Aviation Administration regulations require Airport Safety Officers, more commonly known as Airport Police, to meet the standards set forth by the Alaska Police Standards Council that governs certification of Police Officers. Although Airport Safety Officers already meet and exceed these requirements, they are not now certified. Commissioner Hickey of the Department of Transportation and respective Airport Management, "...believe certification will increase our ability to maintain a highly qualified staff.... and provide them expanded training opportunities." The Alaska Police Standards Council is not opposed to certification of Airport Safety Officers, but believes a statute change is necessary due to outdated statutory definitions. It is thought such certification would be a matter of paperwork and of nominal expense.

Additionally, such overdue recognition not only will represent personal achievement and pride throughout the advanced levels of accreditation, but also dictate an exemplary degree of conduct for officers both on and off duty with punitive consequences if violated.

Airport Safety Officers have historically performed a "public safety" service utilizing their cross-training in the police and fire fields, as many certified municipal departments throughout the State now do. Airport Safety Officers' uniform patch and badge clearly identify, and in fact state, first and foremost that they are indeed a "Police Officer."

P.O. Box 92624 • Anchorage 99509-2624 • (907) 276-6464

Ak Airport Safety Officers
Association Letter

Senate Bill #110 legitimizes the authority long held by Airport Safety Officers and would ensure that the millions of traveling public are being provided the level of professional law enforcement service the citizens of Alaska expect and deserve.

Thank you for your support in this endeavor.

Sincerely,

Michael A. Judd
President

MAJ/cd

SB 124

Introduced: 1/18/89
Referred: Transportation, Judiciary and Finance

6-0443A

IN THE SENATE

BY COGHILL

SENATE BILL NO. 124

IN THE LEGISLATURE OF THE STATE OF ALASKA

SIXTEENTH LEGISLATURE - FIRST SESSION

A BILL

For an Act entitled: "An Act authorizing the Department of Transportation and Public Facilities to construct the Lynn Canal Highway Project, consisting of roads and of vessels and ferry terminals for the Alaska marine highway system, serving the principal communities of northern Lynn Canal; relating to the disposition of certain claims and actions arising from the state's activities in completing that project; changing Rules 79 and 82, Alaska Rules of Civil Procedure; and providing for an effective date."

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

* Section 1. FINDINGS. The legislature finds that

(1) lack of direct road access between communities in the Railbelt and the state capital at Juneau has been a source of unhappiness among residents of all areas of the state;

(2) within the last decade, road connections to ports situated along northern Lynn Canal have been significantly improved:

(A) the state Department of Transportation and Public Facilities and agencies having similar functions in British Columbia and Yukon have planned and carried out improvements to the highway between Haines Junction and the port of Haines; the road remains the principal access route between the state's population centers in western Alaska and the state capital;

(B) the agencies also have completed construction of the

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Klondike Highway joining Whitehorse and the Alaska Highway in Canada's Yukon to the port of Skagway, opening a second means of road access by Alaskans and residents of Canada to a northern Southeast Alaska port;

(3) to accommodate international and intrastate movement of passengers and goods for the benefit of the residents of the state, there is a need to construct a highway that would provide a direct link between the state capital at Juneau and the existing highways at Haines and Skagway;

(4) recognizing the limitations imposed by topography, the most reasonable, expeditious, and cost effective plan for construction and maintenance of the Lynn Canal Highway Project involves a combination of road, vessel, and ferry terminal construction for the three communities, including

(A) extension of the Haines Highway south from Haines to a point near the south end of the Chilkat Peninsula on the west side of Lynn Canal;

(B) extension of Alaska Highway 7 (Glacier Highway) from its terminus at Echo Cove north of Juneau to a point approximately nine miles north of Comet on the east side of Lynn Canal;

(C) construction of ferry terminals at each of the locations where these highways terminate;

(D) construction of at least two shuttle ferries to move passengers and vehicles between these ferry terminals across Lynn Canal; and

(E) planning and construction of a road on the west side of Lynn Canal to connect the communities of Haines and Skagway;

(5) completion of the Lynn Canal Highway Project would better integrate and further diversify the economies of the communities of northern Lynn Canal, allowing for construction of power transmission and