

ALASKA LEGISLATURE COMMITTEE FILES, 2003-2004 8672

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November 25, 2003

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB392-DOT-CO-2-9-04
 (' Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: DOT&PF
 Title Seat Belt Violation as Primary Offense RDU Administration & Support
 Component Commissioner's Office
 Sponsor Heinze
 Requester Governor's Office Component No. 530

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

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

Estimate of any current year (FY2004) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Because Alaska does not yet have a primary seat belt law, 3% of DOT's federal funding (approx. \$10 million) is diverted to highway safety programs. Currently, these are soft federal sanctions. By having a primary seat belt law, Alaska could avoid the future possibility of hard sanctions.

Prepared by: Nona Wilson
 Division: Legislative Liaison
 Approved by: John MacKinnon, Deputy Commissioner
 Agency: Department of Transportation and Public Facilities

Phone 465-3904
 Date/Time 2/9/04 9:45 AM
 Date 2/9/2004

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB392-ACS-TC-2-5-04
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: _____
 Title Motor Vehicle Safety Belt Violations BRU Alaska Court System
 Component Trial Courts
 Sponsor Representative Heinze
 Requester _____ Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

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

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

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: *(Attach a separate page if necessary)*
 The court system does not anticipate any fiscal impact from the passage of HB 392.

Prepared by: Doug Wooliver Administrative Attorney Phone 463-4750
 Division Alaska Court System Date/Time 2/5/04 12:53 PM
 Approved by: Stephanie Cole Administrative Director by Doug Wooliver Date 2/5/2004
 Agency Alaska Court System

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB392-DPS-ASTD-2-12-04
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Public Safety
 Title Motor Vehicle Seat Belt Violations RDU Alaska State Troopers
 Component AST Detachments
 Sponsor Rep. Heinze
 Requester (H) Trans Component No. 2325

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

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

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

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill will repeal AS 28.05.095(e) that will, in affect, change seat belt violations from a "secondary" violation to a "primary" violation. This will allow law enforcement officers to contact motorists when a seatbelt violation is observed. As the law is now, the officer must have another reason to contact the violator before enforcement action can be taken for the seatbelt violation.

It is anticipated the implementation of this bill will have no fiscal impact on the Department of Public Safety.

Prepared by: Lt. Al Storey Phone 269-4532
 Division: Alaska State Troopers Date/Time 2/12/04 11:44 AM
 Approved by: Commissioner William Tandeske Date 2/12/2004
 Agency: Department of Public Safety

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: HB392-LAW-CDCO-2-6-
 Bill Version: HB392
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: LAW
 Title "An Act relating to motor vehicle safety belt RDU CRIMINAL
violations." Component Criminal Justice Litigation
 Sponsor Representative Heinze
 Requester House Transportation Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
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TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

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

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 This bill repeals AS 28.05.095(e) the effect of which would be to allow a peace officer to stop or detain a motor vehicle to determine compliance with safety belt and child safety devices in motor vehicles.
 Passage of this legislation will have no foreseeable fiscal impact on the Department of Law.

Prepared by: Kathryn A. Daughetee, Director Phone 465-3673
 Division: Administrative Services Date/Time 2/6/04 4:14 PM
 Approved by: Kathryn Daughetee for Gregg D. Renkes, Attorney General Date 2/6/2004
 Agency: Department of Law



Alaska State Legislature

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

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

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

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

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

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

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

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

Signed: LAURIE CHURCHILL

Testifier

SELF

Representing (optional)

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

Address

907-776-3499

Phone number

Alaska State Legislature

Interim:
716 W. 4th Ave., #650
Anchorage, AK 99501-2133

Phone: (907) 269-0160
Fax: (907) 269-0177



Session:
Alaska State Capitol, Rm 1081
Juneau, AK 99801-1182

Phone: (907) 465-4930
Fax: (907) 465-3834
Toll Free: (800) 331-4930
Rep.Cheryll.Heinze@legis.state.ak.us

Representative Cheryll Heinze
District 24 - Anchorage

TO: Representative Jim Holm, Chairman
House Transportation Committee

FROM: Representative Cheryll Boren Heinze

DATE: January 20, 2004

I would request that you schedule HB 392 for a hearing before your committee.

Enclosed are:

1. HB 392
2. Sectional Summary
3. AS 28.05.095
4. Sponsor Statement
5. Letter of Support from Don Smith, Administrator of the Dep. Of Transportation & Public Facilities Alaska Highway Safety Office
6. Letter of Support from Cindy Cashen, Executive Director of MADD Juneau Chapter
5. E-mail of support from Thomas Remaley, Wasilla
6. Insurance Institute For Highway Safety Report on Safety Belt Use Laws
7. Research summary from Legislative research
8. NHTSA's 2001 Report on Toll of Motor Vehicle Crashes
9. NHTSA's 2002 Report on Annual Assessment of Motor Vehicle Crashes
10. Research Summary from Martha Moore, Department of health & Social Services
11. NHTSA & NCSA's 2001 Report on Traffic Safety Facts
12. The National Safety Council's November 2003 Report on Lives Lost by States' Failure to Implement Primary Safety Belt Laws
13. Buckle Up America Click It or Ticket/Operation ABC May 2003 Fact Sheet
14. Department of Transportation Safety Belts and Teens 2003 Report
15. Center for Disease Control and Prevention 2001 chart' of the 10 Leading Causes of Injury Death by Age Group Unintentional Injury Deaths
16. Remarks made September 25, 2000 by Noel C. Bufe, Ph.D. Chairman of the Board of Directors National Safety Council
17. National Safety Council's 2004 Air Bag & Seat Belt Safety Campaign Report
18. Alaska Injury Prevention Center 2003 Report on Seat Belt use in Alaska
19. National Safety Council news release: As Nationwide Seat Belt Crackdown Begins, New Data Underscores Deadly Impact of Failure to Adopt Primary Seat Belt Laws

23-LS1476A
Luckhaupt
1/2/04

HOUSE BILL NO.

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE HEINZE

Introduced:

Referred:

A BILL

FOR AN ACT ENTITLED

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

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

3 *** Section 1. AS 28.05.095(e) is repealed.**

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

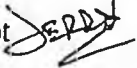
State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

January 26, 2004

SUBJECT: Sectional Summary - HB 392 (Work Order No. 23-LS1476A)

TO: Representative Cheryll Heinze
Attn: Jon

FROM: Gerald P. Luckhaupt 
Legislative Counsel

You have requested a sectional summary of the above-described bill. As a preliminary matter, please note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill - the bill itself is the best statement of its contents.

Section 1 repeals AS 28.05.095(e) which limited peace officers from stopping or detaining someone merely for a seat belt violation unless the peace officer had probable cause to stop or detain the person for another violation.

GPL:med
04-082.med

Alaska State Legislature

Interim:
716 W. 4th Ave., #650
Anchorage, AK 99501-2133

Phone: (907) 269-0160
Fax: (907) 269-0177



Session:
Alaska State Capitol, Rm 1081
Juneau, AK 99801-1182

Phone: (907) 465-4930
Fax: (907) 465-3834
Toll Free: (800) 331-4930
Rep.Cheryll.Heinze@legis.state.ak.us

Representative Cheryll Heinze
District 24 - Anchorage

Sponsor Statement HB 392

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

HB 392 will make failure to wear a safety belt a primary offense.

This legislation allows drivers to be pulled over for driving without a seatbelt instead of only fining drivers if they are pulled over on a separate offense. It repeals AS 28.05.095: (e) In this section "probable cause" is used in reference to violations other than those found in AS 28.05.095 (a).

Last year over 90 Alaskans lost their lives in Automobile crashes. Many of these deaths could have been prevented had the drivers and passengers been wearing seat belts such as deaths resulting from ejection from the vehicle which seat belt are particularly effective in preventing. Ejected occupants are 4 times more likely to be killed in a crash than those who remain in the vehicle. Primary seatbelt laws increase seatbelt usage on average by 15%.

Additionally, people who don't wear seatbelts are less likely to buckle up their children. Six out of every ten children killed in car crashes are unbelted. A restrained driver is three times more likely to restrain a child. After Louisiana passed a primary restraint law for adults, child restraint use went from 45% to 82% even though the laws pertaining to child restraints remained the same.

There are financial benefits to passing a primary restraint law for Alaskans as well. Passing a primary seatbelt law would free up federal highway monies that are being sanctioned due to non-compliance of safety requirements. Also, citizens pay higher health care and insurance costs because of unbelted passengers and drivers. Inpatient hospital care costs for an unbelted crash victim are 50% higher than those for a crash victim who was wearing a seat belt. Eighty-five percent of those costs get spread out among all drivers, instead of just the individuals involved in the crash. It is estimated that each driver who uses a seat belt is paying an additional auto insurance premium of \$40 a year to cover the cost of drivers who don't use seat belts.

Currently 17 states and the District of Columbia have primary seatbelt laws.

MEMORANDUM

State of Alaska

Department of Transportation & Public Facilities
Alaska Highway Safety Office

TO: Jon Bittner
Rep. Cheryll Heinze Office

DATE: January 21, 2004

FILE NO:
TELEPHONE NO: 465-4374
FAX NUMBER: 465-4030

FROM: Don Smith, Administrator

SUBJECT: Primary Seat Belt Law

I am very pleased to see that your office introduced HB 392 on Tuesday to amend AS 28.05.095, the seat belt law, to a primary Seat belt law.

Last year Alaska lost over 90 lives in automobile crashes. Many of these lives could have been saved had the drivers and passengers been wearing their seat belts. At least 7 fatalities were because of ejection from the vehicle. Ejected occupants are 4 times more likely to be killed in a crash as those who remain inside, and they are 14 times as likely to receive cervical spine injuries. These deaths represent millions in lost productivity and property damage as well as incredible suffering for family members. Additionally, hundreds of Alaskans are injured each year as a result of not using seat belts.

Alaska's Seat Belt Cost Analysis Report was recently completed and is attached. The analysis shows that 44% of motor vehicle crash-related hospital costs are borne by the citizens of Alaska. I have also attached three additional fact sheets.

Alaska's Highway Safety Office currently administers federal grants to encourage safe driving behaviors. Our "Click It or Ticket" program is clearly reaching a large percentage of our state's citizens. The program's success brought a 13% increase last year, but still leaves our seat belt use rate at only 79%. National studies have shown that this number goes up to around 90% where a state has a "primary" seat belt law on the books.

Currently 6% (over \$10.4 million) of Alaska's federal highway monies are sanctioned due to non-compliance of safety requirements. Federal legislation is currently being offered that would add another 4% in sanctions for states that do not have a primary seat belt law.

I will begin gathering up some additional information and facts that you can use in the promotion of HB 392. We stand ready to help you in any way that we can.

CC: Commissioner Mike Barton
Director Jeff Ottesen
Region X Administrator Curt Winston



MADD

Activism | Victim Services | Education™

Mothers Against Drunk Driving
JUNEAU CHAPTER
211 4th St., Suite 314
Juneau, AK 99801
Phone (907)463-2562
Fax (907)463-2540
madd@alaska.net
www.madd.org/ak/juneau

January 22, 2004

Representative Cheryl Heinze
State Capitol, room 416
Juneau, Alaska 99801

Re: House Bill 392 /"An Act relating motor vehicle safety belt violations."

Dear Representative Heinze:

On behalf of the MADD Juneau Chapter, thank you for supporting MADD's mission through the creation of House Bill 392.

States with primary enforcement average 80% seat belt usage -- states without average 69%. Primary belt laws increase seat belt usage by eleven percentage points and decrease traffic fatalities by 10%.

For every percentage point the national seat belt usage rate increases, an additional 280 lives are saved per year. Every state but New Hampshire requires its citizens to wear seat belts. Unfortunately, over half of US states, including Alaska, have secondary enforcement laws, meaning that a law enforcement officer has to pull someone over for a different violation and only then is able to write an additional citation for a seat belt violation. This means that officers can pull someone over for a broken taillight, but they can't pull someone over for failing to use the most important piece of safety equipment in the car – the seat belt.

MADD supports HB 392 because it will encourage drivers and their occupants to use seatbelts. The best defense against a drunk driver is to wear your seat belt. Studies have found that states that pass a primary seat belt law increase average seat belt usage by nine to 14 percentage points. This, in turn, decreases crash fatalities by an average of eight percent and decreases the severity of injuries in crashes.

Sincerely,

Cindy Cashen

Executive Director

[Fwd:]

Subject: [Fwd:]

Date: Wed, 28 Jan 2004 13:19:48 -0900

From: Cheryll Heinze <Representative_Cheryll_Heinze@Legis.state.ak.us>

Organization: Alaska State Legislature

To: Jon Bittner <Jon_Bittner@legis.state.ak.us>

Subject:

Date: Wed, 28 Jan 2004 08:11:32 -0900

From: "Thomas Remaley" <remaley@palmerpolice.com>

To: <Representative_Cheryll_Heinze@legis.state.ak.us>

I live in Wasilla and work in Palmer. In reading AS 28.05.095 reference the use of seatbelts, I see that it is required by law, however, police officers can not stop a vehicle solely to address a seatbelt violation. I would ask that you introduce and support a bill to allow officers to address this issue without having to establish some other probable cause to stop the vehicle. After all, if the wearing of seatbelts makes the motoring public that much more safe, why not make it important enough (or less difficult) to enforce?

Thomas Remaley

Attachment E

INSURANCE INSTITUTE FOR HIGHWAY SAFETY DATA INSTITUTE

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SAFETY BELT USE LAWS

State	Effective date	Standard enforcement?	Who is covered? In what seats?	Maximum fine 1st offense	Damages reduced for nonuse?
Alabama	7/18/91	yes; effective 12/9/99	6+ yrs. in front seat	\$25	no
Alaska	9/12/90	no	16+ yrs. in all seats	\$15	yes
Arizona	1/1/91	no	5+ yrs. in front seat; 5 through 15 in all seats	\$10	yes
Arkansas	7/15/91	no	15+ yrs. in front seat	\$25 ^{1,2}	no
California	1/1/86	yes; effective 1/1/93	16+ yrs. in all seats	\$20	no
Colorado	7/1/87	no	16+ yrs. in front seat	\$15	yes ³
Connecticut	1/1/86	yes	4+ yrs. in front seat	\$15	no
Delaware	1/1/92	yes; effective 6/30/03	16+ yrs. in all seats	\$25	no
District of Columbia	12/12/85	yes; effective 10/1/97	16+ yrs. in all seats	\$50 ¹	no
Florida	7/1/86	no	6+ yrs. in front seat; 6 through 17 yrs. in all seats	\$30	yes

State	Effective date	Standard enforcement?	Who is covered? In what seats?	Maximum fine 1st offense	Damages reduced for nonuse?
Georgia	9/1/88	yes; effective 7/1/96	5 through 17 yrs. in all seats; 18+ yrs. in front seat	\$15 ⁴	no
Hawaii	12/16/85	yes	4 through 17 yrs. in all seats; 18+ yrs. in front seat	\$45	no
Idaho	7/1/86	no	4+ yrs. in all seats	\$25	no
Illinois	1/1/88	yes; effective 7/3/03	6+ yrs. in front seat; all in all seats if driver is younger than 18 yrs.	\$25	no
Indiana	7/1/87	yes; effective 7/1/98	4 through 11 yrs. in all seats; 12+ yrs. in front seat	\$25	no
Iowa	7/1/86	yes	6+ yrs. in front seat	\$10	yes ³
Kansas	7/1/86	no	14+ yrs. in front seat	\$10	no
Kentucky	7/15/94	no	more than 40 in. in all seats	\$25	no
Louisiana	7/1/86	yes; effective 9/1/95	13+ yrs. in front seat	\$25	no
Maine	12/26/95	no	18+ yrs. in all seats	\$50	no

Standard Who is covered? In Maximum fine Damages reduced for

State	Effective Date	Requirement	Seat Description	Fine	Notes
Texas	9/1/85	yes	4 through 16 yrs. in all seats; 17+ yrs. in front seat	\$200	no
Utah	4/28/86	no (yes for children <19 yrs.)	16+ yrs. in all seats	\$45	no
Vermont	1/1/94	no	16+ yrs. in all seats (eff. 1/1/04)	\$25 (eff. 1/1/04)	no
Virginia	1/1/88	no	16+ yrs. in front seat	\$25	no
Washington	6/11/86	yes; 7/1/2002	all in all seats	\$37	no
West Virginia	9/1/93	no	9+ yrs. in front seat; 9 through 17 yrs. in all seats	\$25	yes ³
Wisconsin	12/1/87	no	4+ yrs. in front seat; 4 through 15 yrs. in rear seat with shoulder belt	\$10	yes ³
Wyoming	6/8/89	no	5+ yrs. in all seats	\$25 ² driver/\$10 passenger	no

¹These states assess points for violations.

