

# Primary Enforcement Saves Lives

The Case for Upgrading  
Secondary Safety Belt Laws





• S A V E L I V E S •



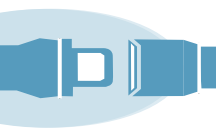
# Primary Enforcement Saves Lives

## The Case for Strong Safety Belt Laws



# Table of Contents

<b>INTRODUCTION</b>	<b>1</b>
<b>SECTION I – SAFETY BELTS SAVE LIVES</b>	<b>3</b>
Motor Vehicle Crashes – A Leading Cause of Death and Injury	3
Wearing a Safety Belt – The Simplest and Least Expensive Way To Reduce Deaths and Serious Injuries	3
Efforts to Increase Safety Belt Use	4
<b>SECTION II - THE CASE FOR PRIMARY ENFORCEMENT</b>	<b>7</b>
Increasing Compliance with Safety Belt Use Laws	8
Heightened Public Perception of the Importance of Safety Belt Use	8
Increased Law Enforcement Support for Enforcing Safety Belt Laws	8
Educating the Public about Primary Enforcement	8
Adjudication – Appropriate Penalties for Non-Use	9
Community Support for Primary Safety Belt Use Laws	10
Safety Belt Performance Grants	10
<i>Click It or Ticket</i> – A Combination of Public Education and Enforcement that Works	12
<b>SECTION III - THE LONG-TERM BENEFITS OF UPGRADING TO A PRIMARY LAW</b>	<b>15</b>
Lower Fatality Rates	15
Economic Savings	17
<b>SECTION IV - EXAMPLES OF THE EFFECTIVENESS OF PRIMARY LAWS</b>	<b>19</b>
<b>SECTION V PUBLIC SUPPORT FOR SAFETY BELT USE LAWS</b>	<b>21</b>
Attitudes, Knowledge, and Experience with Safety Belt Laws and their Enforcement	21
Awareness of Primary/Secondary Enforcement Provisions in their State	22
Support for Primary Enforcement	22
Perceived Risk of Personally Being Ticketed	22
Preferred Level of Enforcement Activity	22
Increasing Acceptance of Primary Enforcement	22



(CONTINUED)

# Table of Contents

<b>SECTION VI - RESPONDING TO OBJECTIONS TO A PRIMARY SAFETY BELT USE LAW</b>	<b>23</b>
Personal Choice and Individual Rights	23
Concern about Harassment	23
<b>APPENDIX A - Fact Sheets</b>	<b>25</b>
The Facts: It's Time to Buckle Up	25
The Facts: The Economic Burden on Non-Belt Use	26
Q's and A's	27
Myths and Facts	28
<b>APPENDIX B</b>	<b>29</b>
Fundamentals for Upgrading from a Secondary to a Primary Safety Belt Use Law	29
<b>APPENDIX C</b>	<b>31</b>
Model Law	31
<b>APPENDIX D</b>	<b>35</b>
Federal and State Resources	35
<b>APPENDIX E</b>	<b>41</b>
Potential Supporters of Primary Enforcement and Other State Traffic Safety Laws	41
<b>APPENDIX F</b>	<b>42</b>
State Safety Belt Laws	42
<b>APPENDIX F</b>	<b>43</b>



# Introduction

The National Highway Traffic Safety Administration (NHTSA) has developed this booklet to make the case for upgrading secondary laws, based on the overwhelming evidence that safety belt use saves lives, reduces injuries, and reduces the economic costs associated with motor vehicle crashes.

As you read the following pages, you will find varying estimates of the potential for increasing safety belt use and the life-saving benefits of primary use laws. These variations are attributable to the different methodologies used and should be viewed in the context of the cited studies.

The appendices provide supplementary information that further illustrates the benefits of safety belt use and that actions taken to support their use make sense. They include fact sheets, identify factors that may influence the legislative process for upgrading secondary laws, list potential supporters for primary enforcement, contain a chart of key traffic safety laws, and provide national and State resources.

In addition to distributing the booklet to garner support, advocates can use the information within to develop speeches, presentation materials, additional fact sheets, and news releases.

**P**rimarily safety belt laws

allow a citation to be issued if a law enforcement officer simply observes an unbelted driver or passenger.

Secondary safety belt laws require an officer to stop or cite a violator for another infraction before being able to issue a citation for not buckling up.





SECTION I

# Safety Belts Save Lives

At 82 percent, the 2005 national safety belt use rate, safety belts prevented 15,700 fatalities, 350,000 serious injuries, and \$67 billion in economic costs associated with traffic injuries and deaths. The 2-percentage-point increase in belt use from 2004 to 2005 prevented 540 fatalities, 8,000 serious injuries, and \$1.8 billion in economic costs.<sup>1</sup> In general, research has shown that for every percentage point increase in safety belt use, approximately 270 lives are saved. In 2005, the average safety belt use rate in States with primary enforcement laws was 10 percentage points higher than in States without primary enforcement laws.<sup>2</sup>

## Motor Vehicle Crashes – A Leading Cause of Death and Injury

Despite recent advances—safer highway design, new auto safety devices, reductions in impaired driving, and improved safety belt use rates—traffic crashes are still the leading cause of unintentional death in the United States. In fact, motor vehicle crashes are the leading cause of

death for the age group 4 through 34 years old.<sup>3</sup> Each year, approximately 42,000 Americans die in traffic crashes and another three million are injured. Sadly, many of these deaths and injuries could have been prevented if the victims had been wearing safety belts or were properly restrained in child safety seats.

As reflected in the chart below, when compared to crime, the number and frequency of deaths and injuries resulting from motor vehicle crashes are measurably greater.

## Wearing a Safety Belt – The Simplest and Least Expensive Way To Reduce Deaths and Serious Injuries

In the event of a crash, there are three basic ways to limit injuries and death to vehicle occupants.

1. Vehicles can be modified to provide better protection for drivers and passengers.
2. Emergency medical services (EMS) can be improved to reach victims more quickly and to provide more extensive medical care.

