

ALASKA LEGISLATURE COMMITTEE FILES, 2003-2004 8672

11096 HOUSE TRANSPORTATION

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

Table 2

Alaska Trauma Registry Data
Hospitalizations
 1996 – 1999 Combined

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

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

Table 3

Hospital Days
 1996 – 1999 Average

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

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

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

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

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

Costs

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

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

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

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

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

For the years 1996 through 1999, an analysis of hospital costs documented in the ATR for motor vehicle occupant injuries was undertaken. Only 66% of the patients had medical costs reported in the ATR because several of the hospitals serving federal beneficiaries and a few of the public hospitals did not report costs associated with individuals. Of the cases where costs were reported, over \$22.2 million was spent on direct medical care. When extrapolating average costs per case, the four-year costs were:

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

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

Table 4

Alaska MV Hospital Costs

1996 - 1999

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

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

Table 5

**Public Costs for Alaska MV Hospitalizations
1996 - 1999**

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

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

Conclusions

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

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

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

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

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

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

References

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

Legislative Research Services

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January 16, 2004

Memorandum

TO: Senator Con Bunde
FROM: Cherie Nienhuis 
Legislative Analyst
RE: Primary Safety Belt Laws

You asked about primary safety belt laws in other states. A safety belt law is primary when law enforcement officers are allowed to stop vehicles solely for safety belt violations. This type of law contrasts with secondary safety belt laws, which allow officers to cite safety belt violations only after stopping vehicles for other violations.

As of fall 2003, 20 states plus the District of Columbia have passed primary safety belts laws, and 29 states, including Alaska, have passed secondary safety belt laws.¹ New Hampshire does not have a safety belt law. According to a study completed for The National Safety Council, an estimated 12,177 motorists died since 1995 because of their states' failure to implement a primary safety belt law. The study estimates that, in Alaska alone, 43 lives could have been saved over the eight-year period had state lawmakers passed a primary safety belt law rather than a secondary one.

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 B. We also include, as Attachment C, primary safety belt laws for three states whose laws changed from secondary to primary laws fairly recently.

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

¹ 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 A.

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

November 5, 2003

Prepared by:

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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:

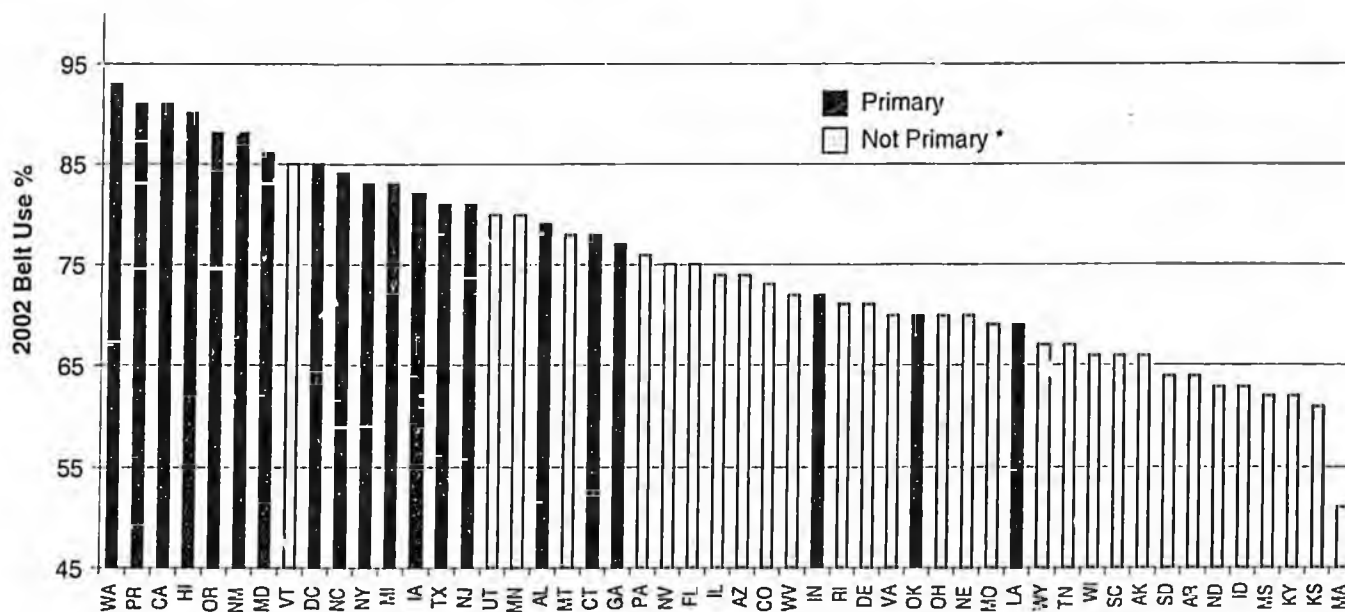
The first step was to determine the likely increase in the safety belt use rate associated with the passage of a primary law. Three methods were used to establish convergent validity.

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.



* Surveys were not submitted for ME and NH in 2002.

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 NHTSA 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		27000		
	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		42219		
	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).

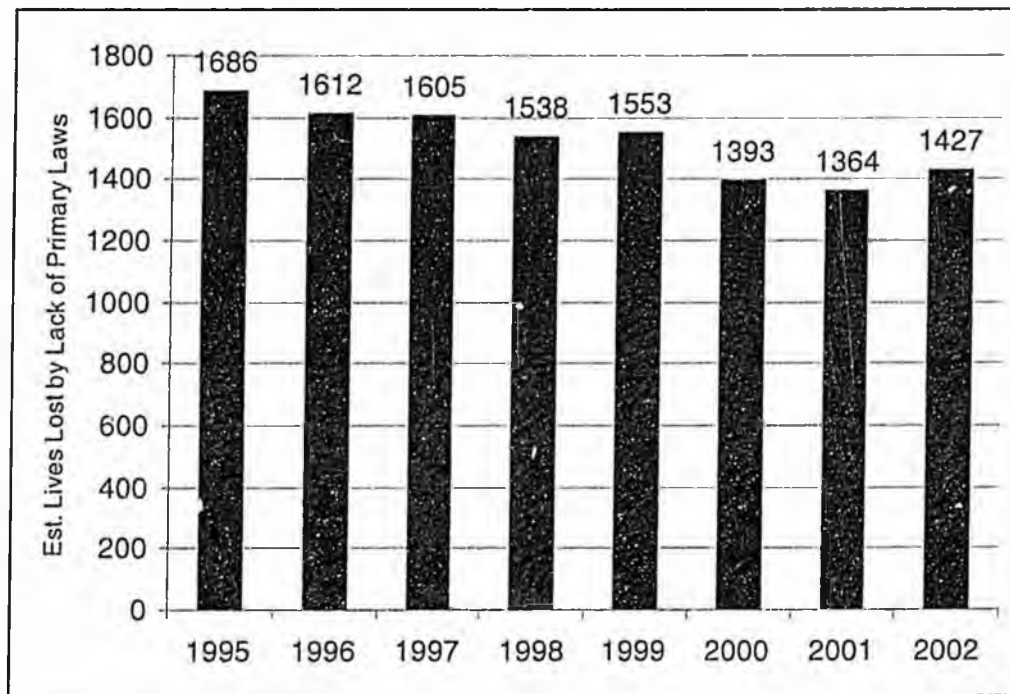


FIGURE 2. Est. Lives lost per year due to no primary enforcement safety belt law.

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



ATTACHMENT B

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	enforcement?	what seats?	1st offense	nonuse?
Maryland	7/1/86	yes; effective 10/1/97	16+ yrs. in front seat	\$25	no
Massachusetts	2/1/94	no	12+ yrs. in all seats	\$25 ¹	no
Michigan	7/1/85	yes; effective 4/1/2000	4+ yrs. in front seat; 4 through 15 yrs. in all seats	\$25	yes ²
Minnesota	8/1/86	no	all in front seat; 3 through 10 yrs. in all seats	\$25	no
Mississippi	7/1/94	no (yes for children <8)	4 through 7 yrs. in all seats/8+ yrs. in front seat	\$25	no
Missouri	9/28/85	no (yes for children <16)	4+ yrs. in front seat; 4 through 15 yrs. in all seats	\$10	yes ³
Montana	10/1/87	no	6+ yrs. in all seats	\$20	no
Nebraska	1/1/93	no	16+ yrs. in front seat	\$25	yes ³
Nevada	7/1/87	no	5+ yrs. in all seats	\$25	no
New Hampshire	n/a	no law	no law	no law	no

State	Effective date	Standard enforcement?	Who is covered? In what seats?	Maximum fine 1st offense	Damages reduced for nonuse?
New Jersey	3/1/85	yes; effective 5/1/2000	7 yrs. and younger and more than 80 lbs.; 8 through 17 in all seats; 18+ in front seat	\$20	yes
New Mexico	1/1/86	yes	18+ yrs. in all seats	\$25 ¹	no
New York	12/1/84	yes	16+ yrs. in all seats	\$50 ¹	yes
North Carolina	10/1/85	yes	16+ yrs. in front seat	\$25	no
North Dakota	7/14/94	no	18+ yrs. in front seat	\$20	yes
Ohio	5/6/86	no	4+ yrs. in front seat	\$30 driver/\$20 passenger	yes
Oklahoma	2/1/87	yes; effective 11/1/97	all in front seat	\$20	no
Oregon	12/7/90	yes	16+ yrs. in all seats	\$75	yes
Pennsylvania	11/23/87	no	8 through 17 yrs. in all seats; 18+ yrs. in front seat	\$10	no
Rhode Island	6/18/91	no (yes for children <13)	7+ yrs. in all seats	\$57	no

State	Effective date	Standard enforcement?	Who is covered? In what seats?	Maximum fine 1st offense	Damages reduced for nonuse?
South Carolina	7/1/89	no (yes for children <18 yrs.) ⁵	6+ yrs. in front seat; 6+ yrs. in rear seat w/lt shoulder belt	\$10	no
South Dakota	1/1/95	no	5+ yrs. in front seat	\$20	no
Tennessee	4/21/86	no	4+ yrs. in front	\$10	no

State	Effective Date	Requirement	Age Group	Fine	Points
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.

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[Children Not Covered by Safety Belt or Child Restraint Laws](#)



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



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

February 11, 2004
(Senate)

STATEMENT OF ADMINISTRATION POLICY
S. 1072 - Safe, Accountable, Flexible, and Efficient Transportation Equity Act
(Senator Inhofe (R) Oklahoma and 3 cosponsors)

The Administration supports enactment of a six-year highway, highway safety, and transit authorization bill and procedural efforts that would limit consideration of extraneous amendments and bring the bill to an up or down vote. Such a multi-year authorization would provide States and localities with predictable funding that enhances long-term transportation planning. The Administration's proposal, as modified by the President's FY 2005 Budget, would provide \$256 billion over six years, an historically high level of investment for highways and transit. This proposal represents a \$45 billion, or 21 percent, increase over the Transportation Equity Act for the 21st Century (TEA-21), the six-year bill enacted in 1998.

The Administration believes that surface transportation reauthorization legislation should exhibit spending restraint and adhere to the following three principles: (1) transportation infrastructure spending should not rely on an increase in the gas tax or other Federal taxes; (2) transportation infrastructure spending should not be funded through bonding or other mechanisms that conceal the true cost to Federal taxpayers; and (3) highway spending should be financed from the Highway Trust Fund, not the General Fund of the Treasury. All spending for highways should be authorized and appropriated from the Trust Fund and derived from taxes imposed on highway use, thereby maintaining the link between Trust Fund revenues and highway spending.

However, the bill pending before the Senate authorizes: \$262 billion on highways and highway safety, which is \$50 billion above the President's request, and \$56 billion on mass transit, which is \$12 billion above the President's request. In total the Senate bill authorizes \$318 billion in spending on highways, highway safety, and mass transit over the next six years, a full \$62 billion above the President's request for the same period.