²Arkansas and Wyoming reward belt use by reducing the fine for the primary violation by \$10.

³Under the safety belt defense, Wisconsin allows a maximum 15 percent damage reduction (in Missouri, a maximum 1 percent). In 3 states (Iowa, Michigan, and Nebraska), the damage reduction may not exceed 5 percent. In Colorado, damages may be reduced for pain and suffering only, not economic or medical losses. In West Virginia, an award for medical expenses only may be reduced by no more than 5 percent.

⁴In Georgia, the maximum fine is \$25 if the child is 5-18 yrs. Drivers in Massachusetts may be fined \$25 for violating the belt law themselves and \$25 for each unrestrained passenger 12-16 yrs.

⁵Police are prohibited in South Carolina from enforcing safety belt laws at checkpoints designed for that purpose. However, safety belt violations may be issued at license and registration checkpoints.

Child Restraint, Belt Laws main page

Tables:
Child Restraint Laws
Children Not Covered by Safety Belt or Child Restraint Laws

Legislative Research Services


Alaska State Legislature
Legislative Affairs Agency
Division of Legal and Research Services

State Capitol
Juneau, AK 99801
Phone: 907-465-3991
Fax: 907-465-3908

January 19, 2004

Memorandum

TO: Representative Cheryll Heinze

FROM: Cherie Nienhuis 
Legislative Analyst

RE: Safety Belts Laws and Accident Statistics

You asked for information about motor vehicle accident statistics and safety belt laws. Specifically, you asked us to compare Alaska's motor vehicle fatality statistics with those of states that have primary safety belt laws.

A safety belt law is primary when law enforcement officers are allowed to stop vehicles solely for safety belt violations. Primary safety belt laws contrast with secondary safety belt laws, which allow officers to cite safety belt violations only after stopping vehicles for other infractions. As of fall 2003, 20 states plus the District of Columbia have primary safety belts laws, and 29 states, including Alaska, have secondary safety belt laws.¹

According to information published by the National Highway Traffic Safety Administration (NHTSA), in 2001, 85 fatalities resulted from motor vehicle crashes in Alaska. Approximately 44.3% of the fatally injured vehicle occupants were using restraints (safety belts, child seats, or other restraints). About 62.6% of all Alaska vehicle occupants were observed using restraints in 2001. This number compares with 91.1% of occupants using restraints in California, where a primary safety belt law is in place. Nationwide, NHTSA reports that 41% of all occupants who died in vehicle accidents in 2001 were using restraints, whereas 59% were not.²

The NHTSA's National Center for Statistics and Analysis reports that research has found that safety belts, when used, reduce the risk of fatal injury to front-seat passenger car occupants by 45 percent and the risk of moderate to critical injury by 50 percent. They estimate that in 2001, safety belts saved the lives of 12,144 front-seat passengers who were involved in life-threatening vehicle accidents.³

A study recently conducted by a private safety organization found that motor vehicle occupants are more likely to use safety belts in states with primary safety belt laws. Researchers observed that, on average, during the period from 1995 through 2002, about 15% more vehicle occupants were wearing safety belts in states with primary laws than in those states with secondary laws. The study also concluded that nationwide,

¹ "Child Restraint, Belt Laws as of October 2003," Insurance Institute for Highway Safety, available on-line at http://www.highwaysafety.org/safety_facts/state_laws/restrain.htm; we include a copy as Attachment A.

² "State Traffic Safety Information for Year 2001," National Highway Traffic Safety Administration (NHTSA), October 2002, available on-line at <http://www.nhtsa.dot.gov/STSI/index.cfm?Year=2001>. We include the Alaska section of this publication as Attachment B.

³ "Traffic Safety Facts 2001," National Highway Traffic Safety Administration (NHTSA). We include a copy of this publication as Attachment C.

over 12,000 motorists died during the eight-year period because of their states' failure to implement a primary law.⁴

The Insurance Institute for Highway Safety publishes information about safety belt laws in each state, including whether they are primary (also called "standard"), and what the maximum fines are for first offenses. We include this information as Attachment E.

Additionally, the Alaska Department of Transportation and Public Facilities compiles information about vehicle accidents and safety belt usage in the state. Officials with access to this information, however, are away from Juneau at the current time and unable to respond to our request. As soon as this information becomes available, we will forward it to your office.

I hope you find this information to be useful. Please do not hesitate to contact us if you have questions or need additional information.

⁴ Neil K. Chaudhary, PhD, David F. Preusser, PhD, and the Preusser Research Group, Inc., "Lives Lost by States' Failure to Implement Primary Safety Belt Laws," November 5, 2003. We include a copy of this publication as Attachment D. Although it may be presumptuous to draw a direct correlation between primary safety belt legislation and vehicle accident fatalities, the statistics linking increased safety belt use with primary laws is noteworthy.

Attachment B



Alaska

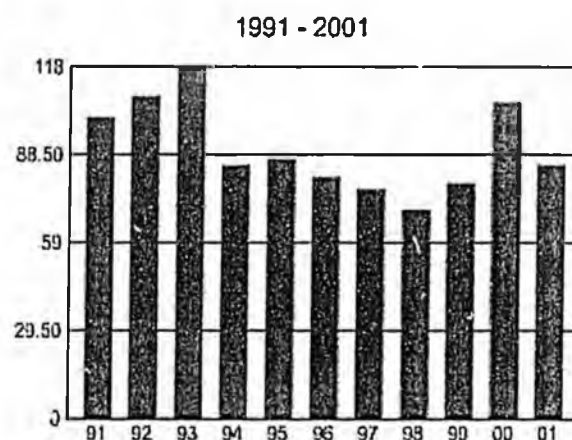
Toll Of Motor Vehicle Crashes, 2001

Change Year 2000 2001

Contents [Next](#)

TOTAL TRAFFIC FATALITIES

2001	Alaska	US	Best State
Fatalities	85	42,116	
Fatality Rate per 100M VMT	1.80	1.51	0.90
Fatality Rate per 100K Population	13.39	14.79	7.48



2000 Economic Cost of Motor Vehicle Traffic Crashes	
Alaska	\$ 0.475 Billion
US Total	\$ 230.568 Billion

	Fatalities in Alcohol-Related Crashes, 2001		Alcohol Related Fatalities, 2001	Passenger Vehicle Occupant Restraint Use Rates, 2001	
	Percentage \geq 0.01 BAC	Percentage \geq 0.08 BAC	Rate per 100 million VMT	Fatally Injured Occupants (Known Use Only)	Observed Use
Alaska	50.0%	46.0%	0.91	44.3%	62.6%
US Total	41.0%	35.0%	0.63	40.5%	73.0%
Best State	23.0%	19.0%	0.29	59.6%	91.1%

Available NHTSA Financial Resources

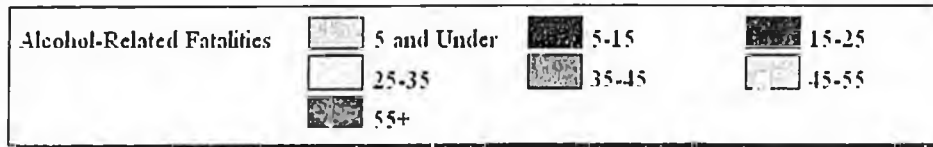
Highway Safety Program Funds

Restraint required < 4 - \$50 Fine plus 2 points

MOTORCYCLES	Motorcycle Rider Deaths				Current Lives Saved by Helmets	Savable at 100%
	Total	Helmeted	Unhelmeted	Unknown		
Alaska	7	0	7	0	0	2

Helmet use required for all operators < 18 and all passengers - \$300 Fine plus 2 points

Alcohol Related Fatalities by County



Alaska					
Fatalities and Fatality Rate per 100 Million VMT					
Year	Fatalities			Fatality Rate	
	Tot	Alc-Rel	%	Tot	Alc-Rel
1982	105	64	61	3.03	1.85
1983	150	88	59	4.47	2.62

Change in Alcohol Related Rates over time, Alaska vs. US		
Time Period	Alaska	US
1982 to 2001	-51%	-62%
Last 10 years	-25%	-32%
Last 5 years	-13%	-11%



People Saving People

<http://www-nrd.nhtsa.dot.gov/pdf/nrd-30/NCSA/Rpts/2003/Assess02BW.pdf>

Passenger Vehicle Occupant Fatalities (All Ages), by Restraint Use*

National Center for Statistics & Analysis



Restraint Use	Year			
	2001		2002	
Persons Killed	32,043	100%	32,598	100%
Restraint Used**	12,992	41%	13,471	41%
Restraint Not Used	19,051	59%	19,127	59%

*Occupant Fatalities whose restraint use was unknown were distributed proportionally to the known use categories. In both years restraint use was unknown for 8% of passenger vehicle occupants.

** Restraint Used = Use of any type of restraint, e.g., lap belt, lap/shoulder belt, child safety seat, etc.

Source: FARS

STATE OF ALASKA

Department of Health & Social Services

Division of Public Health

Section of Community Health and Emergency Medical Services

FRANK H. MURKOWSKI, GOVERNOR

P.O. Box 110616
Juneau, Alaska 99811-0616

Emergency Medical Services
Telephone: (907) 465-3027
Telefax: (907) 465-4101

Health Promotion
Telephone: (907) 465-3140
Telefax: (907) 465-2770

Primary Care
Telephone: (907) 465-3091
Telefax: (907) 465-6861

To: Jon Bittner
Office of Representative Heinze

From: Martha Moore
Trauma Registry Coordinator
Section of Community Health and EMS

Date: January 28, 2004

Subject: HB 392

In 2001, according to the Department of Transportation's Alaska Traffic Accidents Report, unbelted occupants in a motor vehicle crash were 19 times more likely to die than belted occupants, and 12 times more likely to sustain a major injury. Eighty-four percent (84%) of the belted occupants in crashes walked away uninjured, compared with only 60% of the unbelted occupants. There were 42,931 Alaskans involved in car, truck and bus crashes that year. For 11,435 of them use of restraints was unknown.

The Alaska Trauma Registry records outcomes of crash victims injured seriously enough to have been admitted to an Alaskan hospital. Looking at 10 years of data (1991-2000), the patients who were not buckled up at the time of the crash were almost twice as likely to sustain a serious head injury and over one and a half times more likely to be discharged with a permanent disability.

Of the 1,765 patients admitted to the hospital who were not restrained in a motor vehicle crash in the 10-year period, 22% were uninsured and 31% billed a government program for their hospital care (including 172 billing Medicaid). Of the 1,765, there were 90 fatalities, 606 traumatic brain injuries, 274 permanent disabilities, and 148 were discharged from the hospital to a rehabilitation or skilled nursing facility.

By enacting primary safety belt enforcement legislation, Alaska could expect to increase the safety belt wear rate to at least 74% (estimating from national statistics). Using the "BELTUSE" software program put out by the National Highway Traffic Safety Administration, it is estimated that 6 Alaskan lives would be saved per year, 71 major injuries prevented, 51 minor injuries prevented, and over \$12 million dollars in economic savings.

DOT HS 809 474

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

Traffic Safety Facts 2001

Occupant Protection



A Public Information Fact Sheet on Motor Vehicle and Traffic Safety Published by the National Highway Traffic Safety Administration's National Center for Statistics and Analysis

Restraint Use Laws

The U.S. Department of Transportation's July 1984 rulemaking on automatic occupant protection began a wave of legislative action that resulted in the enactment of safety belt use laws in many states. The goal of those laws is to promote belt use and thereby reduce deaths and injuries in motor vehicle crashes.

The first mandatory belt use law was enacted in the State of New York in 1984. As of December 2001, 49 states and the District of Columbia had belt use laws in effect. The laws differ from state to state, according to the type and age of the vehicle, occupant seating position, etc.

In 32 of the states with belt use laws in 2001, the law specified secondary enforcement. That is, police officers are permitted to write a citation only after a vehicle is stopped for some other traffic infraction. Seventeen states and the District of Columbia had laws that allowed primary enforcement, enabling officers to stop vehicles and write citations whenever they observe violations of the belt law.

A 1995 NHTSA study, *Safety Belt Use Laws: An Evaluation of Primary Enforcement and Other Provisions*, indicates that states with primary enforcement safety belt laws achieved significantly higher belt use than did those with secondary enforcement laws. The analysis suggests that belt use among fatally injured occupants was at least 15 percent higher in states with primary enforcement laws.

The first mandatory child restraint use law was implemented in the State of Tennessee in 1978. Since 1985, all 50 states and the District of Columbia have had child restraint use laws in effect. These laws also cover various segments of the population.

Restraint System Effectiveness

Research has found that lap/shoulder safety belts, when used, reduce the risk of fatal injury to front-seat passenger car occupants by 45 percent and the risk of moderate-to-critical injury by 50 percent. For light truck occupants, safety belts reduce the risk of fatal injury by 60 percent and moderate-to-critical injury by 65 percent.

Recent NHTSA analyses indicate an overall fatality-reducing effectiveness for air bags of 12 percent.

Research on the effectiveness of child safety seats has found them to reduce fatal injury by 71 percent for infants (less than 1 year old) and by 54 percent for toddlers (1-4 years old) in passenger cars. For infants and toddlers in light trucks, the corresponding reductions are 58 percent and 59 percent, respectively.

"Safety belts, when used, reduce the risk of fatal injury to front-seat passenger car occupants by 45 percent."

The 1996 NHTSA study, *Crash Outcome Data Evaluation System (CODES)*, linked traffic and medical records in seven states to assess total costs of injury from motor vehicle crashes. The study found that the average inpatient costs for crash victims who were not using safety belts were 55 percent higher than for those who were belted.

Ejection from the vehicle is one of the most injurious events that can happen to a person in a crash. In fatal crashes in 2001, 75 percent of passenger car occupants who were totally ejected from the vehicle were killed. Safety belts are effective in preventing total ejections: only 1 percent of the occupants reported to have been using restraints were totally ejected, compared with 24 percent of the unrestrained occupants.

Air Bags

In 1995, NHTSA revised its method for calculating lives saved by air bags. The estimates in Table 1 reflect this revision.

Air bags, combined with lap/shoulder safety belts, offer the most effective safety protection available today for passenger vehicle occupants.

It is estimated that, as of 2001, more than 120 million air-bag-equipped passenger vehicles were on the road, including 96 million with dual air bags.

In 2001, an estimated 1,816 lives were saved by air bags. From 1987 to 2001, a total of 8,369 lives were saved.

Beginning September 1997 (model year 1998), all new passenger cars were required to have driver and passenger air bags, along with manual lap/shoulder safety belts. The same requirement applies to light trucks beginning in September 1998.

Air bags are *supplemental* protection and are not designed to deploy in all crashes. Most are designed to inflate in a moderate-to-severe *frontal* crash.