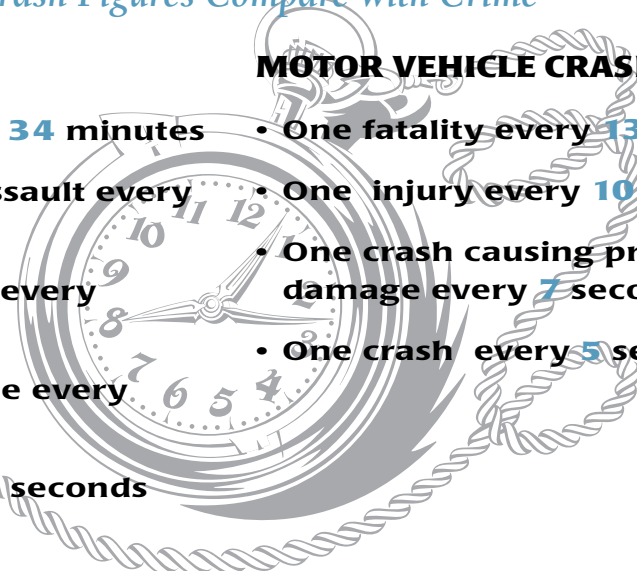
## How Motor Vehicle Crash Figures Compare with Crime

### CRIME

- One murder every **34** minutes
- One aggravated assault every **35** seconds
- One violent crime every **22** seconds
- One property crime every **3** seconds
- One crime every **3** seconds

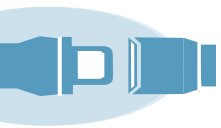
### MOTOR VEHICLE CRASHES

- One fatality every **13** minutes
- One injury every **10** seconds
- One crash causing property damage every **7** seconds
- One crash every **5** seconds



“We are in the midst of a national epidemic. If this many people were to die from any one disease in a single year, Americans would demand a vaccine. The irony is we already have the best vaccine available to reduce the death toll on our highways – safety belts.” (Former Transportation Secretary Norman Mineta, April 2005)<sup>4</sup>

Source: NHTSA Traffic Safety Facts, 2000, U.S. Department of Transportation and Uniform Crime Report, 2000, U.S. Department of Justice



Safety belts and child safety seats help prevent injury five different ways:

1. Preventing ejection.
2. Shifting crash forces to the strongest parts of the body's structure.
3. Spreading forces over a wide area of the body.
4. Allowing the body to slow down gradually.
5. Protecting the head and spinal cord.

3. People can buckle the safety belts already in their vehicles.

Despite the fact that there are motor vehicle crashes in which a person cannot survive, thousands of lives are saved each year by safety belts. Among passenger vehicle occupants over 4 years old, safety belts saved an estimated 15,434 lives in 2004. If all passenger vehicle occupants over age 4 wore safety belts, 21,273 lives (that is, an additional 5,839) could have been saved in that same year.<sup>5</sup> When lap/shoulder safety belts are used properly, they reduce the risk of fatal injury to front-seat occupants riding in passenger vehicles by 45 percent and the risk of moderate-to-critical injury by 50 percent. For light-truck front-seat occupants, safety belts reduce the risk of fatal injury by 60 percent and the risk of moderate-to-critical injury by 65 percent. (Light trucks,

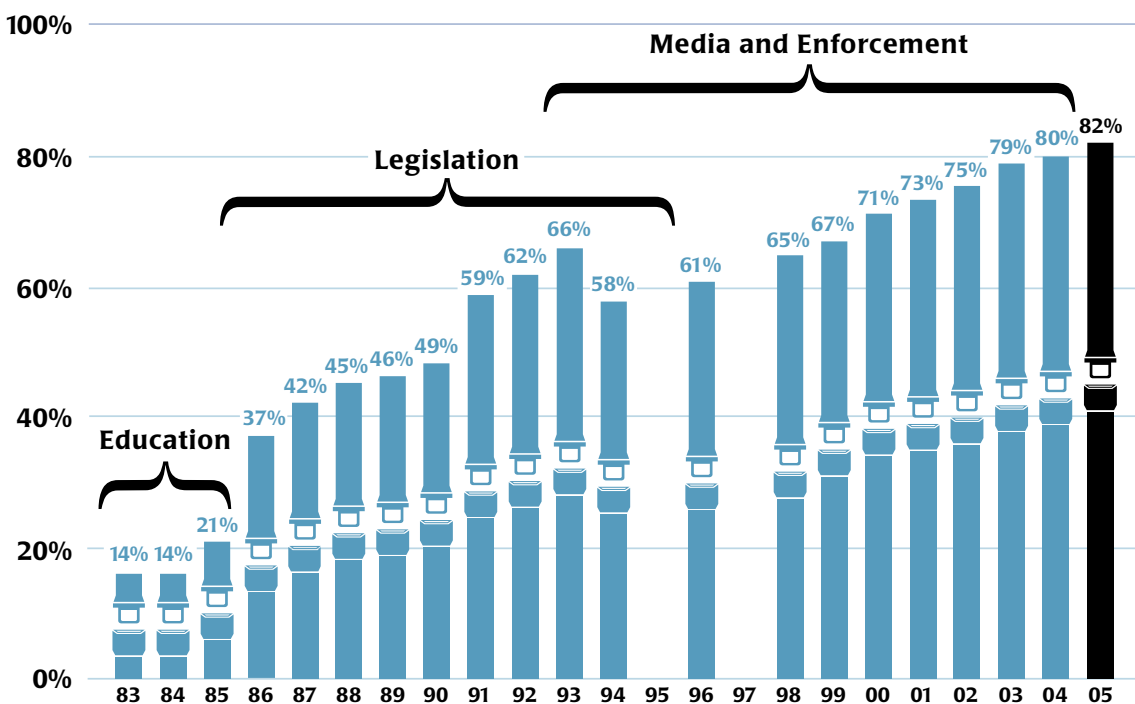
weighing less than 10,000 lbs., include sport utility vehicles, vans, pick up trucks and truck-based station wagons.)<sup>6</sup>

Wearing a safety belt also helps reduce the risk of air bag-related injury. Safety belts and air bags together are very effective at reducing injury in moderate to severe crashes. However, riding unrestrained and coming into close proximity of the air bag, just prior to a crash, can be dangerous, especially for children. (See Appendix A for Fact Sheets on the benefits of safety belt use.)

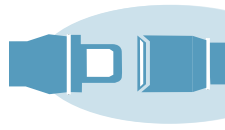
### Efforts to Increase Safety Belt Use

Ten years ago, in 1996, the national safety belt use rate was 61 percent. At that time, 11 States and Puerto Rico had primary safety belt use laws. Since that time, NHTSA has played a leadership role in developing, evaluating, and promoting the

### Safety Belt Use Rates 1983-2005



Note: The rates provided in the table above come from two sources. From 1983-1993, the rates are from State surveys. From 1994-2005, the rates are from NHTSA's National Occupant Protection Use Survey (NOPUS), which was not conducted in 1995 or 1997.



effectiveness of a variety of countermeasures, or interventions, to increase safety belt use. A combination of these countermeasures formed the basis for the agency's four-point *Buckle Up America* campaign (BUA). Initiated in 1997, BUA was a massive public health and safety campaign designed to increase safety belt use nationwide. The chart on page 4 shows the increases in safety belt use that can be traced to the implementation of these countermeasures.

The BUA campaign was built around the following four-point strategy, which remains the foundation of NHTSA safety belt campaigns today:

### *Point 1 - Enact strong legislation.*

It is imperative to adopt primary enforcement safety belt use laws and to close the gaps in child passenger safety laws in all States. Police officers should be able to write a citation whenever a safety belt violation is observed, whether or not the driver has committed any other traffic infraction. Child passenger safety laws should cover all children up to age 16 in every seating position. (See Appendix B for fundamentals for upgrading from a secondary to a primary safety belt use law and Appendix C for a model primary safety belt use law.)