The Administration's proposed authorization level of \$256 billion over six years is consistent with the three principles listed above. We support a responsible six-year bill and support many of the provisions contained in this legislation. However, we oppose S. 1072 and the pending substitute because their spending levels are too high and they violate these principles discussed above. Accordingly, if legislation that violates these principles (such as this legislation, which authorizes \$318 billion) were presented to the President, his senior advisors would recommend that he veto the bill.

In addition, the Administration opposes inclusion in a surface transportation bill of unrelated provisions regarding Amtrak. Any legislation regarding the future of Amtrak should be considered separately and should provide for meaningful reforms, such as those proposed by the Administration. If surface transportation legislation containing such provisions were presented to the President, his senior advisors would recommend that he veto the bill.

The Administration wants to work closely with Congress to achieve an acceptable bill and recommends attention to the following areas.

Safety. The Administration appreciates the creation of a new Highway Safety Improvement Program (HSIP) and a strong safety belt incentive program, but believes the bill should also require States that have not enacted primary safety belt laws or achieved safety belt use rates of 90 percent to spend no less than 10 percent of core highway safety construction HSIP funds on behavioral safety projects eligible under the Section 402 program. In addition, the Administration opposes limiting a State's flexibility to use HSIP funds by requiring mandatory set-asides for rail-highway grade crossings or safe routes to schools. The Administration believes that several programs of the National Highway Traffic Safety Administration (NHTSA) should be consolidated and a portion of those funds should be used to reward States that aggressively reduce fatalities in the manner proposed by Section 2001(a) of the Administration's proposal. Also, language similar to that included in the Administration's proposal on providing for NHTSA-administered highway safety data grants should be added to help States improve their data to reasonable standards.

Environmental Provisions. The Administration opposes substantially broadening the list of eligible projects for Congestion Mitigation and Air Quality (CMAQ) funding because many of these new projects would have minimal air quality benefits. Eligibility for CMAQ funds should be limited to projects that achieve air quality benefits, particularly because the number of Clean Air Act nonattainment areas, which need this type of funding, will increase. The Administration believes that the bill should improve project delivery while protecting our environment. The bill should include a 180-day statute of limitations for legal challenges following final agency approval of highway and transit projects. This limit is necessary to reduce litigation uncertainty that can impede project development for years. The bill should also avoid adding new requirements to the transportation planning process, and integrate the transportation planning process with other environmental review processes to reduce redundancies.

With respect to project review under the National Environmental Policy Act, the bill should clarify the authority of State and local governments to be joint lead agencies, with the U.S. Department of Transportation, in preparing environmental documents. The Administration also notes that section 1511 is inconsistent with the President's proposal in SAFETEA, and encourages the Senate to adopt the President's proposal.

The Administration also believes that the bill should clarify standards pertaining to public park and recreation lands, wildlife and waterfowl refuges, and historic sites -- commonly referred to as "Section 4(f)." A clarification of the Section 4(f) definition of "prudent" is needed to forestall confusing standards applied unevenly by the Federal Courts of Appeals. In addition, the bill should address the overlap between Section 4(f) and Section 106 of the National Historic Preservation Act to decrease project delays and uncertainty.

In addition, the Administration believes that the bill should not include a mandatory two percent set-aside from the Surface Transportation Program (STP) to support a highway stormwater discharge mitigation program. Stormwater discharge mitigation costs are already eligible under STP.

New Regulatory Mandates. The Administration strongly opposes the numerous

mandated rulemakings for NHTSA and the FMCSA. These provisions predetermine timetables and outcomes without adequate grounding in science, engineering and proof of net safety benefits. By prescribing specific requirements and mandating priorities, these provisions will delay or interfere with ongoing safety initiatives and may have the unintended consequence of redirecting agency resources away from programs that will do more overall good for safety. The Administration also objects to the inclusion of: (1) costly and burdensome provisions of the bill requiring FMCSA to issue medical certificates to 6.5 million commercial drivers while limiting the performance of medical examinations to physicians alone; and (2) the bill's expansion of hours-of-service safety exemptions.

Financing and Freight Mobility. The Administration appreciates the bill's expansion of the Transportation Infrastructure Finance and Innovation Act (TIFIA) loan program by lowering the project threshold and broadening the list of eligible projects to include freight projects. However, the Administration opposes removing the TIFIA program requirement that a borrower have a dedicated source of revenue for repaying its TIFIA loan. Likewise, the Administration opposes allowing railroads to use Federal grants to pay the credit risk premium or repay Railroad Rehabilitation and Improvement Financing loans.

The Administration supports amending the bill to give States the ability to manage congestion and raise additional revenue by allowing drivers of single occupant vehicles to use High Occupancy Vehicle lanes by paying tolls. The Administration also supports amending the bill to provide States flexibility to implement variable tolls on interstates for congestion management or air quality improvement purposes. In addition, the Administration supports amending the bill to incorporate the Administration's proposal to amend the Internal Revenue Code to permit the issuance by State and local governments of "private activity bonds" for highways and surface freight transfer facilities.

Public Transportation Programs. Aside from concerns about overall funding levels, the Administration is pleased that the bill includes provisions to improve human service transportation coordination and expand the "New Starts" program, but is disappointed by the omission of a performance incentive program to reward transit agencies based on increases in transit ridership.

Accountability and Oversight. The Administration is pleased that the bill includes stringent project management and financial plan requirements which were requested by the Administration. Improved accountability and focused oversight by the Federal Highway Administration will help maximize the effective use of available funds.

Funding Firewalls and Guarantees. The Administration supports a separate category or "firewalls" for determining the level of spending from the Highway Trust Fund, but only in the context of the Administration's proposal for annual statutory limits on discretionary spending. In addition, the Administration does not propose the creation of "firewalls" for general fund spending on such critical areas as defense and homeland security, and therefore opposes such treatment for general fund spending on mass transit programs.

Byrd Test Change. The Administration opposes weakening the Byrd Test to compare spending authority to current resources plus four years, rather than two years, of estimated future revenue. The Byrd Test was established at the creation of the Highway Trust Fund in 1956 to

ensure that future revenues would be sufficient to cover outstanding spending authority. The Byrd Test has been successful in ensuring the Highway Trust Fund's solvency for nearly 50 years, and modification could allow levels of spending that cannot be sustained by estimated revenues to the Highway Trust Fund.

Park Roads. The Administration supports the funding level for park roads, but opposes the provisions of section 1806 of the bill that establish a park funding priority system that would reduce the Administration's ability to implement the President's Park Legacy Program. Allocation of park road funding should be consistent with the sound asset management approach on which the President's Park Legacy Program is based and which is currently used by the National Park Service, in a manner that will best address the needs of all parks, not just a few.

Cross-Border Transportation. The Administration opposes the bill's provisions defining foreign trucks and buses engaged in the cross-border transportation of cargo and passengers into the United States as "imports." Existing statutory provisions already address cross-border transportation safety, and the revised definition would significantly disrupt the almost \$2 billion daily cross-border movement of goods.

MAGLEV. The Administration opposes the continued authorization of funding for Magnetic Levitation Transportation Technology Deployment (MAGLEV). The Administration's SAFETEA proposal did not seek funding for MAGLEV and believes funds can be better spent investing in the Nation's public transportation systems.

Budget Estimates and Enforcement

This bill would affect direct spending and receipts. It is critical to exercise responsible restraint over Federal spending in a manner that ensures deficit reduction and the Administration looks forward to working with Congress to control the cost of this bill. The Budget Enforcement Act's pay-as-you-go requirements and discretionary spending caps expired on September 30, 2002. The President's FY 2005 Budget includes a proposal to extend the discretionary caps through 2009, a pay-as-you-go requirement that would be limited to direct spending, and a new mechanism to control the expansion of long-term unfunded obligations. OMB's cost estimate of this bill currently is under development.

* * * * *



THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

April 2, 2004

The Honorable Con Bunde
Alaska State Senate
State Capitol, Room 506
Juneau, AK 99801-1182

Dear Senator Bunde:

In 2002, 42,815 Americans died on our Nation's roads and over 18,000 of them were not wearing safety belts. In Alaska, 54 people died as passenger vehicle occupants, while 24 were not wearing a safety belt. Wearing a safety belt would have saved the lives of half of those people. In addition to the waste of life, not wearing belts cost our country about \$20 billion last year in total economic loss.

I commend your leadership in supporting a primary safety belt law that will help Alaska achieve a 90 percent belt use rate. In the Bush Administration's Safe, Accountable, Flexible and Efficient Transportation Equity Act of 2003 transportation reauthorization proposal, States receive a significant incentive if they get their safety belt use rate to 90 percent or enact a primary enforcement law. For Alaska, that would mean \$3.9 million to use on a wide range of transportation needs, including safety infrastructure repairs.

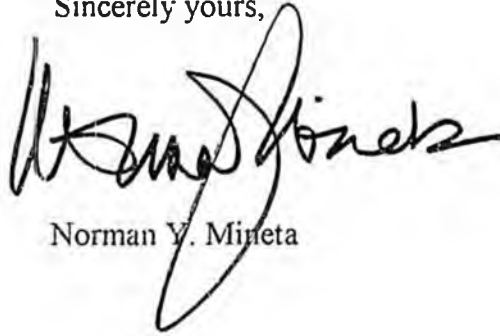
The plan to reward States for excellence in safety belt use is consistent with the Bush Administration's priority of respecting state authority to make their own laws. Our proposal rewards States for taking the necessary actions to save lives through increased safety belt use rates. We are firmly committed to the idea of providing States with incentives to increase safety belt use.

There are obvious benefits to achieving higher belt use rates. We estimate that your bill will save the State's economy \$19.3 million. More importantly, the value to the five families each year whose loved ones would return home to them would be impossible to measure.

A primary safety belt law is sound public policy. When States upgrade their law to primary enforcement, significant gains are achieved almost immediately. In 2000, Michigan's safety belt use rate went from 70 percent to 84 percent after the enactment of its primary enforcement law. Alabama's use rate stood at 58 percent in 1999, only to jump to 71 percent in 2000 and to 79 percent in 2001.

As your session progresses, I hope that you will be successful with your legislation that will make Alaska a true leader in traffic safety. With you help, I know we are going to save lives. If you have any questions, feel free to contact Nicole Nason, Assistant Secretary for Governmental Affairs at (202) 366-4573.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Norman Y. Mineta". The signature is fluid and cursive, with a large loop at the end.

Norman Y. Mineta



State of Alaska
Department of
Public Safety

Frank H. Murkowski, Governor
William Tandeske, Commissioner

February 18, 2004

The Honorable Con Bunde
Alaska State Senate
State Capitol, Room 508
Juneau, AK 99801

Dear Senator Bunde:

As I have previously discussed with you, I support the implementation of primary seat belt legislation in Alaska. My support is based on twenty-six years of service as an Alaska State Trooper where I personally investigated a large number of motor vehicle crashes resulting in serious injury or death. Without question, seat belts save lives.

As Commissioner of Public Safety, I am committed to doing all that is reasonable to ensure the safety of all Alaskans. Primary seat belt legislation would provide a viable means for law enforcement to ensure compliance with seat belt regulations and thereby reduce the incidents of serious injury or loss of life.

I believe that primary seat belt legislation and ongoing education efforts are excellent strategies to reduce the alarming number of serious injuries or deaths on our highways. If the Department of Public Safety can be of assistance to you in your legislative endeavors, please do not hesitate to contact my office.

Sincerely,

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

William Tandeske
Commissioner



Service Since 1921

ANCHORAGE POLICE DEPARTMENT MEMORANDUM

Date: February 19, 2004
To: Senator Con Bunde
From: Captain Ross Plummer Patrol Division
Subject: Seatbelt Law

The Anchorage Police Department in conjunction with State and local law enforcement agencies has the responsibility to protect the public. At times this task is difficult and often compounded by inadequate laws. Anchorage Police Department is contributing to public safety by enforcing the existing occupant protection laws within our jurisdiction. Officers are far too familiar with the often tragic results of not wearing safety belts during a collision. The loss of lives and injuries sustained in our city are far too many.