Some crashes at lower speeds may result in injuries, but generally not the serious injuries that air bags are designed to prevent. For this and other reasons, lap/shoulder belts should always be used, even in a vehicle with an air bag.

Children in rear-facing child seats should not be placed in the front seat of vehicles equipped with passenger-side air bags. The impact of a deploying air bag striking a rear-facing child seat could result in injury to the child.

Benefits of Child Restraint Use

In 2001, there were 497 passenger vehicle occupant fatalities among children under 5 years of age. Of these 497 fatalities, an estimated 242 (or 49 percent) were totally unrestrained.

Among children under 5 years old, an estimated 269 lives were saved in 2001 by child restraint use. Of these 269 lives saved, 235 were associated with the use of child safety seats and 34 with the use of adult belts.

“Between 1987 and 2001, 8,369 lives were saved by air bags.”

**Lives Lost by States'
Failure to Implement Primary
Safety Belt Laws**

November 5, 2003

Prepared by:

Neil K. Chaudhary, PhD
David F. Preusser, PhD
Preusser Research Group, Inc.
Trumbull, CT

For:

The National Safety Council's
Air Bag & Seat Belt Safety Campaign

OBJECTIVE:

The purpose of this study is to estimate the number of lives lost due to the failure of states to pass primary enforcement safety belt laws. Primary laws allow officers to stop motorists based solely on an observed seat belt violation. Secondary laws allow officers to enforce the safety belt law if and only if the motorist is first stopped for some other violation. In 2002, eighteen states plus the District of Columbia had primary laws (see Table 1). Historically, safety belt use has been higher in "primary states" than in states without primary laws. Figure 1 shows primary versus secondary states based on standard National Highway and Traffic Safety Administration (NHTSA) approved observational studies.

Table 1.
Dates of Primary Law Enactment (Source: NTSB)

State	Enacted	State	Enacted
Alabama	12/09/99	Maryland	10/01/97
California	01/01/93	Michigan	03/10/00
Connecticut	01/01/86	New Jersey	05/01/00
Delaware*	06/30/03	New Mexico	01/01/86
District of Columbia	10/01/97	New York	12/01/84
Georgia	07/01/96	North Carolina	10/01/85
Hawaii	12/16/85	Oklahoma	11/01/97
Illinois*	07/03/03	Oregon	12/07/90
Indiana	07/01/98	Texas	09/01/85
Iowa	07/01/86	Washington	04/02/02
Louisiana	09/01/95		

* Law Changed in 2003

PROCEDURE:

The first step was to determine the likely increase in the safety belt use rate associated with the passage of a primary law. Three methods were used to establish convergent validity.

Effectiveness of Primary Law

State wide observations:

The first estimate used NHTSA verified statewide observations of day-time belt use rates. We compared rates for states with primary laws to states without primary laws for each year starting with

1995 and ending with 2002 (See Table 2). For this analysis, as well as all following analyses, data from the District of Columbia and Indiana were excluded. DC simultaneously implemented a primary law and applied more strict consequences for violation of the law (high fines and points to the license) making it difficult to attribute change in belt use to the primary law alone. IN implemented a primary law in 1999, which was soon after ruled unconstitutional, then reinstated some time later, making it difficult to set a specific date for the onset of the primary law.

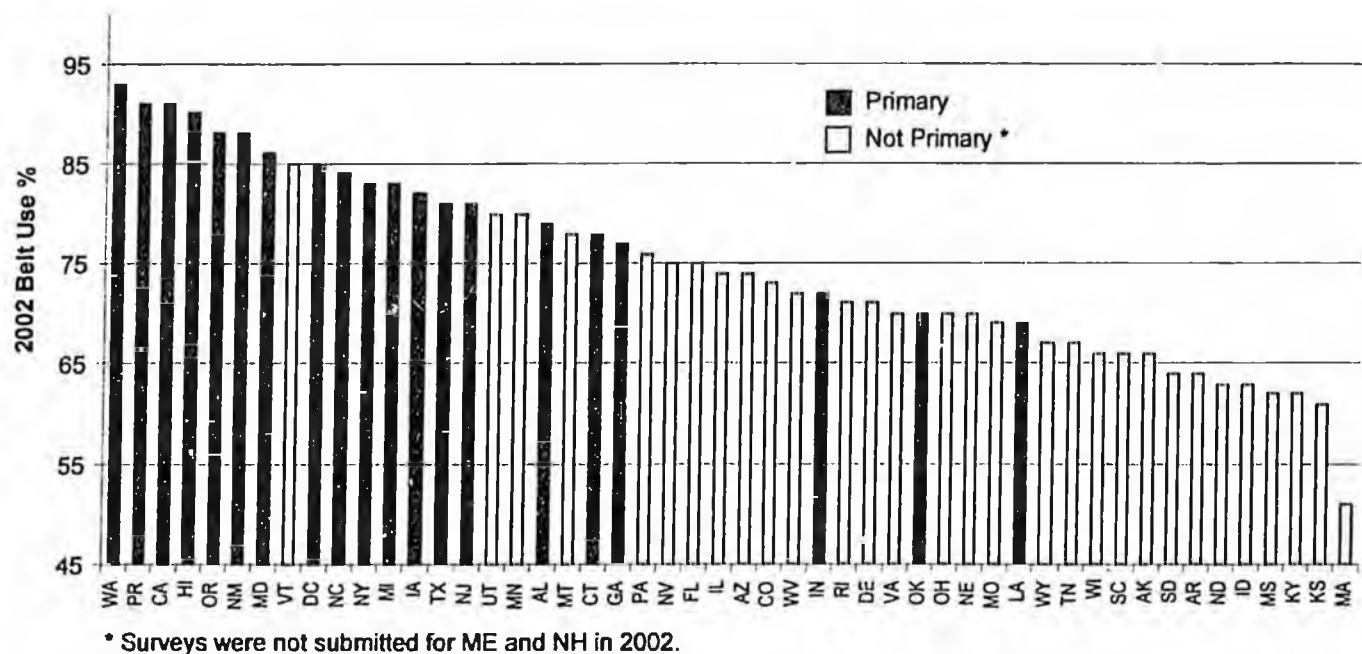


FIGURE 1. Belt use rates in 2002 (Data Source: NHTSA).

Table 2
Statewide Observed Belt Use 1995-2002 for Primary* Versus
Non-primary Law States

	1995	1996	1997	1998	1999	2000	2001	2002	ALL
Primary	75%	74%	75%	78%	79%	79%	81%	83%	78%
not-Primary	60%	59%	60%	61%	63%	65%	67%	70%	63%
Difference	15%	15%	14%	17%	16%	14%	14%	13%	15%

* Excludes DC & IN

The results indicate that front seat occupants in primary states are between 13 and 17 percentage points ($M = 15$) more likely to be properly restrained than those in non-primary states.

FARS data estimations:

The second estimate of the value of primary laws was based on NHTSA's Fatality Analysis Reporting System (FARS); a database of crashes that resulted in at least one fatal injury. Using FARS, we compiled the number of fatally injured front seat occupants, ages 16 and older, of passenger vehicles who were, and were not, wearing safety belts. Theoretically, the number of belted drivers is underrepresented in the FARS database. This is because the proper use of safety belts reduces fatalities preventing the crash from entering the database. Thus, to estimate the number of belted drivers in "Potentially Fatal Crashes" (PFCs) we use the NHSTA estimation that safety belts are 45% effective in reducing fatalities in PFCs for passenger cars and 60% effective for light trucks (including pickups, SUVs and vans). That is, we estimated the number of front seat occupants who were involved in PFC's by hypothesizing that the number of belted drivers who died is 55% of all the belted drivers involved in crashes serious enough to potentially cause a fatality. An additional number of drivers in PFC's did not die because they were wearing seat belts.

We established a percentage of front seat occupants who were belted, and unbelted, in PFC's (see Table 3). Using these estimates, we established that front seat occupants of vehicles involved in PFC's in states with primary laws have 15 percentage point higher belt use than persons in states without primary laws.

Within state estimations:

The third method was to compare observed belt use rates in those states that changed from secondary to primary. Two years of NHTSA verified statewide observed belt use rates prior to the law change for 8 states that changed their laws were compared to the two years after the law change. The year in which the law changed was excluded. The results indicated that observed belt use was, on average, 15 percentage points higher in the two years after than the two years before (see Table 4).

Table 3
Actual and Estimated Safety Belt use rates for Fatal, and
Potentially Fatal Crashes (Data Source: FARS 1995 – 2002)

		Primary*		Not Primary		Difference
		N	Est. Belled	N	Est. Belled	
Passenger Cars	Unbelled Dead	21520		50630		
	Belled Dead	27807		33010		
	Est. Belled Alive	22751		27008		
	Est. Total PFCs	72078	70%	110648	54%	16%
Light Trucks (Pickups, SUVs, Vans)	Unbelled Dead	16381		29320		
	Belled Dead	9069		9199		
	Est. Belled Alive	13604		13799		
	Est. Total PFCs	39054	58%	52318	44%	14%
Combined	Unbelled Dead	37901		79950		
	Belled Dead	36876		42209		
	Est. Belled Alive	36355		40807		
	Est. Total PFCs	106597	66%	158366	51%	15%

* Excludes DC & IN

Table 4
Change in Statewide Observed Belt use Prior to and After Law Changes
(Data Source: NHTSA)

	Years relative to Law Change					Difference
	-2	-1	0	1	2	
CA	48%	50%	59%	59%	67%	
LA	57%	53%	58%	65%	74%	
GA	57%	53%	58%	65%	74%	
MD	70%	70%	71%	83%	83%	
OK	46%	48%	60%	56%	61%	
AL	52%	52%	58%	71%	79%	
MI	70%	70%	84%	82%	83%	
NJ	63%	63%	74%	78%	81%	
	58%	57%	65%	70%	75%	
Means	58%			73%		15

These analyses provided three estimates of effectiveness of primary laws. All three of the methods suggest that belt use was likely to have increased about 15 percentage points had a state adopted a primary safety belt law during the period included in this study (1995 – 2002).

RESULTS

For the present study, we estimate that belt use would have increased an average of 15 percentage points after implementation of a primary law over the 8 year period from 1995 – 2002. Using the estimated 15 percentage point gain in belt use by implementation of a primary law, we estimated how many front seat occupants of passenger vehicles (16 and older) died because their states did not implement a primary law. The estimated effectiveness of the safety belt is 45% for passenger cars and 60% for light trucks. We calculated that since 1995 an estimated 12,177 motorists died because of their states' failure to implement a primary law (see Table 5). The number killed was highest in 1995 and generally decreased in later years as more states switched to primary (See Figure 2). The estimated lives lost per state ranges from 33 in Rhode Island to 1333 in Florida (See Table 6).

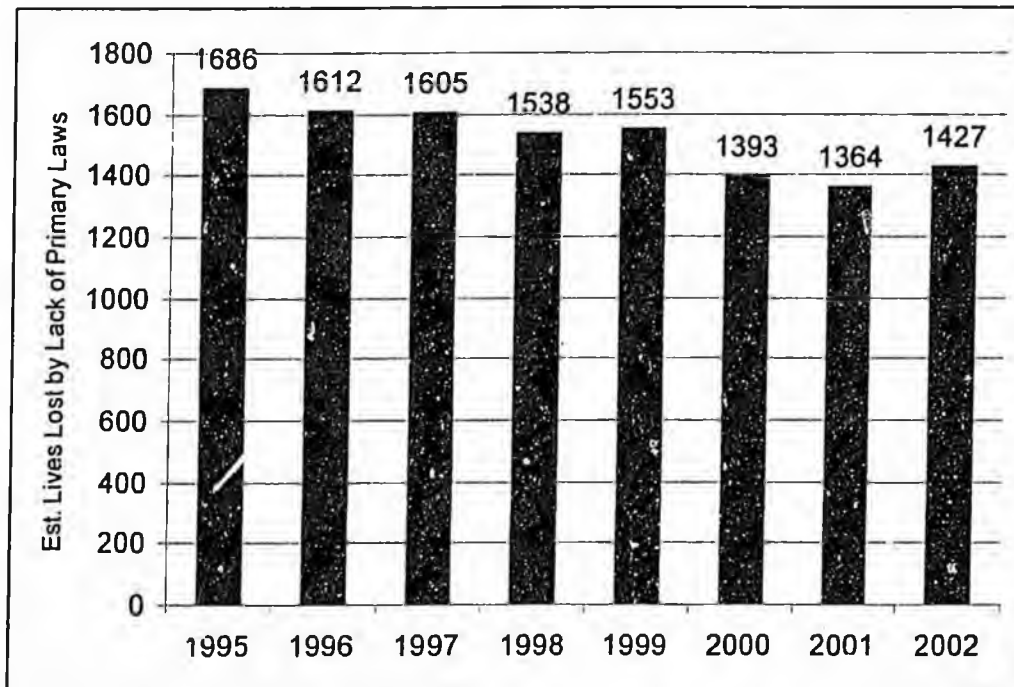


FIGURE 2. Est. Lives lost per year due to no primary enforcement safety belt law.

Table 5
 Est. Lives Lost Due to Lack of Primary Laws (1995-2002)

	States without Primary Laws	If Primary Law	Lives Lost
Unbelted Dead	79950	55505	
Belted Dead	42209	54477	
Est. Belted Survivors	40807	52984	
Total Dead	122159	109982	12177

CONCLUSION

Failure to implement primary laws in all states resulted in more than 12,000 lives were lost during the years 1995 - 2002. If the situation remains the same as in 2002, an estimated additional 1,400 motorists will be killed next year alone.