### *Point 2 - Build public-private partnerships at the local, State, and Federal levels.*

The goal of increasing safety belt use is too big for any one group or agency to accomplish alone. But working together, the Nation can achieve higher use through stronger laws, visible enforcement, and public education and

information. Partnerships or coalitions can set the tone in a community, workplace, or organization, and the media can help spread the message that the proper use of safety belts and child safety seats are imperative for maintaining the health and well being of families and other community members. There are many successful coalitions and partnerships throughout the country; the agencies and organizations listed as resources in Appendix D can help you locate them.

### *Point 3 - Conduct active, high-visibility enforcement.*

Experience has shown that, after safety belt use laws are passed, belt use increases quickly. But without active and sustained high-visibility enforcement, it soon drops again. Belt laws must be visibly enforced the way other traffic laws are (red light running, speeding, etc.). In addition to increasing belt use and reducing crash injuries, high-visibility enforcement results in a measurable reduction in crime (one-third of criminal apprehensions occur as part of traffic stops).

### *Point 4 - Expand effective public education.*

It is critical to educate the public about the benefits of safety belt and child safety seat use. Public education may include a broad range of activities such as enforcement campaigns, promotional events, and community-based initiatives. These activities are most effective when they are well planned and coordinated and use a simple message that is repeated many times in different ways.





SECTION II

# The Case for Primary Enforcement

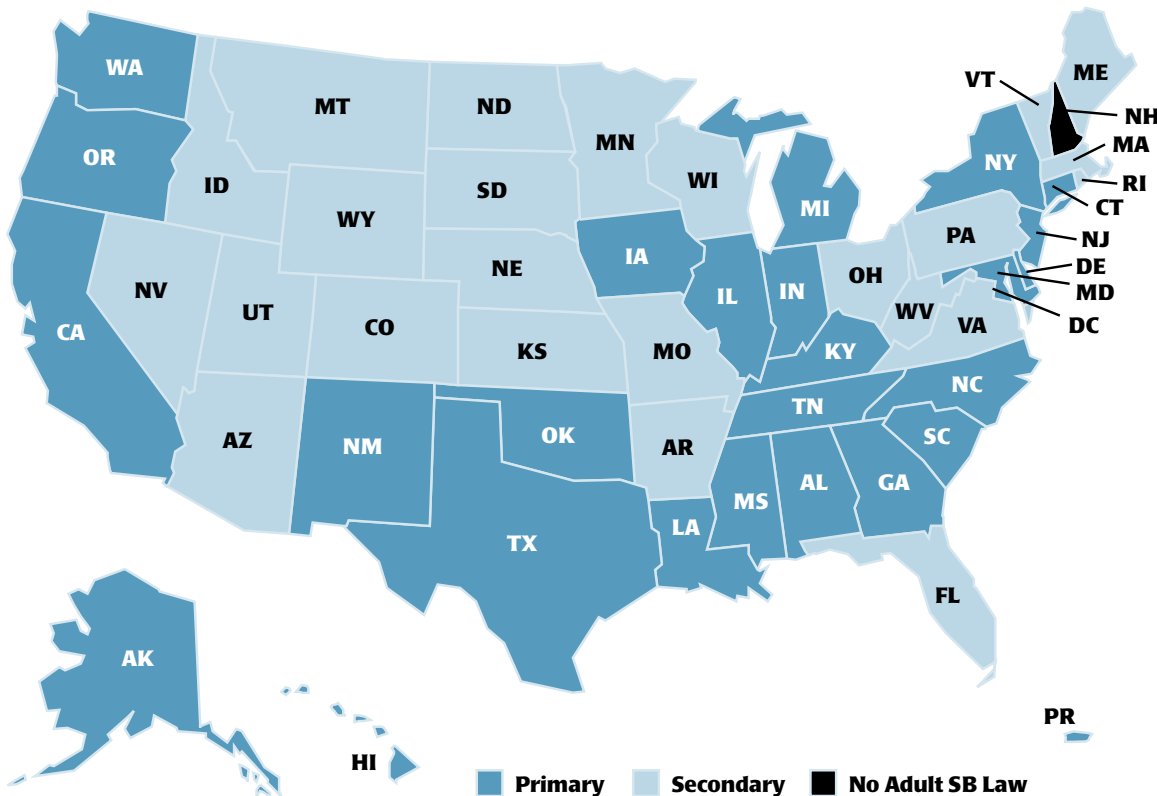
Primary safety belt laws have a proven track record of increasing a State's safety belt use rate. As stated in Section I, in 2005, the average safety belt use rate in States with primary enforcement laws was 10 percentage points higher than in States without primary enforcement laws. Safety belt use was 85 percent in primary law States versus 75 percent in States without primary enforcement.<sup>7</sup>

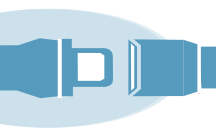
When States upgrade their laws from secondary to primary, significant increases in safety belt use are often observed. For example, when Delaware and Illinois upgraded their secondary safety belt laws to primary laws in 2003, the safety belt use rate in Delaware rose from 71 percent in 2002 to

75 percent in 2003 and the safety belt use rate in Illinois rose from 74 percent in 2002 to 80 percent in 2003.<sup>8</sup>

Forty-nine States, Puerto Rico, and the District of Columbia now have safety belt use laws, but only half provide for primary enforcement procedures, as reflected on the map below. Currently, 25 States plus the District of Columbia and Puerto Rico have enacted primary safety belt laws. Although increases in belt use have been made without a primary safety belt use law, the greatest gains are possible when a primary law works in conjunction with enforcement, education, and partnership initiatives. Passing primary safety belt use laws in every State would unquestionably

*State Safety Belt Use Laws* (as of September 2006)





save thousands of lives and prevent tens of thousands of injuries each year.

### *Increasing Compliance with Safety Belt Use Laws*

A primary enforcement law enhances the perceived importance of safety belt use by both the public and the law enforcement community. This enhanced perception ultimately leads to greater compliance.

### *Heightened Public Perception of the Importance of Safety Belt Use*

Primary enforcement sends a clear message that the State views safety belt use (and the safety belt law) as essential for the safe operation of a motor vehicle. Increasing adult belt use also has a significant impact on child passenger safety, because drivers who wear safety belts are more likely to restrain their child passengers. This is confirmed by recent research conducted by NHTSA on occupant protection use in passenger vehicles from 1995 to 2004 that showed the following<sup>9</sup>:

- Among fatally injured children up to age 3, 63 percent were unrestrained when drivers were unrestrained; conversely, when a driver was wearing a safety belt, 25 percent of children up to 3 were unrestrained.
- Among fatally injured children 4 to 7, 81 percent were unrestrained when the driver was unrestrained; conversely, when the driver was wearing a safety belt, 37 percent of children 4 to 7 were unrestrained.
- Among fatally injured children 8 to 15, 91 percent were unrestrained when the driver was unrestrained. Conversely, when the driver was wearing a safety belt, 47 percent of children 8 to 15 were unrestrained.