National studies show seat belts save lives. The Anchorage Police Department is dedicated in the fight to save lives. A primary seat belt law would assist in our efforts to help make our streets safer. At this time Officers are unable to stop drivers who choose not to wear a safety belt. The new proposed seat belt law will enable officers to stop and cite violators. This will help save lives by encouraging more people to wear safety belts. The Anchorage Police Department has dedicated resources to a new traffic unit and believes this bill will allow officers to make a difference in lowering our fatalities and decreasing injuries within the city of Anchorage.

During 2002 there were 36 vehicle fatalities in the city of Anchorage. During 2003 Anchorage Police Department worked with the National Highway Transportation and Safety Office to proactively increase seat belt usage in the state of Alaska. During 2003 Anchorage increased seatbelt use by 13%. This is the highest increase in the nation. Our compliance rate is now over 85%. In 2003 our fatalities went down 13% from 36 to 23. One must ask if this is coincidental or correlated to the increased enforcement.

In the last quarter of 2003 there were 4 fatalities that could have been prevented if the driver would have been wearing a seatbelt. Having a primary seatbelt law will not ensure that everyone will wear them but the possibility of saving one life is something worthy of acknowledgement.

The Anchorage Police Department supports this bill and all efforts towards saving lives and making our streets safer.



Mayor Mark Begich

Municipality of Anchorage

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



Department of Health and Human Services

February 23, 2004

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

Subject: Primary Seatbelt Law, SB 316

Dear Senator Bunde,

The Municipality of Anchorage, Department of Health and Human Services strongly supports the primary seatbelt law because it can save more lives by increasing the Alaska use rate to 90%. A seatbelt law already exists but this bill would lift the restriction for public safety officers to pull a motorist over for not wearing a seatbelt.

We know from the Alaska Trauma Registry that 84% of the belted occupants in crashes walked away uninjured compared with only 60% of the unbelted occupants. In a ten year period, 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. One in three of these people billed a government program for their hospital care and the cost to a rehabilitation or skilled nursing facility. A permanent disability, especially head trauma and brain damage, which many of the injuries are, can cost Medicaid millions of dollars per patient. With a decrease in crashes and injuries, the state can reduce the financial burden for emergency response, public safety officers, hospitalization, rehabilitation and legal expenses.

It has been 12 years since a seatbelt law was first introduced in Alaska. Twenty states and DC have passed a primary seatbelt law and it is time for Alaska to get the benefit of this public health policy.

Sincerely,

A handwritten signature in cursive script that reads "Joan Diamond".

Joan Diamond
Municipality of Anchorage
Department of Health and Human Services
Injury Prevention

Community, Security, Prosperity

**Alaska Injury
Prevention Center****Alaska Injury Prevention Center**

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

February 18, 2004

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

Dear Senator Bunde,

I would like to take this opportunity to offer my expertise and experience in support of SB 316. I recently completed a study funded by a non-profit group called the Automotive Coalition for Traffic Safety. This research project, *Alaska Seat Belt Cost Analysis*, compiled and analyzed the hospital costs associated with seat belt use in Alaska. The research is already getting statewide recognition as an argument to be used for primary enforcement of seat belt laws. The study shows that from 1996 through 1999, medical costs for unbelted occupants totaled more than \$13 million dollars of which, 50% were paid with public funds. I've attached a copy of the Executive Summary for your use.

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

Alaska was recently chosen by the National Highway Traffic Safety Administration as one of 13 states to receive special initiatives to reduce our DUI deaths, and to increase our seat belt usage. At 79%, Alaska's seat belt usage rate has improved tremendously over previous years. But there are still a significant number of non-users in the state. If we are able to get a primary enforcement law passed, we would expect to see the seat belt usage rate climb to around 90%.

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

I hope this helps,

Ron Perkins, MPH
Executive Director, AIPC



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

February 18, 2004

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

Re: Senate Bill 316, "An Act relating to motor vehicle safety belt violations."

Dear Senator Bunde,

Mothers Against Drunk Driving (MADD) supports Senate Bill 316. MADD advocates increase use of occupant protection for all motor vehicle drivers and passengers and recognizes the need for publicized, enforce safety belt and child seat laws as a major defense against alcohol-and other drug-impaired drivers. A seat belt is our best defense against drunk driving.

Studies have found that states which pass a primary seat belt law increase their average seat belt usage by nine to fourteen percentage points. This in turn, decreases crash fatalities by an average of eight percent and decreases the severity of injuries in crashes.

Seat belts are proven to reduce the risk of serious injury or death in a crash by forty five percent, and a study shows 12,177 lives have been lost since 1995 because 30 states, including Alaska, have failed to enact a primary seat belt law.

Some argue that they should be able to choose not to wear a seat belt. However, seat belt use is the law already. Additionally, the decision to wear a seat belt affects those too young to make a conscious choice.

Adults who do not buckle up are sending a message to children that it is all right not to use seat belts-the probability of a fatally injured child being unrestrained is more than twice as likely when the adult driving was unrestrained.

85 percent of the costs of crashes are borne by society, not by the individuals in the crash. Considering that a crash costs 55 percent more when a crash victim is unbelted, we have a financial imperative to enact primary seat belt law, in addition to the moral and ethical imperatives.

Sincerely,

Cindy Cashen
Executive Director



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Bill Graves
President and Chief Executive Officer

February 13, 2004

The Honorable Frank Murkowski
Governor of Alaska
Office of the Governor
State Capitol
P.O. Box 110001
Juneau, AK 99811-001

DEPARTMENT OF PUBLIC SAFETY
JUNEAU, ALASKA

FEB 23 2004

COMMISSIONER'S OFFICE

Dear Governor Murkowski,

While the National Highway Traffic Safety Administration (NHTSA) has reported that safety belt usage among passenger vehicle drivers has risen to an all-time high of 79 percent, the news is not as positive among our nation's truck drivers.

Recently the U.S. Department of Transportation (DOT) released a new national study that found only 48 percent of truck drivers wear safety belts. In 2002, 588 truck drivers lost their lives in crashes. Half of them were not wearing their safety belts. Of the 171 drivers that were ejected from their trucks, 80% hadn't buckled up. We can, and must, do a better job to help save lives on our roads.

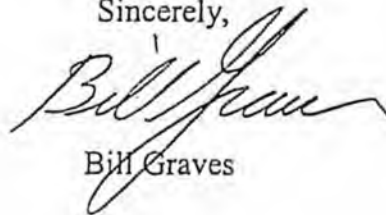
As the national trade association that actively promotes highway safety while representing every type and class of motor carrier in the trucking industry, the American Trucking Associations (ATA) is concerned that the usage rate among truck drivers falls well short of the nationwide average among passenger vehicle drivers. Along with the Alaska Trucking Association, Inc., I'm writing to ask for your assistance.

According to the NHTSA, states with **primary** safety belt laws have usage rates about 8 percentage points better than states with secondary enforcement laws. I strongly urge you to be the champion for a primary safety belt law in your state by seeking legislative action as soon as the opportunity arises. Doing so will make a real difference. As a former Governor, I understand the difficult task that I'm asking you to undertake, however, by doing so you will be directly responsible for helping to save lives in Alaska.

The Honorable Frank Murkowski
February 13, 2004
Page Two

You can help us increase safety belt usage among truck drivers. By championing a primary safety belt law, you can provide strong support to this important public safety initiative to save more lives. If your staff would like to discuss ATA's work on this issue, please have them contact ATA's Safety & Operations Department at (703) 838-1847.

Sincerely,

A handwritten signature in cursive script that reads "Bill Graves". The signature is written in black ink and is positioned above the printed name.

Bill Graves

CC: Norman Y. Mineta, Secretary, U.S. Department of Transportation
Jeffrey W. Runge, M.D., Administrator, National Highway Traffic Safety
Administration
Annette M. Sandberg, Administrator, Federal Motor Carrier Safety Administration
Mike Barton, Acting Commissioner, Alaska Department of Transportation & Public
Facilities
William Tandeske, Commissioner, Alaska Department of Public Safety
Michael Bell, Alaska Trucking Association, Inc.

February 11, 2004

TO: Lauren Wickersham – Senator Bunde's Office

FROM: Don Smith – Alaska Highway Safety Office

PRIMARY SAFETY SEAT BELT LAW

Primary enforcement allows a law enforcement officer to stop a vehicle and issue a citation when the officer observes an unbelted driver or passenger. Secondary enforcement, which is what Alaska has now, means that a citation for not wearing a safety belt can be written only after the officer stops the vehicle or cites the offender for another infraction.

A primary seat belt law will not only save lives and reduce injuries in Alaska, but will also save Alaska's citizens substantial amounts of money in associated health care costs.

The average safety belt use in States with primary enforcement laws was 11 percentage points higher than in States without primary enforcement.

When States upgrade their laws from secondary to primary, dramatic increases in safety belt use are often observed.

If Alaska can raise its safety belt use rate 11 percentage points by passing a primary belt use law, it is estimated that 6 lives could be saved in Alaska annually.

Primary safety belt laws also help save the lives of children. Citizens are much more likely to buckle up and place their children in child safety seats when there is the possibility of receiving a citation for not doing so.

Safety belts reduce the risk of death to front seat passenger car occupants by 45% and the risk of moderate to critical injury by 50%. In light truck occupants, safety belts reduce the risk of death by 60 % and moderate to critical injury by 65%.

Also, even if you are a good driver, wearing your seat belt is your best defense against drunk, drowsy, and aggressive drivers.

It is estimated that in the year 2000 safety belt use saved about \$50 billion in medical care, lost productivity and other injury related cost in the United States. Conversely, safety belt non-use cost society about \$26 billion. Each critically injured survivor costs an average of \$1.1 million. Medical costs and lost productivity account for 84 % of the cost for this most serious level of non-fatal injury.

Those not directly involved in crashes pay for nearly ¾ of all crash costs, primarily through insurance premiums, taxes, and travel delay. These costs, borne by society rather than by crash victims – totaled over \$170 billion in 2000 for all traffic crashes.

Safety belts save lives!

Subject: Senate Bill 316 - PRIMARY Seat Belt Law

Date: Thu, 26 Feb 2004 11:52:52 -0900

From: Lisa Kibbee <LKibbee@mcc-cpa.com>

To: "Senator_Gary_Stevens@legis.state.ak.us" <Senator_Gary_Stevens@legis.state.ak.us>, "Senator_John_Cowdery@legis.state.ak.us" <Senator_John_Cowdery@legis.state.ak.us>, "Senator_Bert_Stedman@legis.state.ak.us" <Senator_Bert_Stedman@legis.state.ak.us>, "Senator_Gretchen_Guess@legis.state.ak.us" <Senator_Gretchen_Guess@legis.state.ak.us>, "Senator_Lyman_Hoffman@legis.state.ak.us" <Senator_Lyman_Hoffman@legis.state.ak.us>, "Senator_Con_Bunde@legis.state.ak.us" <Senator_Con_Bunde@legis.state.ak.us>

Senators,

As a volunteer medical professional I urge you to pass SB 316. It could really save lives here in Alaska. Please make this a reality for those families who have lost their loved ones already and the many more lives you are likely to save in the future.

Sincerely,

Lisa Kibbee
Lieutenant - Team One
EMT 1
Alaska Professional Volunteers

Subject:

Date: Wed, 25 Feb 2004 23:41:17 -0800 (PST)

From: J McArthur <judithmcarthur@yahoo.com>

To: Senator_Con_Bunde@legis.state.ak.us

Senator Bunde,
Please support S.B. 316. Wearing a seat belt is what
saved my child's life when she was hit by a drunk
driver.