Table 6
 Est. Lives Lost Due to Lack of Primary Laws by State
 (1995-2002)

State	Est. Lives Lost	State	Est. Lives Lost
Alaska	43	Nevada	169
Arizona	415	New Hampshire	60
Arkansas	316	North Dakota	50
Colorado	357	Ohio	732
Florida	1333	Pennsylvania	667
Idaho	143	Rhode Island	33
Kansas	247	South Carolina	525
Kentucky	482	South Dakota	73
Maine	96	Tennessee	675
Massachusetts	157	Utah	172
Minnesota	314	Vermont	47
Mississippi	481	Virginia	478
Missouri	579	West Virginia	205
Montana	135	Wisconsin	387
Nebraska	134	Wyoming	94



Fact Sheet

SAFETY BELT USE

Of the 31,910 vehicle occupants killed in crashes in 2001, 60 percent were not wearing a safety belt. (The National Highway Traffic Safety Administration, Annual Assessment of Motor Vehicle Crashes, 2001)

Safety belts saved 13,274 lives in 2001, and if all vehicle occupants over age 4 had been wearing safety belts, 7,334 more lives could have been saved, NHTSA estimates. (NHTSA, Traffic Safety Facts Overview, 2001)

Each percentage-point increase in safety belt use represents 2.8 million more people buckling up, 250 more lives saved and 6,400 serious injuries prevented annually, NHTSA estimates. (NHTSA, FY 2003 Performance Plan, 2002)

Safety belt use has increased significantly in the past few years, but more must be done. Safety belt use in the United States rose to 75 percent in 2002 from 58 percent in 1994. (NHTSA, National Occupant Protection Use Survey, June 2002)

RESTRAINT EFFECTIVENESS

Seventy-three percent of the people who were in a fatal crash in 2001 and were restrained survived; of those who were not restrained, only 44 percent survived. (NHTSA, Annual Assessment of Motor Vehicle Crashes, 2001)

In fatal crashes, 75 percent of all passenger car occupants who were totally ejected were killed. Only 1 percent of those occupants had been using a safety belt. (NHTSA, Traffic Safety Facts Overview, 2001)

SAFETY BELTS SAVE LIVES AND MONEY

In the past 26 years, safety belts prevented 135,000 fatalities and 3.8 million injuries, saving \$585 billion in medical and other costs. If all vehicle occupants had used safety belts during that period, nearly 315,000 deaths and 5.2 million injuries could have been prevented — and \$913 billion in costs saved. (NHTSA, Economic Impact of Crashes, 2002)

In 2000, the deaths and serious injuries prevented by safety belts resulted in savings of \$50 billion in medical care, lost productivity and other injury-related costs. (NHTSA, Economic Impact of Crashes, 2002)

Motor vehicle crashes in 2000 cost a total of \$230.6 billion, an amount equal to 2.3 percent of the gross domestic product, or \$820 for every person living in the United States. (NHTSA, Economic Impact of Crashes, 2002)

In 2000, the economic cost to society was more than \$977,000 for each crash fatality and an average of \$1.1 million for each critically injured person. (NHTSA, Economic Impact of Crashes, 2002)

The general public pays nearly three-quarters of all crash costs, primarily through insurance premiums, taxes, delays and lost productivity. (NHTSA, Economic Impact of Crashes, 2002)



ADULTS UNDER 35 AND TEENS

In 2001, 64 percent of all 18- to 34-year-old passenger vehicle occupants who were killed or severely injured in crashes were not wearing safety belts. By comparison, among vehicle occupants age 35 and older who were killed or severely injured in crashes, 48 percent were not buckled up. [Fatality Analysis Reporting System, 2001 Annual Report File (ARF)]

In 2001, 68 percent of the 18- to 34-year-old male passenger vehicle occupants who were killed or severely injured in crashes were not wearing safety belts. Fifty-four percent of the women age 18 to 34 who were killed or severely injured in crashes were not buckled up. [Fatality Analysis Reporting System, 2001 Annual Report File (ARF)]

Motor vehicle crashes are the leading cause of death for people age 15 to 24 in the United States. [National Center for Health Statistics, National Vital Statistics Report, 2002]

In 2001, 63 percent of 16- to 20-year-old drivers and passengers killed or seriously injured in crashes were not wearing a safety belt. [Fatality Analysis Reporting System, 2001 Annual Report File (ARF)]

In 2001, the economic cost of police-reported crashes involving drivers age 15 to 20 was about \$42.3 billion. [NHTSA, Traffic Safety Facts 2001 -Young Drivers]

Male teens continue to lag behind female teens in safety belt use. In 2001, 18.1 percent of high school males said they rarely or never wore a safety belt as a passenger, compared with 10.2 percent of high school females. [Centers for Disease Control and Prevention, Youth Risk Behavior Survey, 2001]

Ninety-four percent of drivers age 16 to 20 said they buckle up to avoid serious injury. Eighty-two percent said they use safety belts because it's the law, and 80 percent do so to avoid a ticket. [NHTSA, Motor Vehicle Occupant Safety Survey, 2000]

MINORITIES

Safety belt use among African Americans rose to 77 percent — increasing to essentially the same level as that of the general population — in 2002, from 69 percent in 2000. More than a quarter of African Americans who did not use safety belts in 2000 used them in 2002.

[NHTSA, National Occupant Protection Use Survey, June 2002]

Motor vehicle crashes are the leading cause of death for African Americans from birth through age 14 and are the second leading cause of death for African Americans 15 to 24 years old. [Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, 1998]

Motor vehicle crashes are the leading cause of death for Hispanics age one to 34 and the third leading cause of death for all Hispanics, surpassed only by heart disease and cancer. [Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, 2000]

In 2001, 16.1 percent of African American teens said they rarely or never used a safety belt as a passenger, compared with 13.6 percent of white teens and 14.5 percent of Hispanic teens. [Centers for Disease Control and Prevention, Youth Risk Behavior Survey, 2001]

Even though African American and Hispanic male teens drive fewer miles than white male teens, they are twice as likely than whites to die in a crash. [Archives Of Pediatric & Adolescent Medicine, 1998]



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Safety Belts and Teens 2003 Report

Teens* have the highest fatality rate in motor vehicle crashes than any other age group.¹ There are many reasons; for instance, while teens are learning the new skills needed for driving, many frequently engage in high-risk behaviors, such as speeding and/or driving after using alcohol or drugs. Studies also have shown that teens may be easily distracted while driving.² One key reason for high traffic fatalities among this age group is that they have lower safety belt use rates than adults.³ Because teens have an increased exposure to potentially fatal traffic crashes, it is imperative that efforts to increase safety belt use among this age group be given the highest priority. In addition, the youth population has increased by more than 12 percent since 1993, and is expected to increase by another seven percent by 2005.⁴ As this age group increases as a percentage of the population, the personal and societal costs associated with deaths and injuries from motor vehicle crashes also will rise.

Teens Are At Risk

- Motor vehicle crashes are the leading cause of death for 15 to 20 year olds in the United States.⁵
- In 2001, 5,341 teens were killed in passenger vehicles involved in motor vehicle crashes. Two thirds of those killed were not buckled up.⁶
- In 2001, 3,608 *drivers* 15 to 20 years old were killed in motor vehicle crashes, and an additional 337,000 were injured.⁷
- When driver fatality rates are calculated on the basis of estimated annual travel, teen drivers (16 to 19 years old) have a fatality rate that is about four times higher than the fatality rate among drivers 25 through 69 years old.⁸
- Many high school students fail to use their safety belts even when riding with adults who are buckled up. An observational survey conducted at 12 high schools found that 46 percent of high school students were not wearing their safety belts when riding with adult drivers. About half of the **unbelted** students were riding with adults who were belted.⁹
- A recent medical study examined motor vehicle fatality exposure rates and found that, per mile traveled, African American and Hispanic male teenagers (13-19 years old) are nearly twice as likely to die in a motor vehicle crash as male teenagers who are white.¹⁰
- Male high school students (18 percent) report that they are more likely to rarely or never use safety

belts compared with female high school students (10 percent).¹¹

Seat Belts Save Lives And Dollars

- In 2001, the estimated economic cost of police-reported crashes involving drivers between 15 and 20 years old was \$42.3 billion.⁷
- Safety belts saved more than 12,000 American lives in 2001. Yet, during that same year, nearly two-thirds (60 percent) of passenger vehicle occupants killed in traffic crashes were unrestrained.¹²
- Research has shown that lap/shoulder belts, when used properly, reduce the risk of fatal injury to front-seat passenger car occupants by 45 percent and the risk of moderate to critical injury by 50 percent. For light truck occupants, safety belts reduce the risk of fatal injury by 60 percent and moderate-to-critical injury by 65 percent.¹³
- Safety belts should always be worn, even when riding in vehicles equipped with air bags. Air bags are designed to work *with* safety belts, not alone. Air bags, when not used with safety belts, have a fatality-reducing effectiveness rate of only 12 percent.¹⁴
- Safety belt usage saves society an estimated \$50 billion annually in medical care, lost productivity, and other injury-related costs.¹⁵
- Conversely, safety belt *nonuse* results in significant economic costs to society. The needless deaths and injuries from safety belt nonuse account for an estimated \$26 billion in economic costs to society annually.¹⁶ The cost goes beyond the lost lives of unbuckled drivers and passengers: We all pay - in higher taxes and higher health care and insurance costs.

Strong Safety Belt Laws Can Make a Difference

- There are two types of safety belt laws: primary and secondary. A *primary* (standard) safety belt law allows law enforcement officers to stop a vehicle and issue a citation when the officer simply observes an unbelted driver or passenger. A *secondary* safety belt law means that a citation for not wearing a safety belt can only be written after the officer stops the vehicle or cites the offender for another infraction.
- Primary safety belt laws are much more effective in increasing safety belt use, because people are more likely to buckle up when there is the perceived risk of receiving a citation for not doing so. In June 2002, the average safety belt use rate in States with primary enforcement laws was 11 percentage points higher than in States without primary enforcement laws.¹⁷ (Safety belt use was 80 percent in primary law States versus 69 percent in States without primary enforcement.)
- Many teens support primary enforcement safety belt laws. In 2000, a nationwide survey was conducted to determine attitudes regarding primary enforcement safety belt laws. Of the more than 500 young people 16 to 20 years of age who were surveyed, 60 percent voiced their support for primary enforcement laws.¹⁸
- Young drivers are more likely to use safety belts in States with a primary safety belt law versus States with a secondary law. The five states that currently have the highest teenage safety belt use are California, Maryland, Michigan, North Carolina, and Oregon. These States have primary safety belt laws that are among the strongest in the nation.¹⁹

Safety Belt Enforcement Programs

- Occupant Protection Selective Traffic Enforcement Programs (sTEPs) are periods of highly visible safety belt law enforcement combined with extensive media support. These programs are a proven method to change motorists' safety belt use behavior and do it quickly. Successful Occupant Protection sTEPs have been documented in Canada, Europe, and the United States.^{20, 21, 22, 23}
- Highly visible enforcement of safety belt laws is at the core of any plan to increase safety belt use; no State or community has ever achieved a high safety belt use rate without strong enforcement of such laws. Strong enforcement of safety belt laws sends the message that the State takes safety belt use laws seriously. Ultimately, this leads to greater compliance.
- Enforcement of safety belt laws is significantly more effective when it is combined with media saturation because the perceived risk of receiving a citation is increased. Research shows that people will buckle up if they believe the police are enforcing the law.
- The "Click It or Ticket" model has been enormously successful in increasing safety belt use at the community, State, and regional level. A "Click It or Ticket Campaign" was fully implemented and evaluated in 10 States in May 2002. This initiative, which involved a partnership between the National Highway Traffic Safety Administration (NHTSA), the Air Bag & Seat Belt Safety Campaign, and hundreds of law enforcement agencies, helped to raise safety belt use an average of nine percentage points among these 10 States. One State, Vermont, experienced a 19 percentage-point increase in safety belt use as a result of the campaign.
- Many jurisdictions in the United States have adopted graduated licensing, a system designed to delay full licensure while allowing beginners to obtain their initial experience under lower risk conditions. There are three stages: a minimum supervised learner's period, an intermediate license, and a full-privilege driver's license after successful completion of the first two stages.²⁴ A good graduated licensing system will have education and enforcement of safety belt laws. For example, in North Carolina, graduated licensing law includes provisions for fines for up to \$100 for safety belt violations by new drivers.

Many Organizations Support Strong Safety Belt Laws for Teens

Many organizations have partnered with NHTSA to help increase the safety belt use among teens because they realize that by doing so, thousands of lives will be saved and millions of injuries will be prevented. These organizations include:

- 100% Drug Free Clubs
- 4-H
- Advocates for Highway/Auto Safety
- American Automobile Association
- American Driver & Traffic Safety Education Association
- American School Health Association
- Aspira Association, Inc.
- Automotive Coalition for Traffic Safety
- Bacchus & Gamma Peer Education Network
- Brain Injury Association
- Center for Substance Abuse Prevention
- Centers for Disease Control & Prevention
- Children's Safety Network
- Circle K International
- Emergency Medical Services for Children

- Emergency Nurses Association
- Family, Career and Community Leaders of America
- Farm Safety 4 Just Kids
- Governors Highway Safety Association
- Insurance Institute for Highway Safety
- International Association of Campus Law Enforcement Administrators
- Mothers Against Drunk Driving
- Maternal & Child Health Bureau
- National Association of School Resource Officers
- National Association of Teen Institutes
- National Campaign to Prevent Teen Pregnancy
- National Children's Center for Rural and Agricultural Health and Safety
- National Commission Against Drunk Driving
- National Criminal Justice Association
- National Peer Helpers Association
- National Parent Teachers Association
- National SAFE KIDS Campaign
- National Safety Belt Coalition/National Safety Council
- National Student Safety Program
- Network of Employers for Traffic Safety
- Pacific Institute for Underage Drinking Enforcement Training Center
- Recording Artists, Actors & Athletes Against Drunk Driving (RADD)
- RADD Kids/Team RADD
- Remove Intoxicated Drivers
- The State and Territorial Injury Prevention Directors' Association
- Street Law, Inc.
- Students Against Destructive Decisions
- Substance Abuse and Mental Health Services Administration
- Think First Foundation
- United National Indian Tribal Youth
- United States Department of Education
- United States Department of Health and Human Services
- United States Department of Justice
- Youth of Virginia Speak Out About Traffic Safety
- YMCA of the United States of America

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*for the purposes of this fact sheet, the term "teen" refers to young people ages 16-20 unless otherwise specified

DOT HS 809 578
March 2003

10 Leading Causes of Injury Death by Age Group – 2001 Highlighting Unintentional Injury Deaths

Rank	Age Groups										Total
	<1	1-4	5-9	10-14	15-24	25-34	35-44	45-54	55-64	65+	
1	Unintentional Suffocation 614	Unintentional MV Traffic 558	Unintentional MV Traffic 660	Unintentional MV Traffic 884	Unintentional MV Traffic 10,513	Unintentional MV Traffic 8,769	Unintentional MV Traffic 6,891	Unintentional MV Traffic 5,422	Unintentional MV Traffic 3,328	Unintentional Fall 11,623	Unintentional MV Traffic 42,443
2	Unintentional MV Traffic 139	Unintentional Drowning 458	Unintentional Drowning 168	Unintentional Drowning 165	Homicide Firearm 4,200	Homicide Firearm 3,308	Unintentional Poisoning 5,036	Unintentional Poisoning 3,547	Suicide Firearm 2,083	Unintentional MV Traffic 7,256	Suicide Firearm 16,869
3	Homicide Other Spec., Class. 117	Unintentional Firearm 250	Unintentional Firearm 164	Suicide Suffocation 163	Suicide Firearm 2,130	Suicide Firearm 2,564	Suicide Firearm 3,030	Suicide Firearm 3,023	Unintentional Fall 1,004	Unintentional Unspecified 5,866	Unintentional Fall 15,019
4	Homicide Unspecified 107	Homicide Unspecified 146	Homicide Firearm 59	Homicide Firearm 121	Unintentional Poisoning 1,362	Unintentional Poisoning 2,507	Homicide Firearm 1,978	Suicide Poisoning 1,439	Unintentional Poisoning 798	Suicide Firearm 3,943	Unintentional Poisoning 14,078
5	Unintentional Drowning 68	Unintentional Suffocation 138	Unintentional Other Land Transport 48	Suicide Firearm 90	Suicide Suffocation 1,235	Suicide Suffocation 1,373	Suicide Poisoning 1,541	Unintentional Fall 1,024	Suicide Poisoning 578	Unintentional Suffocation 3,204	Homicide Firearm 11,348
6	Unintentional Firearm 10	Unintentional Pedestrian, Other 61	Unintentional Suffocation 44	Unintentional Firearm 88	Unintentional Drowning 596	Homicide Transportation-Related 842	Suicide Suffocation 1,534	Suicide Suffocation 952	Unintentional Firearm 390	Adverse Effects 1,995	Unintentional Unspecified 3,216
7	Undetermined Suffocation 47	Homicide Other Spec., Class. 80	Unintentional Fall 33	Unintentional Other Land Transport 83	Homicide Cut/Pierce 481	Suicide Poisoning 753	Undetermined Poisoning 1,121	Homicide Firearm 934	Suicide Suffocation 392	Unintentional Firearm 2,147	Suicide Suffocation 6,198
8	Homicide Suffocation 40	Homicide Firearm 55	Unintentional Pedestrian, Other 26	Unintentional Suffocation 68	Suicide Poisoning 337	Undetermined Poisoning 549	Homicide Transportation-Related 1,061	Undetermined Poisoning 761	Unintentional Unspecified 316	Unintentional Poisoning 722	Unintentional Suffocation 5,555
9	Adverse Effects 26	Homicide Other Spec., NEC 49	Unintentional Attack by or Against 26	Unintentional Firearm 39	Unintentional Fall 268	Homicide Cut/Pierce 472	Unintentional Fall 647	Homicide Transportation-Related 544	Adverse Effects 384	Unintentional Natural/Env. 621	Suicide Poisoning 5,191
10	Unintentional Fall 23	Unintentional Natural/Env. 42	Unintentional Other Transport 22	Unintentional Pedestrian, Other 36	Unintentional Other Land Transport 250	Unintentional Drowning 374	Unintentional Drowning 462	Unintentional Suffocation 461	Unintentional Suffocation 381	Unintentional Other Spec., NEC 578	Unintentional Firearm 3,435

Note: Homicide and suicide counts include terrorism deaths associated with the events of September 11, 2001, that occurred in New York City, Pennsylvania, and Virginia. A total of 2,926 U.S. residents lost their lives in those acts of terrorism in 2001, of which 2,922 were classified as (transportation-related) homicides and 4 were classified as suicides.