### *Increased Law Enforcement Support for Enforcing Safety Belt Laws*

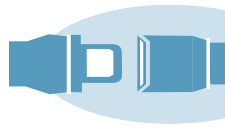
Virtually all traffic safety laws—and other laws, for that matter—are primary, except secondary enforcement safety belt use laws. In attitude surveys, officers consistently preferred primary laws and report that a secondary enforcement law is a major deterrent to issuing citations.<sup>10</sup>

In addition to increasing the perceived importance of safety belt use among law enforcement officers, upgrading a secondary law can enhance law enforcement efforts in another way. When law enforcement officers stop vehicles for traffic law violations, in this case, failure to use a safety belt, they may discover additional traffic or criminal violations that would otherwise go undetected. A minor traffic violation was the reason Timothy McVeigh, later convicted of the Oklahoma City bombing, was initially stopped by police.

### *Educating the Public about Primary Enforcement*

Abundant research has shown that an upgrade to primary enforcement will significantly raise belt use rates when combined with education and adjudication.<sup>11</sup> Those not in the habit of buckling up must be informed of the law and its consequences, persuaded of the value of safety belt use, and convinced that authorities are serious about enforcement.

A good example of how this combination can work took place when Washington State enacted its primary enforcement law in 2002. Prior to the effective date of June 13, the State participated in the national Memorial Day *Click it or Ticket* (CIOT) program during May and June and continued CIOT efforts into the summer months of 2002. In a study titled, “Analysis of the Impact



of Washington State's Primary Seat Belt Law and *Click It or Ticket* on Restraint Use in Passenger Vehicle Fatalities, 2002,"<sup>12</sup> researchers found that safety belt use for both drivers and passengers increased; however, the researchers attribute higher use rates among drivers to CIOT messages that were specifically tailored to drivers in the under-20 age group. This group improved the most, with an increase in safety belt use of 29.9 percent, followed by drivers in the 34-44 age group, who experienced a 28.3-percent increase in belt use. (Additional information on CIOT can be found in the section below, "*Click It or Ticket* – A Combination of Public Education and Enforcement that Works.")

Referenced in this study was another research paper<sup>13</sup> in which key results of a 2002-2003 analysis of the impact of Washington's primary law showed increases in safety belt use and a 13.4-percent decrease in motor vehicle occupant fatalities compared to the average yearly totals for the six years before the law's enactment.

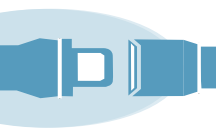
As the Washington State example shows, to realize the full benefits of a primary law, enforcement must be highly visible and combined with extensive public education. Whenever possible, public education messages should call attention to the law and ongoing enforcement activities. However, other complementary messages can also be used, as follows.

**Our children and young people are paying the price.** Traffic-related injuries are the leading cause of death for children and young adults in the age group 4 through 34.<sup>14</sup> And adult behavior affects children; properly belted adults are positive role models for children who will soon be making buckle-up decisions themselves.

**Society is paying the price.** Traffic crashes result in \$230.6 billion in economic costs, including \$32.6 billion in medical care and emergency services expenses, and \$120 billion in lost productivity and property loss. Such costs are passed on to consumers so that every person in America shares the economic costs of motor vehicle crashes, the equivalent of over \$200 in added taxes for every household in the United States. Eighty-five percent of all medical costs incurred by crash victims fall on society, not the individuals involved. Medicare, Medicaid and other taxpayer-funded sources pay 24 percent of these costs. When crash victims are unbuckled, their medical treatment costs are 50 percent higher. (All numbers cited are based on 2000 data.)<sup>16</sup>

**Businesses are paying the price.** Employers are hit especially hard. NHTSA estimates that crashes on and off the job cost American businesses an estimated \$61 billion through lost productivity and other costs; motor vehicle crashes imposed a \$16.3 billion health-related fringe benefit bill for employers. Employer health care (medical) cost of crash injuries was \$7.7 billion. Another \$8.6 billion was spent on sick leave and life and disability insurance for crash victims.<sup>17</sup>

One of the strongest predictors of safety belt use among young drivers is a State's safety belt law. From 1998 to 2002, teenage (16-19 years old) driver belt use was significantly lower in crashes occurring in States allowing only secondary enforcement (30%) than in crashes occurring in primary law States (49%).<sup>15</sup>



### *Adjudication – Appropriate Penalties for Non-use*

Adjudication, the legal assessment of an appropriate fine, is a critical element of a primary safety belt use law. To be effective, the language of a safety belt use law must be clear and penalties must be strong enough to have a deterrent effect. The table below addresses penalties, along with “Other Key Provisions Every State Safety Belt Law Needs.”

### *Community Support for Primary Safety Belt Use Laws*

Support for upgrading to primary enforcement can be found throughout the community, both from traditional safety, law enforcement, and health organizations and from nontraditional groups in such fields as education and business. See Appendix E for a list of potential supporters of primary safety belt laws.

If passing a statewide primary enforcement safety belt use law is not possible, communities can consider the possibility of enacting a local ordinance. Many communities across the country have adopted local primary safety belt use ordinances and many more are actively pursuing them.

### *Safety Belt Performance Grants*

Section 2005 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) establishes a grant program to encourage the enactment and enforcement of laws requiring the use of safety belts in passenger motor vehicles. Almost \$500 million in grant funds will be available in fiscal years 2006-2009 under this program. Each State must use at least \$1 million of the funds for behavioral highway safety programs. All 50 States, DC, Puerto Rico, and the four territories are eligible for this funding as long as they qualify under one of the following three circumstances:

- New Primary Law State: Enacts and enforces a conforming primary safety belt use law on or after January 1, 2003.
- Pre-2003 Primary Law State: Primary law in effect on or before December 31, 2002.
- Safety Belt Performance State: Achieves a safety belt use rate of 85 percent or higher without a primary safety belt law in two consecutive calendar years beginning after December 31, 2005.

### *Other Key Provisions Every State Safety Belt Law Needs*

In addition to being enforced on a primary basis, a strong safety belt use law should include the following:

**Penalties.** Fines for safety belt use law violations should be significant enough to deter noncompliance. Evidence suggests that fines greater than \$25 lead to higher safety belt use rates. Penalty points on the driver’s license are another way to deter noncompliance. In general, as the severity of the penalty increases, so will compliance.

**Coverage of All Occupants in All Seating Positions.** The driver should be responsible for seeing that everyone in the vehicle is properly buckled. Currently, some child passenger safety laws only cover children through age three. Most safety belt use laws only cover front seat occupants. Therefore, in these States, a child over three legally can ride in the back seat without being secured because the child is not covered by either the child passenger safety law or the (front seat-only) safety belt use law.

**Coverage of All Vehicles.** Safety belt use laws should apply to all passenger vehicle types—vans, light trucks, sport utility vehicles, and cars—in the State in which they are traveling.