Judith McArthur
P.O.Box 773111
Eagle River AK 99577

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Subject:**Date:** Wed, 28 Jan 2004 08:12:15 -0900**From:** "Thomas Remaley" <remaley@palmerpolice.com>**To:** <Senator_Con_Bunde@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

Subject: SB 316

Date: Thu, 26 Feb 2004 09:42:21 -0900

From: "PATRICIA HONG" <afpah@uaa.alaska.edu>

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

Dear Senator Bunde --

Thank you for sponsoring SB 316, which would establish a primary seat belt law here in Alaska. As a former Girdwood resident, I know how many lives are either lost or forever changed by automobile crashes on the Seward Highway. A primary seat belt law would have prevented many of those deaths.

As a nurse, I've taken care of far too many car crash victims. Seat belts would have mitigated the severity of many of those injuries!

Please do all you can to pass this bill and put it on the Governor's desk ASAP!

Thanks, Patti Hong, RN

Patricia Hong<?xml:namespace prefix = o ns =
"urn:schemas-microsoft-com:office:office" />

UAA School of Nursing

907-786-4578 (w)

907-786-4559 (f)



Councilman Scott Kawasaki
Fairbanks City Council
2008 Carr Avenue
Fairbanks, Alaska 99709-4211

H: (907)590-0315
F: (907)459-6710
E-mail: scott_kawasaki@yahoo.com



April 11, 2004

The Honorable Representative Jim Holm
Chairman, Alaska State House Transportation Committee
State Capitol #416
Juneau, Alaska 99801

Dear Representative Holm

I am writing to encourage you to support SB 316, the primary seat belt law, and move it out of committee.

The seat belt law recently came to the attention of the Fairbanks City Council as we discussed adopting fines and enforcement of the law as a primary offense. Although the Council rescinded action on the primary offense portion of the local law due to some differing legal opinions, I think that there is a compelling reason to support such a law.

States that enacted similar primary seat belt laws across the nation have a higher track record of seat belt usage. Seat belts have been proven to save lives and reduce injuries related to motor vehicle crashes. The reason to support the primary seat belt law is because it saves lives.

Please feel free to contact me if you have any questions.

Sincerely

Scott Kawasaki

Proudly serving the citizens of the Golden Heart City

This stationery is paid for with personal funds. Not tax dollars or government funds were used in the production of this letterhead.

Subject: HB392

Date: Mon, 12 Apr 2004 22:49:54 -0800

From: Jeanne Molitor <jrjeanne@gci.net>

To: Senator_Con_Bunde@legis.state.ak.us

As an ER nurse I support primary seatbelt laws. Please support this important piece of legislation to help our enforcement agencies prevent injuries! Jeanne Molitor

Subject: HB 392

Date: Wed, 14 Apr 2004 13:22:45 -0800

From: "Ron Perkins" <asc1@alaska.net>

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

CC: <Representative_Beverly_Masek@legis.state.ak.us>,
<Representative_Vic_Kohring@legis.state.ak.us>,
<Representative_Dan_Ogg@legis.state.ak.us>,
<Representative_Nick_Stepovich@legis.state.ak.us>,
<Representative_Mary_Kapsner@legis.state.ak.us>,
<Representative_Albert_Kookesh@legis.state.ak.us>,
<Senator_Con_Bunde@legis.state.ak.us>

Dear Representative Holm and the Transportation Committee,
I am a voting republican from Eagle River but work in the safety research field.
HB 392 - Seatbelt Violation as a Primary Offense has been in the House Transportation
Committee for quite some time and I would like to see it moved on.

I conduct injury research and work with communities on developing prevention programs. Seat belt use is one of the most effective ways to prevent personal injury from drunk drivers, red-light runners, falling asleep, and other crash causes. I've had surveys done in Anchorage and found that 2/3 of the random sample of people were in favor of a primary seat belt law.

Arguments against the bill are usually that people don't want "the government" telling them what to do. Well, nearly half of the hospital costs for unbelted drivers are paid for with public funds such as Medicaid, Medicare, etc. Studies have also shown that most of the drunk drivers, speeders, and red light runners don't wear their seat belts. Many times these traffic stops turn up people with outstanding warrants too. Also, Alaska will receive hundreds of thousands of federal highway dollars with the passage of this bill.

Please don't usurp the wishes of the general public by not allowing this bill to be voted on by the House. Move it out of Committee if you can't support it personally.

Thank you for all you hard work and time,
Ron Perkins, MPH

Subject: RE: Alaska "Digest" Email News

Date: Thu, 22 Apr 2004 11:06:57 -0800

From: Tim Shaw <enviropro@gci.net>

To: alaskareg@ak.net

CC: representative_Jim_Holm@legis.state.ak.us, representative_Vic_Kohring@legis.state.ak.us, representative_Beverly_Masek@legis.state.ak.us, representative_Dan_Ogg@legis.state.ak.us, representative_Nick_Stepovich@legis.state.ak.us, representative_Mary_Kapsner@legis.state.ak.us, representative_Albert_Kookesh@legis.state.ak.us

Seat Belt Bill Backup
PNT w/ Bill

So you think that a law regarding seatbelts would have saved Nate and the others? Unless that law comes with a seatbelt guardian that comes to your car and seatbelts everyone in before you leave and actually would have to ride with you to ensure no one unbuckles along the way, this law is a waste of time. People will do what they want to some degree. Laws assist, not keep, society in maintaining peace and order.

Nate's story is very sad, other than that we can only say he made a very poor choice in not wearing a seat belt. Did the passenger try to persuade Nate to put on his seatbelt?

I cannot agree with you more that senseless waste of human life, especially when preventable, is very disturbing and painful. I do not agree with you that additional laws, in this case will make an ounce of difference.

For example, the young girl from Henshaw Jr. High that chose to jay-walk. Do we not already have laws against such actions? Did she abide by those laws? Did those laws help her or the innocent driver that hit her? The answer is no, the laws did not help. Why? Because someone made a choice to operate outside of the law. That the law did not apply to them or that it was not a significant rule to abide by. Almost every toddler at some point in time has tried to touch a stove top. You tell them no time and time again yet they still reach for it. Finally, when the timing is right they manage to touch the hot stove and burn themselves. They have now learned two things: 1) The stove top is hot and cause you pain. 2) That the parent may just know what they are talking about and they try to keep you safe.

Another problem I have with your article is that less than half of the fatalities in the State would have benefited from seat belts. The data, as you listed, does not statistically support the use of seat belts. However, I personally will revert back to the senseless waste of human life when it can be prevented. So I choose to wear a seatbelt and as the authority in my family, I make them wear them too - when they are with me. I can only hope and pray that when my kids and wife are not with me that they understand the risks and benefits of wearing seatbelts and that they will choose to do so.

Often times insurance companies will join the band wagon for pushing through legislation regarding lower speed limits, seatbelt laws, and motorcycle helmet laws under the guise of keeping rates down. That is a load of baloney. Lower speeds, seatbelts, and helmets can be shown to have saved lives yet in every instance there are those that still perished. So what to do? You cannot keep people from making dumb choices. Not everyone has non-slip strips in their bathtub, should we have a law for that too? My point is choices, we all have choices to make, albeit wise or unwise choices - they are mine to make. Only when those choices have a direct effect (usually adverse) upon others in society do laws come into play or should apply.

Get the word out about Nate. There is a valuable lesson there. However, new or stricter laws, I believe, would not have save him. Education regarding the safety benefits of seatbelts will. Society has many issues to handle and this is one best left up to common sense and proper education,

not the Government.

Tim Shaw
10830 Lake Otis Parkway, Suite A
Anchorage, Alaska 99516

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

From: Don Smith [mailto:alaskareg@ak.net]
Sent: Thursday, April 22, 2004 9:48 AM
To: enviropro@gci.net
Subject: Alaska "Digest" Email News

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

April 22, 2004

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Welcome to our 141st issue of the ALASKA "DIGEST" EMAIL NEWS
The Digest NOW reaches over 20,500 key Alaskan business,
government, tourism and Native leaders. If there are
friends or business associates that you would like to
send a free copy - send their name and email address to
akreg@gci.net

=====

HELP SAVE 12 ALASKAN LIVES!

If we were to tell you that you could help save someone from
dying - each month in Alaska - would you be willing to help?

The Alaska Legislature is currently considering a bill
(SB 316) that would establish a "Primary" Seat Belt Law
for Alaska

Think about the message in the following article

Anchorage Daily News Article - Dec. 30, 2003

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

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

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

Velarde had, police said.

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

"I poked my head inside that vehicle and looked around, and there was absolutely no reason for that young man to die," Reeder said last week. "The interior of that vehicle was pristine. There was nothing in it that would have caused him any injury. It was just simply that he wasn't wearing a seat belt."

Other examples....

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

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

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

94 Alaskans died in automobile crashes in 2003. So far this year 15 Alaskans have died in automobile crashes. Almost half were NOT wearing their seat belts.

HOW CAN YOU HELP?

Call or email your State House Representative and call, write or email members of the House Transportation Committee. Tell them you support SB 316 and want it to pass this session. Senate Bill 316 would establish a Primary Seat Belt Law for Alaska.

To Mail.....address your letter to:

Your Representative
State Capitol
Juneau, Alaska 99801-1182

The email format is as follows:

Representative_First Name_Last Name@legis.state.ak.us

Membership of the House Transportation Committee include:

Jim Holm
Vic Kohring
Beverly Masek
Dan Ogg

Nick Stepovich
Mary Kapsner
Albert Kookesh

YOUR HELP IS NEEDED NOW! The Legislature will be over
in just three (3) weeks. THANK YOU VERY MUCH!

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ALASKA NATIVE DIRECTORY.....14th Edition of the Alaska.
Native Directory is NOW ready for sale. To Order go to the
bottom of this Newsletter for more information.
The leaders of over 600 Alaska Native Corporations are
identified. The Alaska Native Directory is a valuable
research and business tool.

=====

Be sure to check out our:

Alaska Native Links:
<http://www.alaska-sites.com/alaskanativelinks.htm>

Alaska Government Links:
<http://www.alaska-sites.com/alaskagovernmentlinks.htm>

Alaska Business Links:
<http://www.alaska-sites.com/alaskabusinesslinks.htm>

Alaska Digest Newspaper:
<http://www.alaska-sites.com/digestsamplepaper.htm>

Alaska Native Directory:
<http://www.alaska-sites.com/NativeDirectoryfrontpage.htm>

Alaska Data Base Information:
<http://www.alaska-sites.com/MailingLists.htm>

TO REVIEW THE LIST OF ALASKA LOBBYISTS.....GO TO:
<http://www.state.ak.us/apoc/pdf/04lobdir.pdf>

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D I G E S T N E W S A R T I C L E S

We are pleased to offer the following 23 articles for
your review. Click below to go to the Alaska "Digest"
news page:

<http://www.alaska-sites.com/Emailnewshomeapril19.htm>

SUMMARY OF NEWS ARTICLES YOU'LL FIND:

1. Local 71 Members Ratify 2-1/2 Year Contract
With State
2. Keep The Faith: A Letter From Iraq
3. Sen. Murkowski Says Ninth Circuit Simply Too
Large, In Desperate Need For Revamping To
Ensure Timely Justice For All
4. National Native News...
5. Northrim Bank Launches northrim.biz

6. Lieutenant Governor's Report
7. Seekins Offers Bill To Help Fund Legal Services
8. Veteran NPS Superintendent Moving To Washington DC Post
9. \$5.1 Million Provided To Tanana Chiefs Conference For Morris Thompson Project
10. Governor Murkowski Joins Teens Against Tobacco Use For Capitol Steps Rally
11. Anchorage Engineer Receives Fourth Patent
12. 'Striker' New Addition To Bellingham Security
13. Sen. Murkowski Campaign Nears \$2.5 Million
14. Congressman Young To Officially File For Re-election
15. Governor Urges Legislative Action On Fiscal Problem
16. Revenue Forecast Shows Highest Ever Oil Prices, But Continuing Deficit For State Budget Should Be A Call To Act
17. Northrim BanCorp, Inc. Reports Net Income Of \$2.4 Million In First Quarter 2004
18. Senator Gary Stevens Doing Fine
19. Misery Loves Kerry
20. Governor Murkowski Lowers Alaska Flags In Memory Of Former Territorial Rep. Carl Rentschler
21. Senator Gene Therriault Selected As 2004 Toll Fellow
22. Stevens Applauds Department Of Transportation Decision To Award Alaska Airlines New Flights To Reagan National
23. Sixteenth Annual Alaska Sea Kayaking Symposium

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ALASKA NATIVE DIRECTORY OFFER

The Alaska Native Directory lists over 600 Alaska Native owned corporations and associations and their 4,600+ Officers, Directors and Key Employees. We have also included a section listing the 356 Lower 48 tribes. Did you know that the Arctic Slope Regional Corporation generated over one billion in revenues last year? Alaska's Native Regional Corporations generated over two billion in revenues in 2002 and they clearly are a major economic factor in the state. Alaska's Native Leaders control or influence the spending of billions

each and every year. They additionally administer countless federal and state grants.