Source: National Center for Health Statistics, (NCHS) Vital Statistics Systems.

Produced by: Office of Statistics and Programming, National Center for Injury Prevention and Control, CDC.



Remarks by

**Noel C. Bufe, Ph.D.
Chairman of the Board of Directors
National Safety Council
to the
National Association of Governors' Highway Safety Representatives
Annual Meeting, Biloxi, Mississippi
September 25, 2000**

Thank you for that kind introduction. Thank you, Craig, for inviting me to be with you today. Its always a great personal pleasure for me to renew acquaintances with old friends.

I was asked to speak today about High Risk Groups, how the National Safety Council addresses high risk groups, and what further program or policy development is needed to improve the safety of high risk groups. I am going to address all these issues, but let me give you my bottom line first.

The highest-risk group traveling on the highways today is people not wearing seat belts. The single most important thing we can do nationally and in every state to save lives on our highways is to increase seat belt use. And the most effective way to increase belt use is to enact and strictly enforce primary seat belt laws.

And if you have any question about this, talk to the people from California. Last year, California had its lowest number of highway fatalities in the last 50 years. Think about this. The growth rates of California's population, miles driven on its highways and size of its economy have multiplied by the thousands over the last 50 years. Yet last year, fewer people died on California highways than in any other year since the post-World War II years.

One of the main reasons for this remarkable event is that 90% of Californians wear seat belts. And that high compliance rate is due in large measure to California law enforcement being vigilant and visible in enforcing the state's seat belt laws. And that describes our challenge. We have to place focus, resources and law enforcement priorities on enacting and enforcing primary seat belt laws. Today, nearly one-half of Americans live in states that do not have strong, primary seat belt laws that are as enforceable as other traffic statutes.

Nationally, 71% of Americans use seat belts. That's the highest number ever and a nine percentage point increase in the last two years. That means that your efforts, our efforts, those of other safety organizations, and especially those of DOT, NHTSA, NTSB and state and local law enforcement agencies are making a difference. We are having an impact. But we have a long way to go.

And, in particular, we have a long way to go to protect our most defenseless high-risk group, children. Children don't make the choice to not buckle up or be restrained properly. Adults make those choices for them. And as you know, when it comes to child restraint systems, many adults do not make the right choices for their children.

Last year, 65% of children from birth through age three were properly restrained in vehicles with child safety seats. That means 35% of infants and toddlers are not properly restrained. As unacceptable as that may be, the numbers for children ages 4-8 are far worse. NHTSA reported that about 94% of children ages 4-8 are improperly restrained or not restrained at all. We clearly have a problem with these forgotten children. About 77% of these children are restrained in some way, but most are belted in using lap belts or lap-shoulder belt combinations. However, as we know, children of that age must be restrained in belt-positioning booster seats until they are big enough to fit properly in an adult seat belt. Only five percent of these children are being restrained in this manner.

I believe one reason for this is that there are gaps in state laws that leave children in the ages 4-16 unprotected. Most child restraint laws stop at age four or only apply to front seat occupants. Many states also fail to address the issue of children as passengers in the cargo area of pickup trucks.

The Blue Ribbon Panel established by U.S. Department of Transportation Secretary Rodney Slater recommended the promotion of booster seats for children ages 4 to 8. I would add that promoting and encouraging the use of booster seats may not be enough. As we have seen with adult seat belt use, it often takes strong primary laws and enforcement of those laws to create significant increases in restraint use. In that vein, states ought to be looking at expanding their child restraint laws to include the forgotten children.

These are issues that those of you who administer and manage state and Federal funds must recognize and address. And we are happy to know that NHTSA, through TEA-21, provides many funding sources to address occupant protection. And rest assured that the National Safety Council will support you in your efforts any way we can.

One of our most important priorities is to enhance our Air Bag and Seat Belt Safety Campaign and support Operation ABC mobilizations, in which law enforcement officers write tickets for non-compliance. And we will continue to work with all interested parties to educate people on the proper use of child restraints and to keep children under age 12 in the back seat – out of the way of air bags.

Our concern for children extends through the teenage years, as well, and leads me to talk about the next high-risk group – teenagers. Teen drivers make up seven percent of licensed drivers, but are involved in 16% of police-reported crashes and 14% of all fatal crashes. In 1998, over 6,000 people between the ages of 15 and 20 were killed in motor vehicle crashes, the leading cause of death for this age group.

We believe graduated licensing for teens is an effective way to help teens adjust to the responsibilities of driving. We strongly support graduated licensing in the 35 states that have it. If you are in one of the other 15 states, I strongly encourage you to work to enact such legislation in your state.

No discussion of highway safety would be complete without emphasizing drunk driving. Thirty-eight percent of all motor-vehicle fatalities involve alcohol. The National Safety Council has recommended a return to a high-visibility nationwide enforcement crackdown on drunk drivers. We are encouraging the use of emerging technologies to detect impaired drivers. And we strongly support enacting .08 blood alcohol content legislation in the 32 states that today presume drivers are impaired only at higher levels.

Combining drunk drivers with unbelted children presents us with the highest-risk group of all. A recent study in the Journal of the American Medical Association children found that the highest number of fatalities of any one segment of our population occurred to unbelted children that were passengers in cars driven by drunk drivers.

We are involved in campaigns aimed at changing the behavior of repeat drunk drivers. We also are working with legislators and law enforcement officials to encourage the strengthening and vigorous enforcement of existing impaired-driving legislation and to ensure that sentences for drunk driving are as serious as the offense. We believe a national debate is needed to identify other ways to improve prosecution of drunk drivers and to increase effective sentencing options for repeat offenders.

The final key high-risk group relates to large truck safety. Large trucks represent 3% of registered vehicles, 7% of vehicle miles traveled and 9% of all vehicles involved in fatal crashes. While the number of large trucks involved in fatal crashes per miles traveled is actually going down, the fatality rate is unacceptably high. Driver error or behavior is a major factor in all vehicle crashes, but it is especially true in those involving large trucks.

In two-thirds of all accidents involving large trucks, drivers of other vehicles were cited for infractions. That is why the Council supports the DOT and its Office of Motor Carriers in the "No-Zone" campaign to educate motorists about the proper way to drive around trucks. The Council also is working with all involved parties to conduct a national symposium to discuss all the issues related to truck safety.

The actions and initiatives I've talked about today are part of the National Safety Council's Safety Agenda for the Nation. We issued this Agenda six months ago to address what we believe are the key safety issues in America today. We have not identified every problem and every solution. Instead, we have focused on what we believe to be the most serious injury problems. The ones I spoke about today head the list of our highway-related issues.

And that is a point I want to emphasize today. I believe that it is critical that each of us remember the importance of focus. Most of you at the Federal level, in every state and in various other organizations are involved in a number of important issues that are competing for your and your leaders' time, attention and priorities.

Sometimes, I believe we all must step back and consider the big picture. I believe we must periodically re-check ourselves and ensure that our focus is on the things that save the most lives.

Let me give you an example. Over the last ten years, 103 people have died from incidents involving Firestone tires. That number will probably increase, but I believe we must keep it in context. Over that same time, 90,000 people not wearing seat belts have died on our highways. That's right. About one thousand times more people have died not wearing seat belts than have died because of defective Firestone tires.

We see a lot of state, Federal and in particular, news media attention rightfully being devoted to Firestone tires and Ford Explorers. However, I believe it is always our responsibility as safety professionals to provide context.

Do you think the day will ever come when we see 1,000 times the media attention that has been given to the tire recall given to seat belts, child restraints and the forgotten children? That's our challenge. We have to make it happen.

If you want to remember two things from my talk, and leave here with a renewed focus on the most important issues, then let me emphasize that the first priority would be to strengthen and enforce seat belt and occupant protection laws, with particular focus on those relating to children. A close second priority is to enact and enforce .08 drunken driving laws. I can confidently say that if heightened focus were placed on these issues, and all states passed and enforced these laws, we would see dramatic reductions in highway fatalities.

You know it. I know it. Now we must do what we can to help everyone in your states to know it.

Again, thank you very much for the invitation to be with you today. I hope you have a very informative and productive conference.

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December 16, 2000



Air Bag & Seat Belt Safety Campaign

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The Evidence Is In: Adults Who Don't Buckle Up Have a Dangerous Impact on Children's Safety

Nationwide Crash Data

- Driver restraint use is the strongest predictor of child restraint use.
- A restrained driver is three times more likely to restrain a child.ⁱ

Nationwide Observation Research

- When a driver is **buckled**, restraint use for children (birth to 15) is **87%**.
- When a driver is **unbuckled**, restraint use for children (birth to 15) is **24%**.ⁱⁱ

State Research *

California

- When a driver is **buckled**, restraint use for children is **94%**.
- When a driver is **unbuckled**, restraint use for children is **30%**.ⁱⁱⁱ

Colorado

- When a driver is **buckled**, restraint use for children (birth to 3) is **93%**.
- When a driver is **unbuckled**, restraint use for children (birth to 3) is **56%**.
- When a driver is **buckled**, restraint use for children (4 to 15) is **72%**.
- When a driver is **unbuckled**, restraint use for children (4 to 15) is **11%**.^{iv}

Connecticut

- When a driver is **buckled**, restraint use for children (birth to 3) is **80%**.
- When a driver is **unbuckled**, restraint use for children (birth to 3) is **56%**.^v

Georgia

- When a driver is **buckled**, restraint use for children (birth to 4) is **85%**.
- When a driver is **unbuckled**, restraint use for children (birth to 4) is **15%**.^{vi}

Illinois

- When a driver is **buckled**, restraint use for children is **71%**.
- When a driver is **unbuckled**, restraint use for children is **28%**.^{vii}

Kenbucky

- When a driver is **buckled**, restraint use for children (birth to 15) is **87%**.
- When a driver is **unbuckled**, restraint use for children (birth to 15) is **24%**.^{viii}

Michigan

- When a driver is **buckled**, restraint use for children (birth to 3) is **81%**.
- When a driver is **unbuckled**, restraint use for children (birth to 3) is **52%**.^{ix}

Mississippi

- When a driver is **buckled**, restraint use for children (birth to 4) is **86%**.
- When a driver is **unbuckled**, restraint use for children (birth to 4) is **26%**.^x

New Mexico

- When a driver is **buckled**, restraint use for children (birth to 4) is **79%**.
- When a driver is **unbuckled**, restraint use for children (birth to 4) is **25%**.^{xi}

North Carolina

- When a driver is **buckled**, restraint use for children (birth to 12) is **95%**.
- When a driver is **unbuckled**, restraint use for children (birth to 12) is **44%**.^{xii}

Oklahoma

- When a driver is **buckled**, restraint use for children (birth to 5) is **77%**.
- When a driver is **unbuckled**, restraint use for children (birth to 5) is **19%**.^{xiii}

Washington

- When a driver is **buckled**, restraint use for children (birth to 2) is **97%**.
- When a driver is **unbuckled**, restraint use for children (birth to 2) is **56%**.
- When a driver is **buckled**, restraint use for children (3 to 10) is **89%**.
- When a driver is **unbuckled**, restraint use for children (3 to 10) is **24%**.^{xiv}

ⁱ Agran, Phyllis F., et al. "Factors Associated with Restraint Use of Children in Fatal Crashes." *Pediatrics*, Sept. 1998. (<http://www.pediatrics.org/cgi/content/full/102/3/e39>)

ⁱⁱ "National Occupant Protection Use Survey: Controlled Intersection Study," National Center for Statistics Analysis (U.S. Department of Transportation National Highway Traffic Safety Administration, Washington, D.C.) Aug. 1997.

ⁱⁱⁱ Data obtained by the California Office of Traffic Safety.

^{iv} "Seat Belt and Car Seat Use for Colorado Children: Findings of a Study Conducted by Colorado State University for the Colorado Department of Transportation," Jan. 1998.

^v Preusser Research Group. "Connecticut Belt and Child Seat Observation Data - Wave 1," Study conducted for Connecticut Department of Transportation, May 1997.

^{vi} "Occupant Protection Survey," University of Georgia Cooperative Extension Program, Spring 1997.

^{vii} "Nassirpour, Mehdi and Brad Alewelt, "Child Safety Seat Usage Rate and Its Correlates in Illinois," Illinois Department of Transportation, Division of Traffic Safety, Oct. 1997.

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^x "1997 Child Restraint Survey," Social Science Research Center, Mississippi State University, Oct. 1997.

^{xi} "Birth to 11," New Mexico Office of Epidemiology, Oct. 1997.

^{xii} 1996 crash data, provided by the University of North Carolina Highway Safety Research Center.

^{xiii} Data obtained by the Oklahoma Highway Safety Office, Oklahoma City, Oklahoma.

^{xiv} Saibel, Charlie, Philip Salzberg and Richard Thurston. "Observational Survey of Safety Restraint and Car Safety Seat Use for Children," Washington Traffic Safety Commission Report, June 1995.

* Research includes all states that have reported data to the Air Bag & Seat Belt Safety Campaign to date. Many states do not track or report these data.

June 10, 2003

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Legislation

Primary Seat Belt Laws Save Kids New Messages That Can Redefine the Debate

Primary enforcement seat belt laws allow police to stop and ticket a driver for not wearing a seat belt, just like any other routine traffic violation. Eighteen states and the District of Columbia have enacted these laws. The remaining 31 states have secondary laws that allow law enforcement to ticket a driver for not buckling up only after the person has been stopped, or ticketed, for another violation, and one state does not have any seat belt law.

States with primary laws have seat belt use that is consistently 10 to 15 percentage points higher than secondary law states. States that actively enforce their laws have achieved additional seat belt use increases in the range of 10 to 15 percentage points. These laws work and their effectiveness is easily measured.

Focus group research (including groups with legislators and other opinion leaders) in five U.S. cities shows that the seat belt debate is calcified. The debate revolves around old, familiar arguments that people think they have already heard. Many of these arguments work against passing primary enforcement seat belt laws. And the issue has no urgency. Absent new information, opinion leaders and legislators come to the debate with their minds largely made up.

Research shows the most powerful arguments we have are new and are not widely known or understood. Most important is the fact that adults who don't buckle up are far less likely to buckle kids. Also important, for example in the African American and Hispanic communities, are the facts that crashes are the leading killer of all children including African American and Hispanic children. Car crashes are the second leading killer of African American young men, and support for primary enforcement is higher among African Americans than the population as a whole.

As we have seen in other states - notably Indiana - these and other messages have the power to reinvigorate the debate, generate positive editorial and news coverage, and help produce greater support for action. Before state legislatures begin to debate whether to upgrade seat belt laws in their states, it is important we present legislators and opinion leaders this new information.

Adults who don't buckle up don't buckle up kids. We won't get kids buckled until we get everyone buckled.