Table 1 below provides the funding available to States under the Primary Safety Belt Law Incentive Grant program.

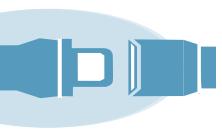
*Section 406 - Primary Safety Belt Law Incentive Grants Under SAFETEA-LU*

State/Territory	Pre-2003 Primary Law State	Grants to States with Primary Law prior to 12/31/02*	New Primary Law State (Passed PBL after 12/31/02)	Maximum Grants to States Which Enact New Primary Laws **
Alabama	X	\$ 5,338,916		\$ -
Alaska		\$ -	X	\$ 3,725,188
Arizona		\$ -		\$ 12,194,224
Arkansas		\$ -		\$ 9,497,497
California	X	\$ 30,156,272		\$ -
Colorado		\$ -		\$ 12,015,277
Connecticut	X	\$ 3,107,218		\$ -
Delaware		\$ -	X	\$ 3,725,188
District Of Columbia	X	\$ 1,568,500		\$ -
Florida		\$ -		\$ 35,502,008
Georgia		\$ -		\$ 20,698,353
Hawaii	X	\$ 1,568,500		\$ -
Idaho		\$ -		\$ 4,543,081
Illinois		\$ -	X	\$ 29,727,619
Indiana		\$ -		\$ 15,738,565
Iowa	X	\$ 4,492,180		\$ -
Kansas		\$ -		\$ 11,184,630
Kentucky		\$ -	X	\$ 11,210,594
Louisiana	X	\$ 4,714,742		\$ -
Maine		\$ -		\$ 3,725,188
Maryland	X	\$ 4,796,282		\$ -
Massachusetts		\$ -		\$ 13,596,153
Michigan	X	\$ 10,227,698		\$ -
Minnesota		\$ -		\$ 15,287,505
Mississippi		\$ -	X	\$ 8,713,448
Missouri		\$ -		\$ 16,203,001
Montana		\$ -		\$ 4,854,709
Nebraska		\$ -		\$ 7,437,184
Nevada		\$ -		\$ 5,527,409
New Hampshire		\$ -		\$ 3,725,188
New Jersey	X	\$ 7,381,620		\$ -
New Mexico	X	\$ 2,589,482		\$ -
New York	X	\$ 17,246,308		\$ -
North Carolina	X	\$ 8,331,818		\$ -
North Dakota		\$ -		\$ 5,138,213
Ohio		\$ -		\$ 26,757,615
Oklahoma	X	\$ 4,894,968		\$ -
Oregon	X	\$ 3,995,422		\$ -
Pennsylvania		\$ -		\$ 28,633,342
Puerto Rico	X	\$ 3,313,544		\$ -
Rhode Island		\$ -		\$ 3,725,188
South Carolina		\$ -	X	\$ 10,576,645
South Dakota		\$ -		\$ 5,213,510
Tennessee		\$ -	X	\$ 14,726,112
Texas	X	\$ 22,322,214		\$ -
Utah		\$ -		\$ 6,130,906
Vermont		\$ -		\$ 3,725,188
Virginia		\$ -		\$ 16,574,441
Washington	X	\$ 6,232,820		\$ -
West Virginia		\$ -		\$ 5,092,399
Wisconsin		\$ -		\$ 15,237,150
Wyoming		\$ -		\$ 3,725,188
American Samoa	X	\$ 784,250		\$ -
Guam	X	\$ 784,250		\$ -
N. Marianas	X	\$ 784,250		\$ -
Virgin Islands	X	\$ 784,250		\$ -
Total	16 States + DC, Puerto Rico, 4 territories	\$ 145,415,504	7 States	\$ 394,087,897
			<b>GRAND TOTAL</b>	<b>\$ 539,503,401</b>

\*States with Primary Safety Belt Use Law before 12/31/02-(Max. grant per State = 2 times FY 2003 Section 402 Formula Grant.)

\*\* States that Enact Primary Safety Belt Use Law after 12/31/02 (Max. grant per state = 4.75 times FY 2003 Section 402 Formula Grant.)

SOURCE: U.S.DOT



Six States received grants in 2006 as a result of the new primary safety belt law incentive grant program: Alaska, Delaware, Illinois, Mississippi, South Carolina and Tennessee. Kentucky passed a primary belt law in 2006 and will begin to enforce it in 2007, therefore they will receive their grant funds in 2007.

### *Click It or Ticket – A Combination of Public Education and Enforcement that Works*

First developed by the State of North Carolina and expanded by NHTSA in the late 1990's, *Click It or Ticket* campaigns involve a two-week period of intensive enforcement of safety belt laws, coupled with extensive public information and education, including paid advertising. NHTSA evaluated the effectiveness of this model<sup>18</sup> in 2002 making comparisons between "Full Implementation" States, "Other Implementation" States, and "Comparison" States that participated in *Click It or Ticket* campaigns in May and November of 2002.

In Full Implementation States, a statewide program employing all elements of the *Click It or Ticket* model was conducted including:

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



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

In Other Implementation States campaigns similar to the Full Implementation States were conducted; however, they used limited paid advertising. Among these States, the amount spent on paid advertising ranged from a low of \$27,000 in Rhode Island to a high of \$650,000 in Michigan. Comparison States also conducted campaigns similar to the Full Implementation States; however, they did not purchase any advertising.

Safety belt use increased an average of 8.6 percentage points across the 10 *Click It or Ticket* Full Implementation States (see Table 2). There was a 2.7-point increase averaged across the limited paid media States and only a 0.5-point safety belt use increase averaged across the States not using paid advertising. Among the Full Implementation group, increases in safety belt use occurred in all 10 States (both primary and secondary with either high- or low-safety-belt-use baselines). Safety belt use increased in three of the four States that had limited paid media and in two of the four comparison States.

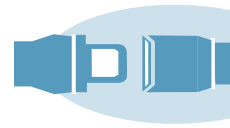


Table 2  
*Observed Changes in the Safety Belt Use Rate by State (2002)*

Number of Observed Users	Baseline Usage Rate	Post-Activity Rate	Estimated Change in Usage Rate
<b>Full Implementation</b>	(N=312,172)	(N=324,895)	
AL (116,064)	70.3	78.7	+8.4
FL (60,705)	66.5	75.1	+8.6
IL (69,025)	70.6	74.3	+3.7
IN (39,491)	69.2	72.2	+3.0
MS (218,347)	53.8	61.5	+7.7
NV (40,000)	70.6	76.4	+5.8
TX (30,016)	80.5	86.4	+5.9
VT (19,779)	66.2	84.9	+18.7
WA (12,089)	80.8	89.5	+8.7
WV (31,551)	56.5	71.6	+15.1
<b>Average</b>	<b>68.5</b>	<b>77.1</b>	<b>+8.6</b>
<b>Other Implementation</b>	(N=185,173)	(N=188,857)	
CO (291,450)	72.1	73.2	+1.1
MI (30,248)	82.3	80.0	-2.3
OH (44,240)	64.2	70.3	+6.1
RI (8,092)	62.6	68.6	+6.0
<b>Average</b>	<b>70.3</b>	<b>73.0</b>	<b>+2.7</b>
<b>Comparison</b>	(N=118,761)	(N=122,247)	
IA (23,898)	81.4	83.0	+1.6
NY (175,328)	78.3	82.8	+4.5
OR (36,115)	88.5	87.8	-0.7
West MA (5,667)	60.6	57.2	-3.4
<b>Average</b>	<b>77.2</b>	<b>77.7</b>	<b>+0.5</b>