Our Alaska Native Directory is a proven valuable resource that all Alaskan businesses or organizations will find useful in their day-to-day operations.

Go to our web site and take a look at our Special Offer.
<http://www.alaska-sites.com/newndorderform.htm>

*Email or Print out order form, fill in and fax to:
907-276-2500 ---- Or mail in your order.

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=====

Thank you,
Don Smith
Alaska "Digest" Email News

SB

327

THE
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ALASKA STATE SENATE

Session:
State Capitol
Juneau, Alaska 99801-1182
(907) 465-2327
(907) 465-5241 Fax



Interim:
119 N. Cushman, Suite 201
Fairbanks, Alaska 99701
(907) 456-8161
Senator_Ralph_Seekins@legis.state.ak.us

Senator Ralph Seekins
District D

MEMORANDUM

Date: March 23, 2004
To: Office of Representative Holm
From: Senator Ralph Seekins
Re: Request for Hearing of SB 327

Handwritten initials, possibly "R.S." and "H.S.", in black ink.

Attached please find Senate Bill 327 along with a concomitant sponsor statement and other related information.

Senate Bill 327 allows the use of rollerskis on the same roadway surfaces as that which bicyclists are allowed to use.

I respectfully request a hearing before your committee on this Bill at your earliest convenience.
Thank you.

ALASKA STATE SENATE

Session:
State Capitol
Juneau, Alaska 99801-1182
(907) 465-2327
(907) 465-5241 Fax



Interim:
119 N. Cushman, Suite 201
Fairbanks, Alaska 99701
(907) 456-8161
Senator_Ralph_Seekins@legis.state.ak.us

Senator Ralph Seekins
District D

Senate Bill 327 Sponsor Statement

"An Act relating to pedestrians using rollerblades, roller skates, and similar devices."

For many years roller-skiers' legal use of public roadways was, more or less, taken for granted. This assumption was successfully challenged in the Fairbanks area last fall. Senate Bill 327 seeks to remedy this situation by specifically allowing the use of particular wheeled devices on those public roadways also available to bicyclists. It also recommends a set of safety standards for the use of these devices.

Alaska is home to some of the best international, national, collegiate, and junior cross-country skiers on the planet. In fact, seven of the ten Alaskans competing in the 2002 Winter Olympics in Salt Lake City were cross-country skiers. Imagine that. *Seven* Olympic cross-country skiers from such a small state as ours! This speaks volumes not only about our skiers' work ethic but also their training opportunities.

The natural preference of many of these world-class athletes would, no doubt, have Alaska covered in snow year-round. Since this is not a reasonable near-term possibility, the use of wheeled skis to imitate snow skiing has grown to become an effective training tool for use during non-winter months. What's more, Alaska is becoming well known nationally and internationally as a favored summer-time training site.

For these reasons, it is the intent of the proposed legislation to accommodate this seasonal use of some of our roadways. In fact, other northern locales — such as Norway, Sweden and Canada — have, for many years, supported the efforts of their cross-country athletes with similar provisions. Furthermore, the proposed legislation borrows heavily from Cross Country Canada's policy respecting the use of roller-skis on public roads.

Senate Bill 327 seeks to accommodate this important training activity by utilizing safe and reasonable methods for sharing roadway surfaces with motorized vehicles. It has garnered a groundswell of support throughout the cross-country community ranging from Alaska's Interior region to Southcentral to the Kenai Peninsula.

The 2006 Winter Olympic games are just around the corner. Would it be too much to expect seven (or more) of our cross-country skiers to make the trip to Torino, Italy? Of course not! In fact, a little courtesy and common sense combined with a small statutory revision can help make it happen.

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: 1
 Bili Version: CSSB 327(STA)
 (S) Publish Date: 2/27/04

Revision Date/Time (Note if correction): _____ Dept. Affected: Public Safety
 Title Act Relating to Rollerblades RDU Alaska State Troopers
 Component AST Detachments
 Sponsor Sen. Seekins
 Requester (S) State Affairs 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)*
 SB 327 will amended AS 28.05.011(a) to require that the Commissioner of Public Safety develop regulations allowing pedestrians using wheelec adjuncts, such as rollerblades, roller skates, and rullerskis, to use roadways and vehicular ways or areas available for use by bicycles. These regulations must include requirements that these pedestrians obey traffic laws, limit activities to daylight hours, wear an appropriate helmet and bright clothing, proceed in single file except when passing, complete all passing manauvers expeditiously, not use any electronic devices that can inhibit hearing, and stay to the far right and restrict movement when passing by a motor vehicle.

The department does not anticipate the need for additiona! resources if this bill passes. The required regulation project can be handled using existing resources.

Prepared by: Lt. Al Storey Phone 269-4532
 Division Alaska State Troopers Date/Time 2/25/04 10:50 AM
 Approved by: Commissioner William Tandeske Date 2/25/2004
 Agency Department of Public Safety

Fairbanks Daily News-Miner

Rollerskiers ticketed

By TIM MOWRY
Staff Writer

Saturday, October 04, 2003 - Life for Fairbanks rollerskiers took a sharp U-turn last weekend when Alaska State Troopers issued a ticket to a rollerskier for obstructing traffic one day and then ordered the University of Alaska Fairbanks cross-country ski team to halt its workout on the road the next.

While troopers say the two incidents are not related, they have opened a can of ice worms in Fairbanks, a big-time Nordic ski town where rollerskiers on roads are as common as bicycles in September and October before the snow flies.

"People are rollerskiing on roads all over the country and I've never heard of anything like this," said UAF ski coach Bill McDonnell, who came to Fairbanks from Vermont five years ago. "It's kind of disconcerting, especially when Fairbanks is such a skiing community."

It marked the first time anyone can remember a rollerskier getting a ticket.

"In the 19 years I've been rollerskiing in Fairbanks I've been passed numerous times by troopers or Fairbanks police and not once have I been stopped," said Ken Leary, a 45-year-old elementary school teacher who troopers ticketed on Saturday.

Troopers allege that Leary, who was rollerskiing along Chena Ridge Road with Mike Kramer, swung his ski pole at a passing car. That car just happened to be driven by Capt. Greg Tanner, detachment commander for Alaska State Troopers in Fairbanks, who was off duty at the time.

Leary claims Tanner came close to hitting him and the two exchanged heated words when Tanner pulled over after passing the two skiers.

While Tanner claims he identified himself as a trooper and asked the two skiers to stop when they went by, Leary and Kramer say they did not hear Tanner do so and figured he was just an angry motorist yelling at them.

After the confrontation, Tanner followed the two skiers for more than 20 minutes until an on-duty trooper, whom Tanner had called, showed up on Cripple Creek Road to issue Leary a ticket.

On Sunday, three troopers ordered 11 members of the Nanooks ski team to remove their rollerskis during a workout on Cripple Creek Road. Troopers said they had received complaints from local residents.

Seven of the skiers were given rides back to a school van and four others were told to walk back to the vehicle.

Cripple Creek Road is about 5 miles south of Fairbanks and has become a hot spot for rollerskiers because it is freshly paved. Troopers said Sunday's incident was prompted by calls from concerned residents in the area, not any kind of confrontation from the previous day.

"When somebody calls and says somebody is going to get killed, we respond to that," said trooper Gary Tellep, one of the three troopers who showed up Sunday. "The idea is to prevent people from getting hurt."

In essence, troopers are enforcing a law they said has been on the books for years but has been ignored. According to troopers, rollerskiing is illegal on a public road.

"The statute pretty clearly says you can't rollerski on the highway," said Tanner.

The law Tanner is referring to is Alaska Administrative Code AAC 02.395 (e), which says, "No person may operate a unicycle, coaster, roller skates or a similar device on the roadway."

A rollerski falls into the "similar device" category, Tanner said.

That's news to skiing folks like John Estle, the former UAF and U.S. Ski Team coach who has lived and coached in Fairbanks for three decades.

"This is a brand new interpretation (of the law)," Estle said. "People have been rollerskiing in Fairbanks for more than 20 years without a problem. I don't understand why it's become such a problem all of a sudden."

The problem, as Tanner saw it on Saturday, was a safety issue.

"I wouldn't have stopped at all on Saturday if I didn't think they were creating a hazard," the trooper said. "My action was based on the fact that I saw two men side-by-side in the travel portion of the roadway in a no-passing zone and there was a curve."

Had Leary and Kramer stopped and talked to Tanner, the trooper said the situation probably would have been resolved without a ticket.

While troopers won't necessarily be on the lookout for rollerskiers, they will respond if they receive complaints or see rollerskiers in the road, Tanner said.

"We don't have a specific agenda to hunt out rollerskiers on the highway ... but if troopers come across that or if citizens call, we will follow up and take appropriate action," Tanner said. "Any time we see anyone operating on a road in an unsafe manner, we're going to take enforcement action."

Rollerskiers have been left alone for the last 20 years, Tanner said, "because, generally people have done it in a manner that hasn't drawn attention."

Tanner had some advice for rollerskiers.

"I would suggest they use bike paths or get the statute changed."

As far as McDonnell is concerned, the whole thing is "kind of silly." UAF skiers have been training on Cripple Creek Road for the last two years and while McDonnell admitted there are a few motorists who are not rollerskier-friendly, most of the residents are supportive and courteous of the team's efforts.

While he appreciated troopers' safety concern, McDonnell said he didn't appreciate the way they handled the situation. McDonnell described troopers as "downright nasty" when they confronted his skiers.

"When he stopped the skiers, he didn't say anything about why they were being stopped," McDonnell said of Tellep. "He was just yelling and ordering them off their skis."

"They couldn't believe it was happening," he said of the team. "For some of them it was pretty traumatic, being ordered into the back of a police car."

According to McDonnell, Tellep allegedly forced one skier, Bart Dengel, off the road by standing in the middle of the road and ordering him to stop. Dengel ended up crashing and bruising his face when he went off the road.

"He was told to stop and he couldn't stop and he went off the roadway," said Tellep, offering his version of the incident.

Tellep referred to rollerskiers as "guided missiles" and wondered why an "institution of higher learning" such as UAF would encourage such an activity.

"I think it's a little ridiculous; we've got skiers flying down hills on rollerskates when they can't stop and they're not wearing elbow or knee pads," Tellep said. "It's like telling somebody to go out and play football without a helmet. What happens if one of these kids gets hit by car, who's going to get sued?"

While McDonnell acknowledges that rollerskiing is dangerous, the risk is one assumed solely by the skier, he said.

"If someone rollerskis into the side of a car, it's not going to be the car that's going to have a problem," he said. "If you treat a rollerskier like another vehicle and wait for an opportunity to pass, where's the danger?"

Rollerskiing is no different than bicycling, according to those who do it.

"Sometimes you might take up a little extra room but there's nothing dangerous or unlawful about doing that," Kramer said. "Cars have to respect that other people are using the road."