Every state has primary enforcement seat belt laws covering children, but still six out of every ten children killed in crashes are unbelted. The evidence is clear...if we are going to protect children in cars we must get adults buckled up. That's right, adults. Research shows that the most effective way to get

adults to wear belts is to pass primary enforcement seat belt laws. And getting adults buckled up truly does get kids buckled up.

- Crashes are the leading killer of children ages 0 to 14.
- A University of California, Irvine study report in the journal Pediatrics found "driver restraint use was the strongest predictor of child restraint use," and "a restrained driver was three times more likely to restrain a child."
- A study conducted by the Ford Motor Company found that when a driver is buckled children riding with them are buckled 94 percent of the time. When drivers are unbuckled, child restraint use plummets to 30 percent.
- After Louisiana passed a primary law, child restraint use rose from 45-82 percent even though the law covering children remained the same.
- The Congressional Black Caucus said increasing belt use among African Americans is an "urgent national health priority."

Primary laws benefit African Americans

Primary seat belt laws get broad support from African American voters. Primary seat belt laws can effectively fight the leading killer of African American kids-car crashes. They must include strong protections against potential harassment and be coupled with a coordinated education effort to alert minority communities to the law and its provisions.

- Motor vehicle crashes are the leading killer of African American children, 0 to 14. Crashes are the second leading killer of African American young men 15 to 24 surpassed only by homicides.
- According to a study conducted by the National Black Caucus of State Legislators and the Air Bag & Seat Belt Safety Campaign, African Americans who live in the states with a primary seat belt law overwhelmingly favor the law by more than a 3-to-1 margin. Less than one-half of one percent of African Americans report race-related harassment problems as a result of their state's seat belt law.
- The National Black Caucus of State Legislators, National Urban League and the Children's Defense Fund support strong laws that increase seat belt use and include safeguards for uniform enforcement.
- There have been no reported incidents of harassment as a result of primary seat belt laws in the 14 states that have enacted them.
- According to the CDC and NHTSA, African Americans report belt use about 10 percent lower than the rest of the population.
- A study conducted by Johns Hopkins University and the Insurance Institute for Highway Safety found African American male teenagers are nearly twice as likely to die in a motor vehicle crash as male teens who are white. The risk to black children ages five to 12 dying in a crash are almost three times as great as that of white children.

- An eight-year study by the American Journal of Public Health offers dramatic evidence of the power of primary enforcement laws to save lives in the African American community. Even among the very hard-to-move group of 18-29 year old African American men, belt use is higher in states with primary laws -- 58 percent versus 46 percent in states with secondary laws.
- A July 1997 survey of 1,000 Americans shows that support for primary seat belt laws among African Americans is extremely strong and higher than support among the population as a whole - 69 percent of African Americans support primary laws versus 61 percent of the population as a whole.
- Support for primary laws among African Americans runs deep - 60 percent say they strongly favor such laws. By a four-to-one margin, African Americans say they are more likely to vote for an elected official who supports primary seat belt laws.

Primary laws benefit Hispanics

- Motor vehicle crashes are the leading killer of Hispanic children, ages 0 to 14.
- A study conducted by Johns Hopkins University and the Insurance Institute for Highway Safety found Hispanic male teenagers are nearly twice as likely to die in a motor vehicle crash as other male teens.
- Hispanic children, ages five to 12, chances of dying in a crash are twice as great as that of other children.

Other compelling reasons to support primary seat belt laws

- We all pay higher health care and insurance costs because of unbelted drivers and passengers. For example, on average, inpatient hospital care costs for an unbelted crash victim are 50 percent higher than those for a crash victim who was wearing seat belt. And society picks up 85 percent of those costs, not the individuals involved in the crash.
- Failure to buckle up contributes to more fatalities than any other single traffic safety-related behavior.
- Everyone would agree that protecting lives with seat belts is at least as important as a broken tail light or littering. Yet, while virtually every state has primary laws that allow enforcement officers to stop and ticket a violator for having a broken tail light or for tossing trash out the window, not all states have primary laws for seat belt use.
- If every state adopted a primary seat belt law, we would save 1,900 lives, prevent 49,000 injuries and save Americans \$3 billion in health care, taxes and insurance costs in just the first year alone.

For more information, contact the Air Bag & Seat Belt Safety Campaign, National Safety Council, 1025 Conn. Ave., NW, Suite 1200, Washington, DC 20036; (202) 625-2570 (tel.); (202) 822-1399 (fax); E-mail: airbag@nsc.org.

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Air Bags

WE ALL PAY ... AND IT COSTS TOO MUCH The High Price of Not Buckling Up

How often do we hear, "It's nobody's business but my own, if I don't wear my seat belt."? How many of us believe the decision to wear or not to wear a safety belt is a personal matter that has no impact on anyone else?

Nothing could be further from the truth. It is our business because the decision of others not to buckle up hits us all right in the pocket book. The people who do the right thing and wear seat belts are paying for those who don't – particularly since many people injured while not wearing a safety belt have inadequate insurance or none at all.

Think about this – the inpatient hospital costs to treat an unbelted crash victim are at least 50 percent or higher than those for belted victims. And society pays 85 percent of those costs – not the individual drivers involved. (See [Note 1](#))

We all pay for:

- more emergency medical services
- more medical treatment and rehabilitation
- higher health care and automobile insurance premiums

Employers are especially hard hit with:

- higher taxes to fund emergency and other medical services
- increased health insurance costs
- higher worker compensation costs
- lost work time and productivity

THE BOTTOM LINE

Costs to the Public

Americans are paying \$14.3 billion per year in injury-related costs for people who don't wear seat belts. On average, those injured pay for less than 30 percent of these total costs. The remaining 70 percent - \$10.1 billion, is paid for by society through higher automobile and health insurance rates and through public assistance programs funded with federal and state tax revenues. (See [Note 2](#))

By increasing seat belt use from the current 63 percent to 90 percent, we would save \$356 million a year in Medicare and Medicaid costs alone. (See [Note 3](#))

It is estimated that each driver who buckles up is paying an additional auto insurance premium of \$40 per year to cover the costs of the drivers who don't buckle up. (See [Note 4](#))

Costs to Employers

One-third of the \$55 billion resulted from off-the-job injuries to workers and their dependents.

On-the-job motor vehicle crashes cost employers almost \$22,000 per crash and \$110,000 per injury.(See Note 5)

Costs to Our Children

Motor vehicle crashes are the leading cause of death among children, taking the lives of more than 2,100 child passengers ages 0 to15 and seriously injuring 327,000 more each year.(See Note 6)

In 1996, almost 60 percent of the children ages 15 and under who died in motor vehicle crashes were unrestrained.(See Note 7)

Adults who don't buckle up often put children at risk as well since they frequently don't ensure their child passengers are buckled up. Plus, because children mirror adult behavior, these adults send children a deadly message that it is all right not to wear a seat belt. Research shows that if a driver is unbuckled in a crash, 70 percent of the time children riding in that vehicle are unbuckled as well. Conversely, when a driver is buckled, 94 percent of the time children riding in that vehicle are buckled. (See Note 8)

THE SOLUTION

Today, despite intensive public education efforts over the past several decades, national seat belt use stands at only 68 percent. The only proven methods to increase seat belt use from current levels are to pass more primary or "standard" laws and enforce them in a highly visible manner. These standard laws allow police to stop and ticket a driver who is not belted just like any other routine traffic violation, such as having a broken tail light.

According to a survey by Public Opinion Strategies, Americans support standard seat belt laws by nearly a two to one margin. Currently, only 17 states and the District of Columbia have standard enforcement belt laws. (See Note 9)

In addition, more states must work to close current gaps in child passenger safety laws. These gaps leave children of certain ages unprotected while riding in vehicles.

The personal and financial benefits to buckling up are concrete. If the nation reaches its goals of 90 percent belt use and a 25 percent reduction in child fatalities by the year 2005, we would prevent more than 5,500 deaths and 132,000 injuries annually and save \$8.8 billion annually.(See Note 10) The bottom line is we will save lives and dollars if more people buckle up. It's a goal worth achieving.

NOTES

(1) NHTSA, National Center for Statistics and Analysis.

(2) NHTSA, Office of Plans and Policy.

(3) Presidential Initiative for Increasing Seat Belt Use Nationwide.

(Washington, DC: U.S. Department of Transportation, April 1997), p. 2.

- (4) Personal communication with Ted Miller, National Public Services Research Institute, November 6, 1997.
- (5) Total Costs to employers by State and Industry. (Washington, DC: U.S. Department of Transportation, December 1996), pp.1-7.
- (6) NHTSA, National Center for Statistics and Analysis.
- (7) NHTSA, National Center for Statistics and Analysis.
- (8) Ford Motor Company. Society of Automotive Engineers, Inc. 1997 Report No. 971550.
- (9) Public Opinion Strategies, 9/97.
- (10) Presidential Initiative for Increasing Seat Belt Use Nationwide. (Washington, DC: U.S. Department of Transportation, April 1997), p.9.

For more information, contact the Air Bag & Seat Belt Safety Campaign, National Safety Council, 1025 Conn. Ave., NW, Suite 1200, Washington, DC 20036; (202) 625-2570 (tel.); (202) 822-1399 (fax); E-mail: airbag@nsc.org.

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National Safety Council

A Membership Organization Dedicated to Protecting Life and Promoting Health

1121 Spring Lake Drive, Itasca, IL 60143-3201

Voice: (630) 285-1121; Fax: (630) 285-1315

August 28, 2000



Air Bag & Seat Belt Safety Campaign

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State by State Breakdown of Child Fatalities, Age 15 and Under, By Restraint Use

State	Unrestrained	Restrained	Unknown	Total
Alabama	23	26	1	50
Alaska	2	4	0	6
Arizona	31	13	5	49
Arkansas	19	19	1	39
California	61	72	17	150
Colorado	25	12	0	37
Connecticut	3	3	1	7
Delaware	2	1	1	4
D.C.	3	1	0	4
Florida	67	22	1	90
Georgia	31	33	19	83
Hawaii	3	1	0	4
Idaho	15	3	0	18
Illinois	26	16	6	48
Indiana	13	18	2	33
Iowa	16	11	2	29
Kansas	22	2	6	30
Kentucky	17	16	0	33
Louisiana	30	8	8	46
Maine	2	2	0	4
Maryland	2	10	2	14
Massachusetts	4	1	3	8
Michigan	19	30	7	56
Minnesota	11	13	3	27
Mississippi	29	15	2	46

Missouri	32	13	5	50
Montana	9	6	1	16
Nebraska	5	4	1	10
Nevada	7	3	0	10
New Hampshire	2	1	2	5
New Jersey	8 7	1 8	16 1	16
New Mexico	23	5	1	29
New York	14	18	1	33
North Carolina	31	36	5	72
North Dakota	1	3	0	4
Ohio	14	24	6	44
Oklahoma	22	19	0	41
Oregon	10	21	1	32
Pennsylvania	27	8	8	43
Rhode Island	2	0	0	2
South Carolina	20	13	2	35
South Dakota	7	4	2	13
Tennessee	27	21	3	51
Texas	121	81	3	205
Utah	13	3	0	16
Vermont	1	1	0	2
Virginia	22	6	0	28
Washington	13	15	2	30
West Virginia	11	6	1	18
Wisconsin	13	17	3	33
Wyoming	7	5	0	12
Total	693	937	135	1,765

Source: F.A.R.S. National Highway Traffic Safety Administration, 2001

June 10, 2003

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State by State Breakdown of Teen Fatalities, Age 16-19 Years Old, By Restraint Use

State	Unrestrained	Restrained	Unknown	Total
Alabama	69	43	0	112
Alaska	6	4	1	11
Arizona	67	9	8	84
Arkansas	46	12	10	68
California	141	181	54	376
Colorado	53	22	0	75
Connecticut	17	12	8	37
Delaware	9	5	0	14
D.C.	1	0	2	3
Florida	150	57	5	212
Georgia	76	58	28	162
Hawaii	8	1	2	11
Idaho	29	8	2	39
Illinois	98	43	24	165
Indiana	62	27	15	104
Iowa	14	26	5	45
Kansas	53	17	5	75
Kentucky	62	23	0	85
Louisiana	65	18	14	97
Maine	16	8	1	25
Maryland	35	33	1	69
Massachusetts	41	8	6	55
Michigan	50	62	13	125
Minnesota	31	15	12	58
Mississippi	57	14	0	71

Missouri	88	32	16	136
Montana	10	4	0	14
Nebraska	10	8	10	28
Nevada	17	7	1	25
New Hampshire	9	3	3	15
New Jersey	40	13	5	58
New Mexico	15	14	0	29
New York	68	60	13	141
North Carolina	64	68	13	145
North Dakota	11	2	0	13
Ohio	102	42	11	155
Oklahoma	58	22	1	81
Oregon	26	16	1	43
Pennsylvania	91	44	29	164
Rhode Island	8	3	0	11
South Carolina	76	26	4	106
South Dakota	12	3	1	16
Tennessee	95	29	3	127
Texas	225	161	8	394
Utah	22	8	3	33
Vermont	3	2	0	5
Virginia	65	37	2	104
Washington	46	24	3	73
West Virginia	22	10	2	34
Wisconsin	42	29	5	76
Wyoming	9	1	0	10
Total	2,490	1,374	350	4,214

Source: F.A.R.S. National Highway Traffic Safety Administration, 2001

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State by State Breakdown of Adult Fatalities, Age 20 and Above, By Restraint Use

State	Unrestrained	Restrained	Unknown	Total
Alabama	345	294	33	672
Alaska	26	19	2	47
Arizona	329	201	71	601
Arkansas	259	94	33	386
California	784	1,093	326	2,203
Colorado	273	172	1	446
Connecticut	94	66	19	179
Delaware	55	32	1	88
D.C.	15	12	14	41
Florida	1,055	645	28	1,728
Georgia	497	395	153	1,045
Hawaii	30	27	10	67
Idaho	100	52	6	158
Illinois	407	266	138	811
Indiana	304	219	76	599
Iowa	143	111	32	286
Kansas	202	79	31	312
Kentucky	405	172	8	585
Louisiana	330	196	68	594
Maine	60	48	15	123
Maryland	169	202	32	403
Massachusetts	150	53	65	268
Michigan	351	388	89	828
Minnesota	212	117	40	369
Mississippi	368	163	13	544

Missouri	452	202	80	734
Montana	114	46	2	162
Nebraska	92	40	21	153
Nevada	124	62	7	193
New Hampshire	45	31	13	89
New Jersey	211	165	20	396
New Mexico	156	102	14	272
New York	334	376	80	790
North Carolina	471	429	88	988
North Dakota	55	19	1	75
Ohio	523	308	72	908
Oklahoma	301	131	2	434
Oregon	107	174	11	292
Pennsylvania	508	255	123	886
Rhode Island	38	11	0	49
South Carolina	445	217	23	685
South Dakota	66	27	5	98
Tennessee	583	242	48	873
Texas	1,151	1,074	39	2,264
Utah	93	66	6	165
Vermont	36	22	3	61
Virginia	356	214	46	616
Washington	208	179	13	400
West Virginia	164	75	6	245
Wisconsin	309	158	41	508
Wyoming	101	39	2	142
Total	14,011	9,780	2,070	25,861

Source: F.A.R.S. National Highway Traffic Safety Administration, 2001

June 10, 2003

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**Alaska Injury
Prevention Center**



Alaska Injury Prevention Center

PO Box 210736
Anchorage, AK 99521-0736
Tel. 907-929-3941
FAX 907-929-3940
Email: asc1@alaska.net

Ju, 2003

Automotive Coalition for Traffic Safety, Inc.
Phil Haseltine
1110 North Glebe Rd., Suite 1020
Arlington, VA 22201

Dear Mr. Haseltine,

I would like to take this opportunity to thank you and the Automotive Coalition for Traffic Safety, Inc. for the opportunity to conduct this desperately needed research of the hospital costs associated with seat belt use in Alaska. The research is already getting statewide recognition as an argument to be used for primary enforcement of seat belt laws.