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

10,000 residents in Comparison States. *Generally, the States with primary safety belt use laws (AL, IA IN, MI, NY, OR, TX) issued tickets at a greater per-resident rate (see Table 3).* Highest ticketing rates included Alabama (31), Indiana (40), and Texas (40) among the Full Implementation States; in Comparison States, New York (36) had the highest ticketing rate.

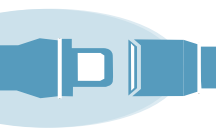


Table 3  
*sSTEP Wave Enforcement Summary (2002)*

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

The trend for primary States to issue tickets at a greater per-resident rate has continued. In the evaluation of the May 2004 *Click or Ticket* campaign,<sup>19</sup> researchers found that in States with a primary law, law officers issued 488,287 citations, which is approximately 30 citations per 10,000 residents. In States with a secondary law, 169,018 citations were

issued, which is approximately 15 citations per 10,000 residents. This trend clearly suggests that primary law States will continue to maintain higher safety belt use rates due to the increased public perception that the safety belt law is being enforced, which is a key factor in safety belt use.



SECTION III

# The Long-Term Benefits of Upgrading to a Primary Law

Over the long-term, primary safety belt use laws benefit everyone. When combined with highly visible enforcement, public education, and adjudication States and community experience lower fatality rates and economic savings. The following research highlights various aspects of these benefits.

## Lower Fatality Rates

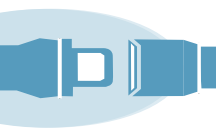
NHTSA researchers compared the percentage of unrestrained passenger vehicle occupant fatalities and fatality rates between those States that had and those that did not have primary safety belt use laws from 2000 to 2004. Results not only showed a smaller percentage of unrestrained passenger vehicle occupant fatalities in primary enforcement States (51 percent compared to 65 percent), they also showed significantly lower fatality rates. This was true whether the fatality rate was based on vehicle miles traveled (VMT) or population. In primary enforcement States the passenger vehicle occupant fatality rates were 1.03 per 100 million vehicle miles traveled (VMT) and 10.69 per 100,000 population. This compares to 1.21 and 13.13 (respectively) for all other States.<sup>20</sup>

In December 2004, the Insurance Institute for Highway Safety published a study<sup>21</sup> designed to estimate the effect that a change from a secondary to a primary law would have on driver fatality rates. The results of the study showed that, "After accounting for possible economic effects and other general time trends, the change from secondary to primary enforcement was found to reduce annual passenger vehicle driver death rates by an estimated 7 percent..."<sup>22</sup>

The study examined driver fatality data from 1989-2003 in 10 jurisdictions where secondary laws were amended to primary laws. The jurisdictions were California, the District of Columbia, Georgia, Indiana, Louisiana, Maryland, Michigan, New Jersey, Oklahoma, and Washington. Researchers compared these data with data in States where the laws remained secondary. The annual rate of passenger vehicle driver deaths per mile of travel declined in both groups of States, but it declined more in the States that changed to primary enforcement.

As quoted in the Institute's newsletter, "...during the study period "many States participated in special *Click It or Ticket* safety belt enforcement campaigns. The enhanced enforcement began

States with primary safety belt laws have higher belt use rates and lower fatality rates.



earlier in the primary States so it's important to note that changes in belt use laws along with the increased enforcement led to the decrease in fatalities." Based on the reduction in driver death rates, it's estimated that 2,990 lives have been saved in the study States because of the tougher safety belt laws. "If the 27 States that still have secondary laws were to switch to primary enforcement, about 700 lives would be saved each year. And if legislators in these States had enacted primary laws to begin with, more than 5,000 lives could have been saved since 1996."<sup>23</sup>

The following information from the study (Table 4) shows the number of lives that could have been saved for each State that had a secondary safety belt use law.

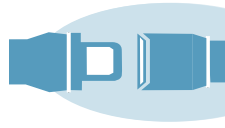


Table 4  
*Effects Of Strengthening Belt Laws:*

Lives that could have been saved since 1996 in secondary States if belt laws had been primary

	Passenger vehicle driver deaths 1996-2003	Lives that could have been saved since 1996
*Alaska	326	23
Arizona	3,347	234
Arkansas	2,914	204
Colorado	2,646	185
Florida	10,889	761
Idaho	1,158	81
Kansas	2,373	166
*Kentucky	4,027	282
Maine	838	59
Massachusetts	1,776	124
Minnesota	2,771	194
*Mississippi	4,314	302
Missouri	5,459	382
Montana	1,070	75
Nebraska	1,345	94
Nevada	1,226	89
North Dakota	465	33
Ohio	6,309	441
Pennsylvania	6,644	465
Rhode Island	336	23
*South Carolina	4,436	310
South Dakota	699	49
Utah	1,216	85
Vermont	372	26
Virginia	4,200	294
West Virginia	1,759	123
Wisconsin	3,454	242
Wyoming	675	47
<b>Total</b>	<b>77,084</b>	<b>5,390</b>

\*States listed are all those with secondary belt use laws at the time of the study (\*Alaska, Kentucky, Mississippi and South Carolina now have primary laws).



Another study, “Lives Lost by States' Failure to Implement Primary Safety Belt Laws,”<sup>24</sup> calculated that failure to implement primary laws in all States resulted in more than 12,000 lives lost during the years 1995 - 2002. To reach this conclusion, researchers conducted analyses that provided three estimates of the effectiveness of primary laws; all of which suggested that belt use was likely to increase approximately 15 percentage points had a state adopted a primary law during the study period. These analyses included:

- A comparison of day time belt use rates for States with and without primary laws for each of the study years that found that front seat occupants in primary States are between 13 and 17 percentage points (Mean = 15) more likely to be properly restrained than those in non-primary States.
- A review of the Fatality Analysis Reporting System (FARS) data from which they estimated that front seat occupants of vehicles involved in potentially fatal crashes in States with primary laws have a 15 percentage point higher belt use rate than persons in States without primary laws (based on the number of fatally injured front seat occupants ages 16 and older, of passenger vehicles, who were and were not wearing safety belts).
- A pre-post comparison of observed belt use rates in States that changed from secondary to primary laws. The results indicated that

observed belt use was, on average, 15 percentage points higher in the two years after the change, when compared to the two years before the change.