With troopers taking a new, harder stance on rollerskiing, McDonnell said he doesn't know what to do at this point.

"We want to be able to rollerski and we would like to rollerski on Cripple Creek Road because it's the best spot," he said. "We don't want to cause any problems."

For now, the UAF ski team is traveling to North Pole to use the bike paths at Chena Lakes Recreation Area to train.

"To force us onto bike paths that are strewn with gravel so bad that you can barely go forward on them, it's an easy out for them, but it leaves us nowhere," said McDonnell.

Meanwhile, Kramer, a local attorney, said he is considering filing a lawsuit against troopers on Dengel's behalf, in part to get troopers to explain the sudden crackdown on rollerskiing.

"One benefit of that would be to have troopers explain their actions out there," he said.

As for Leary, he said he plans to fight his ticket and Kramer will represent him in court.

"I think the police force could be directed to more law enforcement than harassing rollerskiers," said Leary.

Staff writer Tim Mowry can be reached at 459-7587 or tmowry@newsminer.com.



13 AAC 02.395. Riding on bicycles and certain nonmotorized conveyances

(a) Repealed 6/28/79.

(b) No person operating a bicycle upon a highway may carry a person other than the operator, unless the bicycle is equipped with a seat for the passenger, except that an adult rider may carry a child securely attached to his person in a backpack or sling.

(c) No person operating a bicycle or other nonmotorized conveyance may attach, hold on by hand or otherwise secure the bicycle or conveyance or himself to another vehicle so as to be towed or pulled.

(d) A person operating a bicycle upon a highway shall maintain control of the bicycle and shall at all times keep at least one hand upon the handlebars of the bicycle.

(e) No person may operate a unicycle, coaster, roller skates, or a similar device on a roadway.

(f) This section does not apply upon a roadway closed to motorized vehicle traffic.

History: In effect before 7/28/59; am 12/15/61, Register 3; am 8/10/66, Register 22; am 12/31/69, Register 31; am 6/28/79, Register 70

Authority: AS 28.05.011

13 AAC 02.400. Riding bicycles on roadways and bicycle paths

(a) A person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, and shall give way to the right as far as practicable to a motor vehicle proceeding in the same direction when the driver of the motor vehicle gives audible signal.

(b) Persons riding bicycles on a roadway may not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. Persons riding bicycles two abreast may not impede traffic and, in a laned roadway, shall ride within the farthest right lane.

(c) When a shoulder of the highway is maintained in good condition, an operator of a bicycle shall use the shoulder of the roadway.

(d) A person operating a bicycle on a trail, path, sidewalk, or sidewalk area shall

(1) exercise care to avoid colliding with other persons or vehicles;

(2) give an audible signal before overtaking and passing a pedestrian; and

(3) yield the right-of-way to any pedestrian.

(e) Repealed 6/28/79.

(f) A person riding a bicycle intending to turn left shall, unless he dismounts and crosses as a pedestrian,



Nordic Ski Club of Fairbanks

Box 80111, Fairbanks, Alaska 99708

Sent via fax: 907-465-5241

February 23, 2004

The Honorable Ralph Seekins
Alaska State Senate
State Capitol, Room 125
Juneau, AK 99810-1182

SB 327 (rollerskiing)

Dear Senator Seekins:

The purpose of this letter is to thank you on behalf of the Nordic Ski Club of Fairbanks for introducing and supporting SB 327. Rollerskiing is an important element of ski training for the national and international caliber cross-country skiers that reside in Alaska. The UAF and UAA skiers compete at the highest levels nationally, and need this important tool that is available in other states and just across the border in Canada. Roller skiing is a must for Olympian and Fairbanks resident Aelin Peterson if she wants to stay competitive and make the US Ski Team at the next Olympic Games. Over a dozen Fairbanks area high school and first year college age skiers will compete in early March at Arctic Winter Games in Alberta, Canada and at Junior Olympics (U.S. junior national championships) in Lake Placid, New York. Most if not all of these skiers use roller skis as a needed part of their training, and some have their own Olympic dreams. Moreover, as you know, there is a large cross-country skiing community in our state and many Alaskans get healthy, ski specific exercise in summer on roller skis.

SB 327 is good legislation not just because it makes clear that roller skiers and other individuals using similar devices can use the same roadways as bicyclists. SB 327 also provides clear safety requirements for roller skiers which also will benefit motorists. The Nordic Ski Club of Fairbanks pledges to work with the college and high school ski teams, ski training groups and the ski community at large to make them fully aware of the requirements of this legislation, and any other relevant information on appropriate roller skiing safety and etiquette.

Thanks again for your support.

Sincerely Yours,

James Mery
President

FW: in support of roller-skiing

Subject: FW: in support of roller-skiing

Date: Thu, 12 Feb 2004 16:58:22 -0900

From: "bill mcdonnell" <bill.mcdonnell@uaf.edu>

To: "Brian Hove" <Brian_Hove@legis.state.ak.us>

I will be making a binder full of the hard copies of all the letters I receive.

Bill

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

From: quinley [mailto:quinley@alaska.net]

Sent: Thursday, February 12, 2004 4:39 PM

To: bill.mcdonnell@uaf.edu

Subject: in support of roller-skiing

February 12, 2004

To Whom It May Concern:

I am pleased Senator Seekins is proposing to amend the existing statutes to make roller-skiing legal in the state of Alaska.

As the mother of two lifelong cross-country skiers (ages 13 and 16), I know the importance of year-round training. I also know nothing comes closer to emulating cross-country skiing than roller-skiing.

Just as I have taught my children to be courteous and accommodating when using sidewalks, hiking trails, biking trails, and other public corridors, I have taught them to be respectful when roller-skiing on public roads. In addition, their coaches have taught them to roller-ski single file and to obey the same laws that apply to bicyclists using public roads. In fact, when one of their coaches noticed two athletes roller-skiing side-by-side, he stopped them, told them to take off their roller-skis, had them walk back to the van and made them wait out the practice. This is how seriously the cross-country ski community regards this form of training, and the lengths to which they will go to preserve it.

I believe the majority of roller-skiers are at least as courteous and law-abiding as the motorized users with whom they share the public roads. I am hopeful Mr. Seekins' commonsense proposal meets with approval.

Sincerely,

Constance K Quinley

1812 Bowdoin Circle

Anchorage, AK 99508

(907) 563-8569

FW: in support of rollerskiing

Subject: FW: in support of rollerskiing

Date: Fri, 13 Feb 2004 13:07:00 -0900

From: "bill mcdonnell" <bill.mcdonnell@uaf.edu>

To: "Brian Hove" <Brian_Hove@legis.state.ak.us>

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

From: Sally Johnson [mailto:salgalpal11@hotmail.com]

Sent: Friday, February 13, 2004 12:57 PM

To: bill.mcdonnell@uaf.edu

Subject: in support of rollerskiing

I have cross county skied in Alaska for most of my life. I began with junior nordic and went on to high school racing, racing at junior nationals, and now college ski racing. Alaska is a wonderful place to ski; we have great ski trails, a supportive ski community, and fairly reliable snow.

These factors and others have allowed Alaskans to excel at nordic skiing, our Junior team has won Nationals countless times and we have produced some of the nation's best skiers. We generally have good snow through the winter months, allowing Alaskan skiers quality training, but this is not so in the summer. The majority of my summer trianing is rollerskiing. If Alaskan nordic skiers were unable to rollerski, they would be at a great disadvantage to many of their competitors living elsewhere. Please amend the current statutes and allow rollerskiing to be legal in Alaska.

Thanks,

Sally Johnson

1334 Bannister Dr.
Anchorage, AK 99508

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<http://join.msn.com/?page=features/virus>

Subject: FW: In Support of Roller-skiing

Date: Fri, 13 Feb 2004 08:15:46 -0900

From: "bill mcdonnell" <bill.mcdonnell@uaf.edu>

To: "Brian Hove" <Brian_Hove@legis.state.ak.us>

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

From: Nathan Wolfe [mailto:nate_the_great_skier@hotmail.com]

Sent: Thursday, February 12, 2004 5:37 PM

To: bill.mcdonnell@uaf.edu

Subject: In Support of Roller-skiing

Hello,

I am Nathan Wolfe, a junior at East High School. I have skied pretty much all my life and love the sport. I train avidly, as do many of my friends. This training includes running, biking, strength, and most importantly, roller-skiing. It is the closest way to mimic and perfect skiing technique and muscles without actually skiing on snow. Without roller-skiing the hard core trainers who would like to make skiing their life, or at least for their college career, and represent Alaska as we accomplish these dreams, lose a very important factor in getting there. Please consider what you are doing when you make roller-skiing illegal on public roads, and question if it really is needed. The majority of skiers are considerate when roller skiing and stay on the far side of the road, farthest from the cars. Please don't jeopardize the dreams of so many highschool skiers. Thank you for your time.

Nathan wolfe, 3336 Upland Dr., Anchorage Ak, 99504

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Subject: FW: roller-skiing in Alaska

Date: Fri, 13 Feb 2004 08:16:28 -0900

From: "bill mcdonnell" <bill.mcdonnell@uaf.edu>

To: "Brian Hove" <Brian_Hove@legis.state.ak.us>

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

From: Jay Laxson [mailto:jlaxson1@corecom.net]

Sent: Thursday, February 12, 2004 7:32 PM

To: bill.mcdonnell@uaf.edu

Subject: roller-skiing in Alaska

Dear Senator Ralph Seekins

Thank you for introducing a bill to the legislature that will amend the existing statutes to make roller-skiing legal in the state of Alaska. I

didn't appreciate that this was not legal currently. I have been skiing

with the Alaska Pacific University ski team for the past 2 years and, as

you can appreciate, this is a valuable addition to the road and mountain

biking, running, hill-bounding and general strength work-outs that we do. Roller-skiing is critical to developing techniques, balance, and strength specific to cross country ski racing.

Road courtesy and safety are of paramount importance in fostering community support for roller-skiing on the paved public roads. Since there was a "major problem" with regards to roller-skiing in Fairbanks, the Anchorage nordic skiing community has become aware of the need to be

responsible when sharing the roads with automobile traffic. Hopefully the lessons learned will make everyone more aware of their skiing etiquette.

Sincerely,

Jay Laxson
11901 Woodbourne Cir
Anchorage, AK 99516
907 345-3639
jlaxson1@corecom.net

Subject: SB327

Date: Fri, 13 Feb 2004 19:28:13 -0900

From: Dave & Leila Dengel <dengel@alaska.net>

To: Senator_Ralph_Seekins@legis.state.ak.us

Senator Seekins:

Thanks for introducing SB327. Our son Bart was one of the UAF skiers stopped last fall for roller skiing near Fairbanks. Bart has roller skied on Thompson Pass for several years with no problems.
Dave and Leila Dengel

Subject: Roller Skiing Bill

Date: Fri, 13 Feb 2004 15:12:23 -0900

From: "Sorensen, Steve P." <SorensenSP@alyeska-pipeline.com>

To: "Senator_Ralph_Seekins@legis.state.ak.us" <Senator_Ralph_Seekins@legis.state.ak.us>

Ralph,

Thanks for introducing the roller skiing bill. In my recreational life I have coached, raced, and instructed skiing for the last 30 years. Cross country skiing has kept a number of our kids "clean" while traversing the sometimes treacherous slopes of Junior High and High School peer pressure. My own kids, now mostly grown, have benefited from the discipline that cross country skiing has provided them and still provides them as high performing adults.

Thanks again!

Best Regards,
Steve Sorensen
Senior Structural Engineer
Alyeska Pipeline Service Co.