Fairbanks was the first city in Alaska to pass an ordinance giving police the authority to stop someone for not wearing a seat belt – primary enforcement. There was considerable public backlash over the new ordinance and it was eventually repealed, but the fine for the existing law was significantly increased. Anchorage is now considering a similar municipal ordinance that would allow primary enforcement of seat belt use within the city limits, and the Anchorage Assembly has asked for a summary of our research when completed.

Alaska was recently chosen by the National Highway Safety Administration as one of 13 states to receive special initiatives to reduce our DUI deaths, and to increase our seat belt usage. At 66%, Alaska's seat belt usage rate has improved but is still one of the lowest in the U.S. If we are able to get a primary enforcement law passed (or even ordinances for the major cities), we would expect to see the seat belt usage rate climb to around 80%.

Thanks again for the opportunity to contribute to the pool of scientific knowledge concerning the costs of restraint use in Alaska and for the chance to begin the paradigm shift toward higher usage rates in Alaska.

Ron Perkins, MPH
Executive Director, AIPC

The Alaska Seat Belt Cost Analysis

Introduction

Motor vehicle crashes are the leading cause of death for Americans of every age from 6 to 33 years. Every 13 minutes, someone in America dies in a traffic crash; every 10 seconds, someone is injured. Each year in the U.S., traffic crashes claim about 41,000 lives and result in more than three million injuries. These crashes cost every person in the U.S. an average of \$580 each. The financial costs are minor compared with the pain and suffering of the victims or the loss of a loved one.¹

Dr. Jeffrey Runge, Director of the National Highway Traffic Safety Administration, stated that in the year 2000, at least 41,821 people were killed in motor vehicle related crashes, 5.3 million were injured and 27.6 million vehicles were damaged for a total cost of \$230.6 billion². Dr. Runge also said that failure to wear seat belts led to approximately 9,200 of the deaths and 143,000 of the injuries, costing the U.S. economy \$26 billion each year.

In a 1995 NHTSA study, *Safety Belt Use Laws: An Evaluation of Primary Enforcement and Other Provisions*, showed that states with primary enforcement laws has significantly higher safety belt usage than states with secondary laws. Belt use was about 15% higher in the states with primary enforcement laws.

In 1999, Alaska had the highest unintentional injury death rate of all the 50 states. Of these unintentional injury deaths, motor vehicle related fatalities were over twice as high as the next leading cause.³ Seat belts are the single most effective safety device in preventing serious injuries and reducing fatalities in motor vehicle crashes. Research has shown that lap and shoulder safety belts, when used properly, reduce the risk of fatal injury to front-seat occupants by 45% and the risk of moderate-to-critical injury by 50%. Child safety seats, when properly used for infants, reduced fatalities by 71%.⁴

The purpose of this research project was to quantify the hospital costs associated with seat belt use and non-use in Alaska and to identify what portions of those costs are supported by public funding.

Methods

The Alaska Seat Belt Cost Analysis project used data from the Department of Transportation (DOT) (1990-2001) were used to compare seat belt usage patterns for all Alaskan motor vehicle occupants. The DOT data are taken from police

reports and document seat belt use, property damage, fatalities, time of day, weather conditions, passenger seat belt use, etc.

Another data base, from Medicaid, was explored but found to be of limited use because it didn't track the cause of injury. If the Medicaid data could be linked with DOT and ATR by age, sex, date of injury, etc. we might be able to track some of the long term expenses beyond the hospital stay.

The Alaska Trauma Registry (ATR) documents every trauma case resulting in at least one overnight stay in an Alaskan hospital. The ATR contains information about the length of stay, costs for treatment, source of payment, reported seat belt use, age, sex, severity on injury, etc. The ATR does not contain information about outpatient visits, private physician contacts, chiropractor visits, and their costs for motor vehicle related injuries.

The costs of hospitalization (from the Alaska Trauma Registry) for belted and unbelted occupants, injured in a motor vehicle crash in Alaska, for the years 1996 – 1999 were compared. The hospital costs were analyzed by seat belt use, source of payment, days spent in the hospital, discharge location, and fatalities.

Restraint use terms had to be categorized into either the YES group or the NO group, which was done in the following manner:

<u>YES</u>	<u>NO</u>
Airbag/Safety Belt	Airbag only
Safety Belt	None
Infant/Child restraint	

There were many entries that listed restraint use as UNKNOWN. The case narrative field in the ATR was used to re-categorize a few of the unknowns, but most had to be left as they were.

Results

In a landmark publication, The Cost of Injury in the United States, Rice and MacKenzie⁵ documented motor vehicle related injuries per victim as the most costly of all unintentional injury categories. For example they listed the average cost for each person hospitalized for MV related injuries at \$43,409. Several publications have estimated the loss of productivity or quality of life costs for various types of injury, but for this analysis we chose to analyze only the quantifiable hospital related costs.

Observational surveys completed by the University of Alaska's Institute for Social and Economic Research in 2000 and 2001, showed that 62% and 63% respectively, of the front seat occupants of motor vehicles were wearing seat belts. These statistically valid surveys represent the driving population of the state and are important when looking at seat belt use percentages among victims who are injured, hospitalized, or merely involved in a crash.

According to Alaska DOT data from 1998 through 2000, there was an annual average of 39,613 motor vehicle occupants involved in traffic crashes, and approximately 62 of these occupants lost their lives each year⁶. Only 6% of the occupants were not wearing a restraint, 66% were wearing a restraint, and 28% had unknown restraint use (see Table 1). When all of the cases where restraint use was documented, were analyzed separately, 9% were reported to NOT be wearing a seat belt, while 60% of the fatalities were NOT wearing a seat belt.

Table 1
ALASKA SEAT BELT USE

DOT Data							
1998, 1999, 2000 combined and averaged							
	All MV Occupants	All Occupants Where Seat Belt use documented	All Fatalis	Fatalis Where Seat Belt use documented	Major Injuries	Minor Injuries	No Injuries
No Restraint	6% (7641)	9%	54% (34)	60%	37%	15%	5%
Restraint Used	66% (77936)	91%	37% (23)	40%	49%	74%	65%
Unknown Use	28% (33263)		9% (5)		12%	11%	31%
	39,613 per year		62 per yr				

Once the more seriously injured occupants were admitted to a hospital, the Alaska Trauma Registry provided additional information. Of all the MV occupant hospitalizations, 48% were not wearing a restraint, 43% were wearing a restraint, and 9% had unknown restraint use (see Table 2). When all of the cases where restraint use was documented were analyzed separately, 53% were NOT restrained and of the fatalities who died in the hospital, 56% were NOT restrained.

Table 2
Alaska Trauma Registry Data
 1996 -1999 combined

	All MV Occupant Hospitalizations	Cases with Seatbelt Use documented	Fatals	Fatals with Seatbelt Use documented
No Restraint	48% (887)	53%	49% (30)	56%
Restraint Used	43% (790)	47%	39% (24)	44%
Unknown Use	9% (167)	0%	11% (7)	

Another measure of severity that was used in this analysis was total number of hospital days sorted by restraint use. There is an average of 2,672 days spent in hospitals every year for motor vehicle occupant injuries in Alaska. Of the total hospital days where restraint use was documented, 58% were NOT restrained and 42% were restrained (see Table 3).

Table 3
Hospital Days
 1996 - 1999 average

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

When comparing the AIS (Abbreviated Injury Severity) scores by seat belt use for Alaska, the lowest score of 1 listed 60% of the patients as using their restraints. The most severe injuries, having scores of 5, had the lowest percentage of restraint users at 45%. In 1994, the Federal Highway Administration published a technical advisory report, *Motor Vehicle Accident*, and included the following lifetime injury costs by AIS score:

<u>Severity</u>	<u>Descriptor</u>	<u>Cost per Injury</u>
AIS 1	Minor	\$ 5,000
AIS 2	Moderate	\$ 40,000
AIS 3	Serious	\$ 150,000
AIS 4	Severe	\$ 490,000
AIS 5	Critical	\$1,980,000
AIS 6	Fatal	\$2,600,000

We also looked at where the patient was discharged after their hospital stay, as another indicator of cost and severity. The most severe non-fatal cases, are discharged to "skilled nursing" facilities which typically requires round-the-clock monitoring. There were 13 non-restrained patients discharged to skilled nursing and 6 restrained patients. The hospital costs for these 19 patients before they were discharged were nearly \$1million, of which 77% was from public sources. The greater costs could have come after hospitalization, but we had no way to track those expenditures.

Costs

The costs for hospitalized motor vehicle occupants in Alaska were analyzed by the source of payment data in the ATR. These costs are not to be considered complete, since some of the costs are billed by sources outside of the hospital, such as medical specialists, chronic care facilities, pharmacies, medical and prosthetic equipment, etc. Generally, the costs were paid by one or more of the following sources: Automotive insurance, Private insurance, CHAMPUS insurance for military dependents, Military, Medicaid, Medicare, IHS – for Alaska Native beneficiaries, and Workers compensation insurance.

A research project was recently completed by the Alaska Department of Health and Social Services, Section of Community Health and EMS, which analyzed injuries among Medicaid eligible youth ages 0-20⁷. The report compiled hospital costs for various types of injuries for the years 1995-1999. Motor vehicle occupant injuries cost Medicaid the most money of all the injury categories and revealed some other important information. For motor vehicle occupant injuries among 0-20 year old Medicaid eligible Alaskans:

- The average cost per case was \$20,000.
- Average cost per hospital day was \$3,300.
- Average number of days in the hospital was 6 days per case.
- Total number of Medicaid patients was 83, with a total estimated cost of \$1.6 million.

For the years 1996 – 1999, we analyzed total ATR hospital costs for MV occupant injuries and found that over \$22.2 million was spent on direct medical care. Fifty-nine percent of this total was for people who were not wearing seat belts (see Table 4).

Table 4
Alaska MV Hospital Costs

1996 -1999				
	Total Costs	Total Cases	Average Costs per Case	% of Total
No Restraint	\$13,039,797	534	\$24,419	59%
Restraint Used	\$9,177,849	460	\$19,952	41%

Of the total ATR costs for motor vehicle related hospitalizations, 44% were paid by the general public through programs such as Medicaid, Medicare, Indian Health Service, military, CHAMPUS, and no-pay patients. *Of this 44% paid by the public, 69% of the costs were for unrestrained occupants* (see Table 5).

Table 5
Public Costs for Alaska MV Hospitalizations

1996 -1999				
	Total Costs	Total Cases	Average Costs per Case	% of Total
No Restraint	\$6,514,907	181	\$35,994	69%
Restraint Used	\$3,226,035	263	\$12,266	31%

There is well over \$2.6 million dollars spent each year for beneficiaries of public programs who are hospitalized for motor vehicle related injuries. This number excludes the very costly pedestrian and bicycle victims injured by motor vehicles.

Conclusions

According to the National Highway Traffic Safety Administration, highway traffic fatalities in the U.S. increased slightly in 2002 to an estimated 42,850 people, with an additional 2,914,000 people injured. No single intervention has saved more lives since the 1960's than the seat belt. As with many good interventions, seat

belts are only useful when used properly. Air bags have also saved thousands of lives but are designed to be used in combination with seat belts.

The results of this research project clearly show that using seat belts reduces the number of fatalities, the number of hospitalizations, the severity of injuries, length of stay in the hospital, and the overall cost of hospitalizations. It also shows that 44% of the hospital costs are borne by the general public.

The most effective injury prevention interventions use a combination of Engineering, Education, Environmental modification, and Enforcement:

- **Engineering** examples include air bags, break-away steering wheels, 3-point restraint systems, impact absorbing bumpers/ engine compartments, etc. In the early 1960's, some cars had a feature which required the seat belt to be buckled before the ignition would start. This feature was extremely unpopular and forced the manufacturers to eliminate the interlock device.
- **Education** examples include public service announcements about the value of wearing seat belts, classroom presentations, incentive programs for buckling up, etc. Signs and billboards have very limited effect on increasing seat belt usage.
- **Environmental modification** examples include fencing and lighting highways to reduce moose/car collisions, removing trees from roadsides, making light poles that breakaway at impact, etc. These are very successful in reducing injuries.
- **Enforcement** examples are sobriety checkpoints, saturation patrols, "Click It or Ticket", "You Drink, You Drive, You Lose", and other special enforcement campaigns. Changing laws to provide for primary enforcement of seat belts laws would also increase usage by about 15%.

Enforcement and education initiatives around special events (Memorial Day weekend, 4th of July) tend to be effective for a short period of time, while the public feels vulnerable for getting caught. Ongoing enforcement and education with special emphasis efforts during high crash seasons seems to be the most productive in saving lives.

The Alaska Seat Belt Cost Analysis has been extremely useful in documenting the costs associated with an individual's decision to wear a seat belt or not when traveling our highways. The decision to wear seat belts should be shared by the individual MV occupant as well and the people who pay the bill.

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-
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 - ⁷ Report on Injury Prevention Activities of Community Health and EMS Targeting Medicaid-Eligible Youth,
by Martha Moore and the State Injury Prevention staff, 2003.



NSC News Center

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For Immediate Release, November 17, 2003
Contact: John Chambers at 202.338.8700 or 202.285.0448 (cell)**AS NATIONWIDE SEAT BELT CRACKDOWN BEGINS, NEW DATA UNDERSCORES DEADLY IMPACT OF FAILURE TO ADOPT PRIMARY SEAT BELT LAWS***More than 12,000 Deaths Since 1995 Because States Have Failed To Enact Primary Enforcement Seat Belt Laws Proven To Increase Belt Use*

Washington, D.C. - As more than 12,000 law enforcement agencies begin a nationwide crackdown to enforce seat belt and child passenger safety laws this Thanksgiving holiday, a new study shows that more than 12,000 people have needlessly died due to the failure of states to follow a 1995 National Transportation Safety Board recommendation to enact primary enforcement seat belt use laws. Today, the NTSB reissued that call to states.

"A primary seat belt law is likely to save more lives than possibly any single piece of legislation a state will consider," said NTSB Chairman Ellen G. Engleman. "It is why the Safety Board recommended states adopt these laws in 1995, and why we continue to urge enactment of these laws as a safety priority. It is tragic that 30 states have failed to act to implement this safety countermeasure that costs nothing, but could save so many."

Also see:

- Lost Lives by States' (pdf; 182kb)
- Participating Law Enforcement Agencies (MS Word; 135kb)

Primary seat belt laws enable law enforcement officers to ticket motorists based solely on an observed seat belt violation, just as they do any other motor vehicle law. Primary laws cover 60 percent of the U.S. population. Currently, 29 states have secondary laws (New Hampshire does not have an adult seat belt law), which means officers can only enforce the seat belt law if the motorist is first stopped for some other violation such as speeding.

According to the study released today by the National Safety Council, states that have enacted primary laws since 1995 on average experienced a 15-percentage point increase in belt use. Seat belts are proven to reduce the risk of serious injury or death in a crash by 45 percent, and the study shows 12,177 lives have been lost since 1995 because 30 states have failed to enact the stronger laws.

"We have a vaccine for the leading cause of death for Americans from ages two through 33 - safety belts. Primary safety belt laws are our most effective public policy tool," said Jeffrey W. Runge, M.D., Administrator for the National Highway Traffic Safety Administration. "If all states moved right now to enact them, 1,400 more lives could be saved next year alone in preventable traffic injury."

On November 13, 2003, Chairman Engleman on behalf of the NTSB sent a letter to the governors and legislative leadership of the 29 states with secondary laws and New Hampshire, reminding them of the Safety Board's recommendation and encouraging them to step-up their efforts to enact a primary law in their state.