In spite of the differences in research methodology, these studies leave little question that primary laws save lives.

### *Economic Savings*

Increasing the national safety belt use rate has tremendous potential for reducing the economic costs associated with crashes, along with saving lives and preventing injuries. For example, increasing the national safety belt use rate from 82 percent (the rate measured in 2005) to 90 percent would:

- Save approximately \$7.2 billion annually;
- Prevent an estimated 2,267 fatalities annually; and
- Prevent an estimated 33,000 serious injuries annually.

These economic cost savings result from reduced productivity losses, property damage, medical costs, rehabilitation costs, legal and court costs, emergency services costs, insurance administration costs, funeral costs, traffic delay, and costs to employers.<sup>25</sup>







SECTION IV

# Examples of The Effectiveness of Primary Laws

Evaluations of the effectiveness of primary laws have consistently shown noteworthy benefits. A systematic review of evidence by the Centers for Disease Control and Prevention examined 13 studies and reported that primary laws increase use by an average of 14 percentage points and reduce occupant fatalities by 8 percent compared to secondary laws.<sup>26</sup> Appendix F, which provides a summary of safety belt use rates by law type, illustrates the increased safety belt usage in primary law States.

The following are some impressive examples of the effectiveness of primary enforcement laws in raising safety belt use:

**Tennessee:** Safety belt use rates rose from 68.5 percent in 2003 to 72 percent in 2004, after Tennessee passed its primary law. In 2005, the rate was 74.4 percent.

**Illinois:** The safety belt use rate in Illinois rose from 74 percent in 2002 to 80 percent in 2003, after passage of a primary law.

**Oklahoma:** When Oklahoma upgraded its belt law to primary enforcement in 1997, the usage rate increased from 48 percent (1996) to 68 percent in 2001, an increase of 20 percentage points. In 2005, the rate was 83.1 percent.

**New Jersey:** When New Jersey introduced its primary enforcement safety belt use law in 2000, its usage rate climbed from 63 percent in 1999 to 74 percent in 2000. In 2005, New Jersey's safety belt use rate rose to 86 percent.

**Michigan:** In 1999, the safety belt use rate in Michigan was 70 percent. After Michigan upgraded its belt law to primary enforcement, the safety belt use rate in 2000 climbed to 84 percent—a 14-percentage-point increase, and reached 93 percent in 2005.

**Alabama:** After the introduction of its primary enforcement safety belt use law, Alabama's safety belt usage rate rose dramatically from 58 percent in 1999 to 79 percent in 2001. In 2005, the rate was 82 percent.

## Successes in Other Countries

Many other countries have safety belt use rates significantly higher than the United States. For example, use rates in Canada, Australia, New Zealand and many Western European countries exceed 90 percent. The majority of safety belt use laws in these countries allow primary enforcement and cover occupants of light trucks and vans, in addition to automobiles. Fines for noncompliance are generally higher than in the United States, and some jurisdictions assess demerit points against driver licenses for safety belt violations.





SECTION V

# Public Support For Safety Belt Use Laws

In 2003, NHTSA conducted a survey<sup>27</sup> among a national sample of approximately 6,000 people age 16 and older to determine attitudes, knowledge, and experience with safety belt laws and their enforcement. Support for safety belt use laws was enormously positive, as was support for safety belt use.

## *Attitudes, Knowledge, and Experience with Safety Belt Laws and their Enforcement*

The vast majority (88%) of the public favored safety belt laws for front seat occupants.

Among persons who supported front seat safety belt laws, 80 percent also supported applying safety belt laws to back seat adult passengers.

Almost two-thirds (65%) of the population age 16 and older supported fines for drivers who did not wear safety belts. About half that many supported points against the license as a penalty.

Almost everyone (94%) believed their States had laws requiring safety belt use. They most often thought the law covered drivers, children in the front, and adult passengers in the front.

## *Awareness of Primary/Secondary Enforcement Provisions in their State*

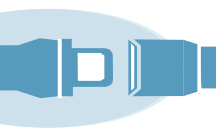
Approximately two-thirds (66%) of the public who believed that their State had a safety belt law thought the law permitted primary enforcement.

Ninety-five percent of the public agreed with the statement “If I were in an accident, I would want to have my seat belt on.”<sup>28</sup>

A recent Institute (Insurance Institute for Highway Safety) survey of California drivers found 90 percent favor the state’s belt use law, which allows for primary enforcement. Even though police enforce this law more aggressively than in most other States, only 22 percent of the Californians surveyed thought the law was being very strictly enforced. Fifty-nine percent thought it should be very strictly enforced, and 46 percent thought the penalty should be higher than the \$20 fine that’s currently imposed.<sup>29</sup>

“So there’s plenty of public support and no reason at all for legislators to shy away from enacting primary laws or for police to scale back enforcement efforts,” noted Susan Ferguson, Institute senior vice president for research.

“The Governors’ Highway Safety Association strongly encourages all States to adopt and enforce primary safety belt use laws that apply to all occupants in all seating positions.”<sup>30</sup>



In primary enforcement States, about three-fourths of the total population believed their State had a safety belt law that included primary enforcement provisions.

In secondary enforcement States, almost half (46%) of the people believed their State law had primary enforcement provisions. Approximately a third thought it had secondary enforcement provisions.

Drivers were more likely to report that they wore their safety belt “all of the time” while driving if they resided in States having primary enforcement provisions (89%), as opposed to secondary enforcement provisions (81%).

### *Support for Primary Enforcement*

Overall, 64 percent of the population believed that police should be allowed to stop a vehicle if they observed a safety belt violation when no other traffic laws were being broken, compared to 61 percent in 2000.

### *Perceived Risk of Personally Being Ticketed*

Almost half (46%) of drivers considered it very or somewhat likely that they would receive a ticket if they did not wear their safety belt at all while driving over the next six months. The perceived risk of being ticketed was higher among drivers in primary enforcement States, and higher among drivers who tended to wear their safety belt more often.

### *Preferred Level of Enforcement Activity*

When asked to rate on a 10-point scale how strictly they believed the police should enforce safety belt laws, the public’s response was mixed. They most often picked a value of “10” meaning “Police should give tickets at every opportunity,” although responses also clustered at the middle and low end of the scale. The average score was 6.3.

### *Increasing Acceptance of Primary Enforcement*

The number of States (plus DC and Puerto Rico) with safety belt laws that contain provisions permitting primary enforcement has increased substantially since the survey was first administered, reaching 18 at the time of the 2003 survey (It reached 25 at the time of this publication.) Consistent with that increase:

- The percentage of the population who believe their State law permits primary enforcement has steadily increased, reaching 66 percent in 2003 from 49 percent in 1994.
- Support for primary enforcement has also steadily increased, from 52 percent in 1996 (when the question was first asked) to 64 percent in 2003.