Subject: Roller Ski legislation

Date: Fri, 13 Feb 2004 19:09:03 EST

From: Jrjcsingleton@aol.com

To: Senator_Ralph_Seekins@legis.state.ak.us

Senator Seekins

I am the President of Board of the Eagle River Nordic Ski Club and I would like to thank you for your support of bill 327. My son has earned the title of " skimeister" for being the top high school skier for the last two years. Because of this I am very much aware of the dedication and training requirements of the elite skiers of this state. In order for our skiers to be successful in national competition it is essential for them to train in the off season. A large component of this dry land training is on rollerskis. Bill 327 is important legislation for all the skiers of Alaska. Without it our skiers will have a distince training disadvantage over the skiers in the lower 48. Thanks to your bill our Alaskan skiers can contiune to excell in national and international competition.

Sincerely,

James C. Singleton D.D.S.

Subject: rollerski legislation SB327

Date: Fri, 13 Feb 2004 13:54:53 -0900

From: "Kumin, Jon" <jkumin@kumin.alaska.com>

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

Dear Sen Seekins:

In a word - THANK YOU! This is commonsense legislation we should all support.

Sincerely,

Jon Kumin
7921 Charlotte Place
Anchorage, AK 99502

Subject: Roller Skiing

Date: Sun, 15 Feb 2004 14:10:09 -0900

From: "Gooderham's" <brewers1@awcable.com>

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

Thank you for introducing the bill to allow roller skiing to be legal.

I have been skiing since age 12 and cannot understand why

we have to legislate common sense. Roller skiing is the best

way to stay in shape before the snow flies again.

Thanks again

Chad Gooderham
Fairbanks Alaska
brewers1@awcable.com

Subject: SB327

Date: Mon, 16 Feb 2004 10:44:12 -0900

From: "quinley" <quinley@alaska.net>

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

Dear Senator Seekins,

Thank you for introducing SB327. We are a family of cross country skiers in Anchorage, and our teenage daughter has represented Alaska in national competition for three years. Rollerskiing is an important part of her year-round training, and an enjoyable, safe exercise for the rest of us. Your bill describes how it can be done safely, and we urge the Legislature to pass the bill this year. Thank you again for looking out for the interests of Alaska's athletes. Feel free to pass along this message of support to other legislators.

John Quinley

563-856

Subject: Senate Bill 327

Date: Tue, 17 Feb 2004 10:34:45 -0900

From: "Bert Boyer" <ffbbb@uaf.edu>

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

Dear Senator Seekins,

I want to personally thank you for introducing Senate Bill 327.

I have been roller skiing in Fairbanks for the last 6-8 years and have found it to be an extremely healthful and enjoyable way to stay fit in the summer. I have had one bad experience with an angry motorist in the summer of 2002, and interestingly, when I called the troopers, they supported my right to roller ski on the road. Thus, I was surprised to see the article in the News Miner last fall that indicated it was illegal.

It is clearly time to introduce a bill to make roller skiing legal in Alaska and I applaud your efforts.

Many thanks!

Bert

Bert Boyer, Ph.D.
Associate Professor of Molecular Biology
Institute of Arctic Biology
Center for Alaska Native Health Research
311 Irving I Bldg.
Fairbanks, Alaska 99775
Phone - 907-474-7733
Fax - 907-474-6967 or -5700
bert.boyer@uaf.edu
http://www.iab.uaf.edu/~bert_boyer
<http://www.alaska.edu/canhr/>

Subject: FW: Senate Bill 327

Date: Tue, 17 Feb 2004 11:00:46 -0900

From: "bill mcdonnell" <bill.mcdonnell@uaf.edu>

To: "Brian Hove" <Brian_Hove@legis.state.ak.us>

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

From: Bert Boyer [<mailto:ffbbb@uaf.edu>]

Sent: Tuesday, February 17, 2004 10:35 AM

To: Senator_Ralph_Seekins@legis.state.ak.us

Subject: Senate Bill 327

Dear Senator Seekins,

I want to personally thank you for introducing Senate Bill 327.

I have been roller skiing in Fairbanks for the last 6-8 years and have found it to be an extremely healthful and enjoyable way to stay fit in the summer. I have had one bad experience with an angry motorist in the summer of 2002, and interestingly, when I called the troopers, they supported my right to roller ski on the road. Thus, I was surprised to see the article in the News Miner last fall that indicated it was illegal.

It is clearly time to introduce a bill to make roller skiing legal in Alaska and I applaud your efforts.

Many thanks!

Bert

Bert Boyer, Ph.D.
Associate Professor of Molecular Biology
Institute of Arctic Biology
Center for Alaska Native Health Research
311 Irving I Bldg.
Fairbanks, Alaska 99775
Phone - 907-474-7733
Fax - 907-474-6967 or -5700
bert.boyer@uaf.edu
http://www.iab.uaf.edu/~bert_boyer
<http://www.alaska.edu/canhr/>

Subject: FW: In support of rollerskiing

Date: Tue, 17 Feb 2004 08:37:51 -0900

From: "bill mcdonnell" <bill.mcdonnell@uaf.edu>

To: "'Brian Hove'" <Brian_Hove@legis.state.ak.us>

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

From: Susan Sugai [mailto:fnsfs@uaf.edu]

Sent: Monday, February 16, 2004 7:54 PM

To: bill.mcdonnell@uaf.edu

Subject: In support of rollerskiing

373 Droz Drive
Fairbanks, Alaska 99701
16 February 2004

Dear Honorable Senators,

This letter is written in support of SB 327 allowing roller skiers to legally use public roadways as bicycles currently do. Like many Nordic skiers both recreational and competitive, I was attracted to Fairbanks because of the well-groomed crosscountry ski trails and long on-snow season for pursuing our passion. I've been rollerskiing on Fairbanks roadways since 1987 and in those many years, State troopers have never stopped me as I've rollerskied on the Parks Highway, Sheep Creek, Murphy Dome, Rosie Creek, or Goldstream Roads. Although recently most of my rollerskiing has either been done alone or with one or two others, I have previously participated in roller ski clinics and training groups. Like most rollerskiers, I am considerate of vehicular traffic and move as far right as feasible and doublepole rather than skate when being passed by vehicles, bicycles, or other rollerskiers.

Currently, I'm in my tenth season coaching a Masters (over 40 year old) Men's ski training group. We meet weekly from November through April and the skiers are Fairbanks area residents ranging from University faculty and administrators to a local bar tender. Usually 12 to 15 of these skiers complete the annual Sonot Kkaazoot 50 km ski race in late March with several others doing the shorter 20 km version. While many of this group, myself included, used to be runners in the "dryland" season, rollerskiing allows us to participate in non-impact activity that has similar physical demands to Nordic skiing. Like the younger and more elite skiers who are striving to make University and Olympic teams, rollerskiing is an important activity for Masters skiers during our 6 months without snow. Masters skiers contribute not only to our local economy but also volunteer countless hours to the infrastructure that makes Fairbanks attractive to national and international Nordic skiers for training in the fall, and to national race organizing committees as a fantastic venue for events like the 2003 Junior Olympics held at the Birch Hill Recreation Area. The future of Nordic skiing in Fairbanks and the state of Alaska would definitely be brighter if local athletes of all ages could pursue their sport legally on roadways available to bicycles.

Thank you for your support in helping the greater Alaskan ski community.

Warm regards,

FW: In support of rollerskiing

Susan Sugai, Ph.D.

Associate Director, Alaska Sea Grant College Program

University of Alaska Fairbanks

Fairbanks, AK 99775-5040

(907) 474-6840; fax (907) 474-6285

<http://www.uaf.edu/seagrant/staff/sugai.html>

<http://www.arctic.gov/ssugai.htm>

Subject: FW: In Support of Roller-Skiing

Date: Tue, 17 Feb 2004 08:39:01 -0900

From: "bill mcdonnell" <bill.mcdonnell@uaf.edu>

To: "Brian Hove" <Brian_Hove@legis.state.ak.us>

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

From: Frode Lillefjell [<mailto:skitur@alaskapacific.edu>]

Sent: Monday, February 16, 2004 10:53 AM

To: bill.mcdonnell@uaf.edu

Subject: In Support of Roller-Skiing

Anchorage and Alaska has a very large cross- country skiing community that rely on roller-skiing on public roads as one of the main forms of specific training during the summer and fall. If roller-skiing were to be banned from public roads, many high level skiers training would be compromised and Alaskans would be at a clear disadvantage compared to skiers from a lot of other states.

For us skiers this is a serious problem, that need to be addressed. One option that we skier would like to have, in addition to public road, is trails made especially for roller- skiing, however these trails cost a lot of money to build and as of today we have none. If we had one good roller-ski trail in Anchorage and Fairbanks respectively it would take a lot of the pressure of the public roads and only the highest level skiers would still need to use the roads some. Until then we hope we can continue to use public roads for our training in a safe and cooperative manner with other people on the roads.

Sincerely,

Frode Lillefjell

Assistant Coach Alaska Pacific University Nordic Ski Center

4101 University Drive Anchorage, AK 99508

E-mail: Skitur@alaskapacific.edu

Subject: FW: In Support of Roller-Skiing

Date: Tue, 17 Feb 2004 08:40:53 -0900

From: "bill mcdonnell" <bill.mcdonnell@uaf.edu>

To: "Brian Hove" <Brian_Hove@legis.state.ak.us>

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

From: Martins [mailto:tadida@xyz.net]

Sent: Saturday, February 14, 2004 12:01 PM

To: bill.mcdonnell@uaf.edu

Subject: In Support of Roller-Skiing

Dear Committee Members:

We are a cross-country ski family in Homer and roller skiing is a big part of our summer fun. Larry Martin, my husband, is a former US Olympic team member. He grew up in Homer. Our daughter Ida Martin is a collegiate cross-country skier in Colorado. Our son is a member of the Homer High School ski team. A favorite summer workout for Larry and Ida is to roller ski up Fritz Creek Hill east of Homer. They also enjoy roller skiing up East Hill and up West Hill and across Skyline Drive. The Homer High School Ski Team also uses roller skis in these areas as a great pre-season training method.

My job in these workouts is to meet the roller skiers at the tops of the hills and give them a ride home. These are joyous, vigorous workouts. We're all four very much in favor of the use of roller skis. Legislation against such an activity is a vote in favor of atrophy and laziness and the use of automobiles instead of the human body!!!

Sincerely,

Linda Martin, for Larry, Ida and Tad

364 Rangeview

Homer, AK 99603

(907) 235-6758

Subject: FW: In Support of Roller Skiing Legislation

Date: Tue, 17 Feb 2004 08:42:11 -0900

From: "bill mcdonnell" <bill.mcdonnell@uaf.edu>

To: "Brian Hove" <Brian_Hove@legis.state.ak.us>

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

From: Ron Klein [mailto:xcsg@gci.net]

Sent: Tuesday, February 17, 2004 6:46 AM

To: bill.mcdonnell@uaf.edu

Subject: In Support of Roller Skiing Legislation

Bill,

Thank you for working with Senator Seekins to support amending state statutes to make roller skiing legal. I was shocked to learn last summer that roller skiing was illegal. Skiing is a way of life in Anchorage. Roller skiing is an essential activity for maintaining ski conditioning and training for winter races. I have skied with APUN Nordic in the past and roller skiing has been an essential component of the training plan. Alaska has been a significant contributor to the US National Ski and Paralympic Teams and the ability for Alaskan team members to roller ski during the off season is essential to maintaining the competitive edge.

Ron Klein

3316 Knik Ave

Anchorage, AK 99517

Subject: FW: In Support of Roller Skiing

Date: Tue, 17 Feb 2004 08:42:30 -0900

From: "bill mcdonnell" <bill.mcdonnell@uaf.edu>

To: "Brian Hove" <Brian_Hove@legis.state.ak.us>

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

From: Tim Stallard [<mailto:fntws@uaf.edu>]

Sent: Monday, February 16, 2004 10:01 AM

To: Bill McDonnell (E-mail)

Subject: In Support of Roller Skiing

To Whom it may concern,

I am writing to express my support for legislation that legalizes roller skiing on Alaska's roads. Nordic skiing is a sport in which our Alaskan athletes are competitive at an international level. While we are blessed with one of the longest ski seasons anywhere, our nordic athletes need to train year round to stay competitive.