The national Click It or Ticket Mobilization, which runs from November 17 - 30, is based on a public health model proven to increase belt use, and places specific emphasis on teens and young adults who are least likely to buckle up and most likely to die in a traffic crash.

According to NHTSA, nearly 4,530 teens and young adults, ages 16-19, died in traffic crashes last year and thousands more were injured. Of the 32,519 people killed in crashes in 2002, nearly 60 percent were not wearing a safety belt.

If the situation remains the same as in 2002, the study, conducted by Neil K. Chaudhary and David F. Preusser of PRG Research Group, Inc., estimated an additional 1,400 motorists will be killed next year alone. (State-by-state results are available online, at www.nsc.org)

"Law enforcement officers all over this country are doing a great job saving lives through seat belt enforcement, but in 30 states they are doing it with one hand tied behind their back," said Chuck Hurley, Executive Director of the National Safety Council's Air Bag & Seat Belt Safety Campaign. "We would be saving far more lives if state legislators in the states with secondary laws would respond to the overwhelming majority of voters who support primary laws."

A national survey of 800 Americans conducted by Public Opinion Strategies for the Air Bag & Seat Belt Safety Campaign in May, 2003, showed people in states with secondary laws support enactment of primary laws in their states by a 2-to-1 margin.

"It's especially tragic that teens and young adults are suffering the most as a result of this government inaction," added Hurley. This year, Illinois and Delaware became the 19th and 20th states to pass a primary law respectively.

"At the Naval Safety Center, our job is to look out for all our Sailors, Marines, and civilians," said RADM Brooks. "It's our priority to ensure as safe a working environment as possible, to identify the hazards we all face in both our professional and personal lives, to educate everyone in the vital importance of risk management in everything we do, and to improve readiness. Across our force it's up to the leaders of every Navy and Marine Corps command to promote awareness and set the example, for traffic safety truly is a matter of life and death."

During the Mobilization, law enforcement officers will intensify enforcement of seat belt and child passenger safety laws by setting up checkpoints or saturation patrols across the country. Seat belt violators and drivers failing to restrain their child passengers will be ticketed.

Thanksgiving is one of the most dangerous holidays for motorists. The National Safety Council predicts that 544 people will die and 28,300 people will suffer disabling injuries resulting from traffic crashes during the Thanksgiving holiday period.

"Thanksgiving is a joyous holiday for many Americans, but it is also traditionally one of the deadliest on the roadways," said Lynne Goughler, Vice President of Public Policy at Mothers Against Drunk Driving. "Impaired driving and lack of safety belt usage are the leading killers in automobile crashes, especially during the holiday season."

Mobilizations are conducted twice yearly by the Air Bag & Seat Belt Safety Campaign of the National Safety Council in conjunction with law enforcement agencies, state highway safety offices, NHTSA, the National Transportation Safety Board and MADD. Following the Mobilization in May, 2003, national belt use reached a record high of 79 percent, according to NHTSA.

The Air Bag & Seat Belt Safety Campaign, a program of the National Safety Council, is a public/private partnership of automotive manufacturers, insurance companies, child safety seat manufacturers, government agencies, health professionals and child health and safety organizations. The goal of the Campaign is to increase the proper use of safety belts and child safety seats and to inform the public about how to maximize the lifesaving capabilities of air bags while minimizing the risks.

For additional information about the National Safety Council, visit www.nsc.org.

The National Safety Council is a nonprofit, nongovernmental, international public service organization dedicated to protecting life and promoting health. Members of NSC include more than 45,000 businesses, labor organizations, schools, public agencies, private groups and individuals. Founded in 1913, and chartered by the U.S. Congress in 1953, the primary focus of the NSC is preventing injuries in workplaces,

in transportation and in homes and communities.

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National Safety Council

A Membership Organization Dedicated to Protecting Life and Promoting Health

1121 Spring Lake Drive, Itasca, IL 60143-3201

Tel: (630) 285-1121; Fax: (630) 285-1315

November 25, 2003

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB392-DOT-CO-2-9-04
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: DOT&PF
 Title Seat Belt Violation as Primary Offense RDU Administration & Support
 Component Commissioner's Office
 Sponsor Heinze
 Requester Governor's Office Component No. 530

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

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

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

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 Because Alaska does not yet have a primary seat belt law, 3% of DOT's federal funding (approx. \$10 million) is diverted to highway safety programs. Currently, these are soft federal sanctions. By having a primary seat belt law, Alaska could avoid the future possibility of hard sanctions.

Prepared by: Nona Wilson Phone 465-3304
 Division Legislative Liaison Date/Time 2/9/04 9:45 AM
 Approved by: John MacKinnon, Deputy Commissioner Date 2/9/2004
 Agency Department of Transportation and Public Facilities

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB392-ACS-TC-2-5-04
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: _____
 Title Motor Vehicle Safety Belt Violations BRU Alaska Court System
 Component Trial Courts
 Sponsor Representative Heinze
 Requester _____ Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

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

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

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: *(Attach a separate page if necessary)*
 The court system does not anticipate any fiscal impact from the passage of HB 392.

Prepared by: Doug Wooliver Administrative Attorney Phone 463-4750
 Division: Alaska Court System Date/Time 2/5/04 12:53 PM
 Approved by: Stephanie Cole Administrative Director by Doug Wooliver Date 2/3/2004
 Agency: Alaska Court System

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB392-DPS-ASTD-2-12-04
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Public Safety
 Title Motor Vehicle Seat Belt Violations RDU Alaska State Troopers
 Component AST Detachments
 Sponsor Rep. Helze
 Requester (H) Trans Component No. 2325

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

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

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

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill will repeal AS 28.05.095(e) that will, in affect, change seat belt violations from a "secondary" violation to a "primary" violation. This will allow law enforcement officers to contact motorists when a seatbelt violation is observed. As the law is now, the officer must have another reason to contact the violator before enforcement action can be taken for the seatbelt violation.

It is anticipated the implementation of this bill will have no fiscal impact on the Department of Public Safety.

Prepared by: Lt Al Storey Phone 269-4532
 Division Alaska State Troopers Date/Time 2/12/04 11:44 AM
 Approved by: Commissioner William Tandeske Date 2/12/2004
 Agency Department of Public Safety

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: HB392-LAW-CDCO-2-6-7
 Bill Version: HB392
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: LAW
 Title "An Act relating to motor vehicle safety belt RDU CRIMINAL
violations." Component Criminal Justice Litigation
 Sponsor Representative Heinze
 Requester House Transportation Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
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1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

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

This bill repeals AS 28.05.095(e) the effect of which would be to allow a peace officer to stop or detain a motor vehicle to determine compliance with safety belt and child safety devices in motor vehicles.

Passage of this legislation will have no foreseeable fiscal impact on the Department of Law.

Prepared by: Kathryn A. Daughhete, Director Phone 465-3673
 Division: Administrative Services Date/Time 2/6/04 4:14 PM
 Approved by: Kathryn Daughhete for Gregg D. Renkas, Attorney General Date 2/6/2004
 Agency: Department of Law

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB392-DOT-CO-2-9-04
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: DOT&PF
 Title Seat Belt Violation as Primary Offense RDU Administration & Support
 Component Commissioner's Office
 Sponsor Heinze
 Requester Governor's Office Component No. 530

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

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

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

POSITIONS

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Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Because Alaska does not yet have a primary seat belt law, 3% of DOT's federal funding (approx. \$10 million) is diverted to highway safety programs. Currently, these are soft federal sanctions. By having a primary seat belt law, Alaska could avoid the future possibility of hard sanctions.

Prepared by: Nona Wilson Phone 465-3904
 Division Legislative Liaison Date/Time 2/9/04 9:45 AM
 Approved by: John MacKinnon, Deputy Commissioner Date 2/9/2004
 Agency Department of Transportation and Public Facilities

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB392-ACS-TC-2-5-04
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: _____
 Title Motor Vehicle Safety Belt Violations BRU Alaska Court System
 Component Trial Courts
 Sponsor Representative Heinze
 Requester _____ Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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1005 GF/Program Receipts						
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 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

The court system does not anticipate any fiscal impact from the passage of HB 392.

Prepared by: Doug Wooliver Administrative Attorney Phone 463-4750
 Division: Alaska Court System Date/Time 2/5/04 12:53 PM
 Approved by: Stephanie Cole Administrative Director by Doug Wooliver Date 2/5/2004
 Agency: Alaska Court System

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB392-DPS-ASTD-2-12-04
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Public Safety
 Title Motor Vehicle Seat Belt Violations RDU Alaska State Troopers
 Component AST Detachments
 Sponsor Rep. Heinze
 Requester (H) Trans Component No. 2325

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

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Other (Specify Type-Do not abbreviate)						
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POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)
 This bill will repeal AS 28.05.095(e) that will, in affect, change seat belt violations from a "secondary" violation to a "primary" violation. This will allow law enforcement officers to contact motorists when a seatbelt violation is observed. As the law is now, the officer must have another reason to contact the violator before enforcement action can be taken for the seatbelt violation.

 It is anticipated the implementation of this bill will have no fiscal impact on the Department of Public Safety.

Prepared by: Lt. Al Storey Phone 269-4532
 Division Alaska State Troopers Date/Time 2/12/04 11:44 AM
 Approved by: Commissioner William Tandeske Date 2/12/2004
 Agency Department of Public Safety

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: HB392-LAW-CDCO-2-6-4
 Bill Version: HB392
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: LAW
 Title "An Act relating to motor vehicle safety belt RDU CRIMINAL
violations." Component Criminal Justice Litigation
 Sponsor Representative Heinze
 Requester House Transportation Component No. _____

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

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

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

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: *(Attach a separate page if necessary)*
 This bill repeals AS 28.05.095(e) the effect of which would be to allow a peace officer to stop or detain a motor vehicle to determine compliance with safety belt and child safety devices in motor vehicles.
 Passage of this legislation will have no foreseeable fiscal impact on the Department of Law.

Prepared by: Kathryn A. Daughhete, Director Phone 465-3673
 Division: Administrative Services Date/Time 2/6/04 4:14 PM
 Approved by: Kathryn Daughhete for Gregg D. Renkes, Attorney General Date 2/6/2004
 Agency: Department of Law

HB

438

STATE OF ALASKA

Interim:

119 North Cushman, Rm. 205
Fairbanks, Alaska 99701
(907) 456-7423
Fax: (907) 451-9293

Session:

State Capitol Building
Juneau, Alaska 99801
(907) 465-3466
Fax: (907) 465-2937

REPRESENTATIVE JIM HOLM DISTRICT 9

DATE: February 4, 2004
TO: Representative Jim Holm, Chair
House Transportation Committee
FROM: Representative Jim Holm
RE: HB 438

Please schedule HB 438, MOVE OVER LAW FOR DRIVERS for hearing in the Transportation Committee at your earliest convenience. Back-up materials will be provided shortly.

Thank you very much for your help with this bill.

STATE OF ALASKA
HOUSE OF REPRESENTATIVES
Representative Jim Holm



119 N. Cushman
Fairbanks, AK 99701
TEL 456-7423, FAX 451-9293

State Capitol
Juneau, AK 99801
TEL 465-3466, FAX 465-2937

HB 438
"Move Over Laws For Drivers"
Sponsor Statement

13 FEB 04

"An Act relating to motorists moving over or slowing down for emergency vehicles."

HB 438 can save lives and prevent injury.

All over the country law enforcement, emergency, and fire personnel are putting their lives in danger on the roadways. This bill is an opportunity to improve their safety and their working conditions by requiring motorists to slow down and move over.

If Emergency personnel, as defined by statute, are pulled over on the side of the road with their emergency lights on, drivers will be required to slow down to 20 mph below the posted speed limit or to 5 mph on a road less than 25 mph. On a highway with more than two lanes, the motorist will also be required to occupy the lane furthest away from the emergency personnel unless otherwise directed.

This bill is long overdue. Many other states across the nation are adopting such statutes to ensure the safety of their citizens.

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB438-DPS-ASTD-2-11-04
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Public Safety
 Title Motorists Slowing Down for Emergency Vehs RDU Alaska State Troopers
 Component AST Detachments
 Sponsor Rep. Holm
 Requester (H) Transportation Component No. 2325

Expenditures/Revenues (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

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

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

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: *(Attach a separate page if necessary)*
 This bill will amend AS 28.35.185 to require that drivers slow or move over (depending on conditions) when they approach a stationary emergency vehicle that is displaying flashing lights on a highway or roadway.
 A violation of section AS 28.35.185 resulting in personal injury would be a class A misdemeanor; violations under other circumstances would constitute an infraction.
 This bill will have no fiscal impact on the Alaska State Troopers.

Prepared by: Lt. Al Storey Phone 269-4532
 Division Alaska State Troopers Date/Time 2/11/04 10:23 AM
 Approved by: Commissioner William Tandeske Date 2/11/2004
 Agency Department of Public Safety

OHIO

[§ 4511.21.3] § 4511.213. Duties upon approaching stationary public safety vehicle displaying emergency light.

(A) The driver of a motor vehicle, upon approaching a stationary public safety vehicle that is displaying a flashing red light, flashing combination red and white light, oscillating or rotating red light, oscillating or rotating combination red and white light, flashing blue light, flashing combination blue and white light, oscillating or rotating blue light, or oscillating or rotating combination blue and white light, shall do either of the following:

(1) If the driver of the motor vehicle is traveling on a highway that consists of at least two lanes that carry traffic in the same direction of travel as that of the driver's motor vehicle, the driver shall proceed with due caution and, if possible and with due regard to the road, weather, and traffic conditions, shall change lanes into a lane that is not adjacent to that of the stationary public safety vehicle.

(2) If the driver is not traveling on a highway of a type described in division (A)(1) of this section, or if the driver is traveling on a highway of that type but it is not possible to change lanes or if to do so would be unsafe, the driver shall proceed with due caution, reduce the speed of the motor vehicle, and maintain a safe speed for the road, weather, and traffic conditions.

(B) This section does not relieve the driver of a public safety vehicle from the duty to drive with due regard for the safety of all persons and property upon the highway.

(C) No person shall fail to drive a motor vehicle in compliance with division (A)(1) or (2) of this section when so required by division (A) of this section.

(D) (1) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

(2) Notwithstanding section 2929.28 of the Revised Code, upon a finding that a person operated a motor vehicle in violation of division (C) of this section, the court, in addition to all other penalties provided by law, shall impose a fine of two times the usual amount imposed for the violation.

(E) As used in this section, "public safety vehicle" has the same meaning as in section 4511.01 of the Revised Code.

HISTORY: 148 v H 86. Eff 9-28-99; 149 v. s 123, §1, eff. 1-1-04; 149 v H 490, §/4, eff. 1-1-04.

OHIO

32-31-6.1. Stop required upon approaching stopped emergency vehicle using red signals -- Requirements for approaching vehicles using amber or yellow signals -- Violation as misdemeanor. Upon approaching from any direction any stopped authorized emergency vehicle making use of red visual signals meeting the requirements of this title, the driver of every other vehicle shall come to a complete stop before reaching the stopped emergency vehicle and may, unless otherwise directed, proceed with caution only after ascertaining that it is safe to do so, and upon approaching from any direction any stopped vehicle making use of amber or yellow warning lights, the driver of every other vehicle shall:

(1) If driving on an interstate highway or other highway with two or more lanes traveling in the same direction as the vehicle, merge into the lane farthest from the vehicle and proceed with caution, unless otherwise directed; or

(2) If driving on a two lane highway, slow to a speed that is at least twenty miles per hour less than the posted speed limit or five miles per hour when the speed limit is posted at twenty miles per hour or less and proceed with caution, unless otherwise directed.

A violation of this section is a Class 2 misdemeanor.

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