Our public roads offer the only easily accessible place where Alaska's nordic athletes can train in the summer - so I urge you to make this possible.

Thank you,

Tim Stallard
1001 Mia St.
Fairbanks, AK 99712
(907) 452-8980

Tim Stallard < tim.stallard > Outdoor Adventures coordinator University of Alaska Fairbanks Explore Alaska: www.uaf.edu/outdoor

FW: in support of roller-skiing

Subject: FW: in support of roller-skiing

Date: Tue, 17 Feb 2004 08:44:10 -0900

From: "bill mcdonnell" <bill.mcdonnell@uaf.edu>

To: "Brian Hove" <Brian_Hove@legis.state.ak.us>

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

From: Elizabeth Quinley [mailto:queen_elizabeth05@hotmail.com]

Sent: Friday, February 13, 2004 5:26 PM

To: bill.mcdonnell@uaf.edu

Subject: in support of roller-skiing

February 12, 2004

To Whom It May Concern:

As an avid skier for both APUNSC and East Anchorage High School, I am happy that Senator Seekins is proposing to make roller-skiing legal. Rollerskiing is very important to the nordic skiing community, and ensuring its legality is a good idea. To excel in nordic skiing, roller-skiing is crucial. It provides year-round training and a motion very similar to skiing on snow.

When roller-skiing, my team and I are careful and accomodating to oncoming traffic as well as pedestrians. Our coaches are adamant about skiing single file and getting to the side of the road when cars need to get by. We wear helmets, stay on the correct side of the road, and try hard not to obstruct traffic. We follow the rules just as bike-riders and pedestrians do, and would greatly appreciate it if rollerskiing was recognized as legal.

Sincerely,

Elizabeth O. Quinley

1812 Bowdoin Circle

Anchorage, AK 99508

(907) 563-8569

queen_elizabeth05@hotmail.com

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Subject: FW: Roller-skiing on Public Right of Ways

Date: Tue, 17 Feb 2004 08:47:02 -0900

From: "bill mcdonnell" <bill.mcdonnell@uaf.edu>

To: "Brian Hove" <Brian_Hove@legis.state.ak.us>

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

From: Karen Mannix [mailto:karen_mannix@yahoo.com]

Sent: Sunday, February 15, 2004 7:20 PM

To: bill.mcdonnell@uaf.edu

Subject: Roller-skiing on Public Right of Ways

My name is Karen Mannix. I am a 24-year resident of Talkeetna, Alaska, co-founder of Denali Junior Nordic ski Club and the Su Valley High School Cross Country Ski Coach for the past 6 seasons. I am writing in support of the legislative effort to allow roller-skiing on public roads. Although I would agree that there is a degree of risk involved in roller-skiing on roads in Alaska, I see no great difference between roller-skiing and bicycling, and I highly doubt there could be legal merit for determining one use more unsafe than the other.

However, my primary concerns for legislating AGAINST roller-skiing are these: 1) Our state has produced some of the best Nordic skiers in the country, in part because these athletes can summer train on roller-skis. 2) There are inadequate bike path systems to allow for roller-skiing. A perfect example is in the Talkeetna area, where a person can't travel from point A to point B anywhere in the area unless he/she is on a public road, the railroad, or in the woods! Several years ago, a side-road off the Talkeetna Spur (the Comsat) was freshly paved and allowed the only roller-skiable surface within a 60-mile radius. The Spur itself was pitted, pot-holed, and cracked. Last summer a bike path was constructed and may finally be used, but the Comsat is still able to provide variety and can be accessed by some residents without having to drive there. True, it might be safer to roller-ski solely on the bike path, BUT there is no legislation which denies anyone the right to ride a bike on the Comsat, and having done both, I personally see no difference between the two. 3) Bicycling and roller-skiing are very similar activities; many people commute, train, recreate using either/or or both forms of transportation...if one legislates against one, the other should follow. However, our State doesn't feel compelled to disallow bicycles on the busy city streets of Anchorage; how does roller-skiing on less busy public right-of-ways differ? 4) Compelling roller-skiers to use bike paths will seriously disable the use of good, paved training areas for serious nordic skiers. This would likewise be true for the serious bicyclist, and I would oppose any legislation which would hamper either activity.

We currently have a helmet law which mandates helmet use on motorcycles and snow machines. I maintain that any road user (motor vehicle or other) needs to be adequately prepared for safety; when I summer coach nordic athletes, they are required to wear helmets, but they are also allowed to ski on the sides of paved roads...otherwise, our Nordic ship would have been sunk years ago!

When our legislators begin to tackle public use "restrictions" on public right-of-ways, it is very important to be consistent. I don't see how it is possible for one to tell a resident of a neighborhood that they can bike to their friend's house but they can't roller-ski (or in-line skate, for that matter). I also feel that if the State of Alaska were really paying attention to types of recreation on public right-of-ways, it would more wisely use its time citing the many young snow-machiners, kids under 16 years old, without any type of driving permit, who spend hours snow-machining at high speeds on (non-motorized) bike paths all over Alaska in winter. How many fatalities have we seen related to snow machine use vs roller-skiing?

As a skier, roller-skier, and coach, I feel it is necessary to allow roller-skiing activity on roads unless the State is willing to build a "non-motorized paved path" adjacent to each road. Whether training or commuting, roller-skiing should be allowed. I would suggest we tackle the snow machine issue (on non-motorized bike paths in winter) before attempting to legislate against something much more "healthy" and much less potentially injurious to others or self (roller-skiing on roads in summer).

Karen Mannix

PO Box 284

Talkeetna, Ak. 99676

907-733-2615

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Subject: FW: Re: SB 327-Rollerskiing

Date: Tue, 17 Feb 2004 08:50:14 -0900

From: "bill mcdonnell" <bill.mcdonnell@uaf.edu>

To: "Brian Hove" <Brian_Hove@legis.state.ak.us>

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

From: Brennan Walsh [mailto:bwalsh01@hotmail.com]

Sent: Monday, February 16, 2004 3:54 PM

To: Bill.McDonnell@uaf.edu

Subject: FW: Re: SB 327-Rollerskiing

>From: Senator French <senator_hollis_french@legis.state.ak.us>

>To: Brennan Walsh <bwalsh01@hotmail.com>

>Subject: Re: SB 327-Rollerskiing

>Date: Mon, 16 Feb 2004 13:58:56 -0900

>

>Dear Brennan,

>Thank you for your letter regarding SB 327. I will look this bill over
>carefully. It certainly seems like a good idea. I am an avid
>recreational

>skier, and I am certainly supportive of any legislation that makes it
>easier for

>Alaskans to get out and exercise!

>Best of luck in your endeavors,

>Hollis French

>

>

>Brennan Walsh wrote:

>

> > Dear Sen. Hollis,

> >

> > My name is Brennan Walsh and I am an active cross country skier in

>Anchorage

> > and on the NCAA college circuit. I competed for West High, Team
Alaska,

>the

> > US Junior Biathlon Team, and now I race for the University of
Nevada,

>Reno.

> > I am writing to ask for your support to pass SB 237. The bill allows
the

>use

> > of Rollerskiing on roadways. As any serious skier will tell you, the

> > importance of rollerskiing in the summer out weigh's any other type
of

> > training activity an athlete can do. I can say first hand that I
would

>not

> > have been able to go as far as I have, without the use of summer

> > rollerskiing. Please vote in favor of this bill for myself, the
skiing

> > community of our district, and for all the similar athletes around
the

> > state. Thank you for your time.

> >

> > Brennan Walsh

> >

> >

> > (school address)

> > 905 Washington St.
> > Reno, NV, 89503
> >
> > (Alaska address)
> > 1901 Belair
> > Anchorage, AK 99517
> >
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>
>--
>Sen. Hollis French
>State Capitol, Room 504
>Jureau, AK 99801
>toll free (866) 465-3892
>
>visit my website at <http://www.akdemocrats.org>
>
>

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Dial-up
Accelerator. <http://click.atdmt.com/AVE/go/onm00200361ave/direct/01/>

Subject: FW: In Ssupport of Roller Skiing

Date: Tue, 17 Feb 2004 08:51:06 -0900

From: "bill mcdonnell" <bill.mcdonnell@uaf.edu>

To: "Brian Hove" <Brian_Hove@legis.state.ak.us>

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

From: spirit1@ptialaska.net [mailto:spirit1@ptialaska.net]

Sent: Saturday, February 14, 2004 9:59 AM

To: bill.mcdonnell@uaf.edu

Subject: In Ssupport of Roller Skiing

Dear Bill,

I am the parent of several former high school cross country skiers and I am a skier myself. I am very much in favor of our skiers at all levels having the option of training on roller skis when there is no snow. Rather than being annoyed by the skiers using the road, I am always impressed at their dedication to their sport. While I would be happy to have wider shoulders on our roads for the use of all sports including bicycles and running strollers, I am more than willing to slow down for others using the roads. I am in support of roller skiing on the roads; I am in fact in support of use of our roads for non-motorized travel as well. Thank you.

Gail Davidson
1547 Chena Ridge Road
Fairbanks, Alaska 99709
(907) 479-7127

mail2web - Check your email from the web at
<http://mail2web.com/> .

FW: I support Roller Skiing!

Subject: FW: I support Roller Skiing!

Date: Tue, 17 Feb 2004 08:52:11 -0900

From: "bill mcdonnell" <bill.mcdonnell@uaf.edu>

To: "'Brian Hove'" <Brian_Hove@legis.state.ak.us>

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

From: The Harrisons [mailto:hhhomer@alaska.net]

Sent: Saturday, February 14, 2004 3:54 PM

To: bill.mcdonnell@uaf.edu

Subject: I support Roller Skiing!

My name is Brian Harrison and I am in favor of keeping roller skiing legal. As a Homer resident we are often the victims of unseasonably warm winter weather. The ability to roller ski makes training less of an issue due to poor snow conditions. It also makes training possible year round. My daughters both have been on the school cross country ski teams. Having this avenue open to them to improve their skills is invaluable. When the national spot light is on obesity in our population, why would anyone take away another method of all important exercise. I can be reached at 1065 Larkspur Ct., Homer Ak. 99603, or 907-235-8922 should you have questions. Thank you for taking the time to consider this very important issue.

Brian Harrison

Subject: FW: Groseclose support for rollerskiing bill w/address

Date: Tue, 17 Feb 2004 08:53:08 -0900

From: "bill mcdonnell" <bill.mcdonnell@uaf.edu>

To: "Brian Hove" <Brian_Hove@legis.state.ak.us>

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

From: Bob [<mailto:bob@alaskalaw.com>]

Sent: Monday, February 16, 2004 10:17 AM

To: bill.mcdonnell@uaf.edu

Subject: RE: Groseclose support for rollerskiing bill w/address

Bill, I overlooked my address, below.

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

From: Bob [<mailto:bob@alaskalaw.com>]

Sent: Monday, February 16, 2004 9:56 AM

To: 'bill.mcdonnell@uaf.edu'

Subject: Groseclose support for rollerskiing bill

Bill,

Add my name to those supporting legislation which would modify the existing

statute/regulation so as to tolerate and accommodate roller skiing.

Cross-country skiing is to Alaska as surfing is to California. The law

should reasonably accommodate this Alaskan pastime. Roller skiing is an

off-season, ski-training activity. Certain roadways can accommodate the

sharing of roller-skiing with other users. A total ban effectively

eliminates off-season cross-country ski training. The law should be

relaxed

to allow roller-skiing when traffic safety is not unreasonably

comprised.

There are many roadways in the state where roller-skiers have for many

years

peacefully coexisted safely and in harmony with other users. The law

should

accommodate such usage. The total ban should be modified.

Bob Groseclose

520 Marshall Drive

Fairbanks, Alaska 99712

907/457-5498