SECTION VI

# Responding to Objections to a Primary Safety Belt Use Law

Although primary enforcement has been shown to save lives, prevent injuries, and save money, some still oppose it. If people do not know the facts, politically sensitive issues such as infringement of individual rights and harassment may become obstacles to the passage of primary enforcement laws.

In NHTSA's 2003 Motor Vehicle Occupant Safety Survey (MVOSS),<sup>31</sup> the predominant reason given for why a safety belt violation should be treated differently (secondary versus primary enforcement) from other traffic violations was that wearing safety belts should be a personal choice (48%). However, only 18 percent of respondents said that not wearing a safety belt was not a serious violation, or that it does not pose a risk to others (16%).

### *Personal Choice and Individual Rights*

The argument of personal choice and individual rights is used in opposition to many traffic safety laws, but particularly in opposition to safety belt laws. There is little question that all traffic laws impose some degree of control on individuals because they require actions that some people do not take voluntarily. But driving is an important privilege; it is not a right.

The legitimacy of most traffic laws (for example, driving on the right side of the highway, driving with lights on, signaling prior to turns) is often accepted because it is quite apparent that failure to obey such laws could result in serious harm to oneself and to others. Opponents of safety belt use laws frequently claim that a person has

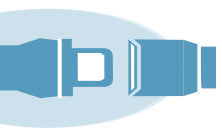
the "right" not to use a safety belt because the only one who is likely to be injured as a result is oneself; however, this is not true.

When a crash occurs, unbelted occupants frequently injure other occupants and drivers have more difficulty controlling their vehicle. In addition, children riding with unbelted adults are much less likely to be buckled up, as compared to children riding with belted adults. And the cost of increased deaths and injuries associated with failure to use a safety belt is borne by everyone.

In a Massachusetts case (*Simon v. Sargent*), the United States Supreme Court in November 1972, affirmed this fact. The high court wrote, ". . . From the moment of injury, society picks the person up off the highway; delivers him to a municipal hospital and municipal doctors; provides him with unemployment compensation if, after recovery, he cannot replace his lost job; and, if the injury causes disability, may assume the responsibility for his and his family's continued subsistence. We do not understand a state of mind that permits a plaintiff to think that only he himself is concerned."<sup>32</sup>

### *Concern About Harassment*

Individuals and organizations that oppose upgrades to primary safety belt laws often claim that such upgrades will lead to an increase in the harassment of minority groups. They cite personal experiences, court cases, and incidents that have been reported in the news media as evidence of such potential for harassment. But,



According to NHTSA's 2003 Motor Vehicle Occupant Safety Survey, 67 percent of African-Americans and 74 percent of Hispanics supported primary enforcement of safety belt laws.

these opponents seldom provide any evidence that primary laws have resulted in any systematic changes in enforcement activity that could be interpreted as harassment of minority groups.

To the contrary, a recently published study, conducted by members of the Social Science and Research Division at the University of Michigan's Transportation Research Institute, shows a lack of increased harassment when Michigan upgraded to a primary safety belt law.<sup>33</sup> The study examined three measures of safety belt related harassment: 1) citizen complaints arising from the enforcement of the safety belt law, 2) citation over-representation among certain groups based on their presence in the driving populations, and 3) self-reported harassment among the population of people who receive safety belt citations. As presented, the findings of the study found that:

- Safety-belt-related complaints were very uncommon both before and after Michigan passed its primary law.
- Implementation of primary enforcement did not lead to an increase in citation over-representation, thus there was no suggestion of safety-belt-related harassment by sex, age, or race.
- The vast majority of people who received a citation reported that officer behavior was professional and that they did not feel they were being singled out for their citation.

Therefore, the evidence indicated that changing from secondary to primary safety belt enforcement did not lead to increased police harassment. However, it was noted that among young drivers and African-Americans there was a moderate perception of harassment. The study authors concluded that while secondary law States should continue efforts to upgrade to a primary law, they should educate both law enforcement and the public about the issue of harassment.

In other studies in Louisiana and Georgia, researchers also found that, while minority groups thought their chances of getting a safety belt ticket were higher than Whites, analysis of citation data in test locations revealed no differences in ticketing by race that would suggest disproportionate increases in enforcement activity among minority groups. Younger drivers, males, and those who drove more than 15,000 miles a year did receive proportionately more citations, as would be expected based on usage rates and exposure.<sup>34 35 36</sup>

Results of an evaluation of Maryland, Oklahoma, and the District of Columbia's change to primary enforcement published in January 2001 also support a lack of harassment.<sup>37</sup> As stated in the results section of the report: "Non Whites more than Whites reported feeling the threat of receiving a ticket for not wearing a safety belt, even though there was no significant relationship between race and those who actually received a safety belt ticket." The research also found that "...citation data that identified race confirmed there was either no difference in non-White versus White ticketing, comparing secondary to primary enforcement, or a greater increase in ticketing went to Whites following the change to a primary enforcement law."

The potential for harassment, however, still is an ongoing concern that is not limited to, or created by, primary safety belt laws. Therefore it is important that State and local law enforcement leaders actively provide public assurances that safety belt use laws will be enforced uniformly in all segments of the population. More specifically, they should be encouraged to review and reaffirm their departmental policies and training programs to ensure that this practice does not occur. They should also take steps to let the public know that the harassment issue is one that they take very seriously and that they have policies and procedures in place to address it.



**APPENDIX A**

# The Facts: It's Time to Buckle Up<sup>38</sup>

## *Safety Belts Make a Difference*

It is estimated that safety belts, the most effective safety devices in vehicles today, save over 11,000 lives each year.

Among passenger vehicle occupants over 4 years old, safety belts saved an estimated 15,434 lives in 2004. If ALL passenger vehicle occupants over age 4 wore safety belts, 21,273 lives (that is, an additional 5,839) could have been saved in 2004.

Ejection from the vehicle is one of the most injurious events that can happen to a person in a crash. In fatal crashes in 2004, 74 percent of passenger vehicle occupants who were totally ejected from the vehicle were killed. Safety belts are effective in preventing total ejections: only 1 percent of the occupants reported to have been using restraints were totally ejected, compared with 29 percent of the unrestrained occupants.

More than one-half of the passenger vehicle occupants killed in traffic crashes in 2004 were unrestrained.

## *Motor Vehicle Crashes – Who's at Risk?*

Motor vehicle crashes are the leading cause of death for the age group 4 through 34 years old.<sup>39</sup>

Motor vehicle crashes are the leading cause of death for African-Americans from age 1 through 14 years of age and are the second leading cause of death for African-Americans between 15 and 34 years of age.<sup>40</sup>

Motor vehicle crashes are the leading cause of death for Hispanics from 1-44 years of age,

and are the third leading cause of death for Hispanics of all ages.<sup>41</sup>

Teens have higher fatality and injury rates in motor vehicle crashes than any other age group. They also are less likely to be buckled up than any other age group. (Young people between the ages of 16 and 20 are considered teens for the purposes of this fact sheet.)

In 2004, 62 percent of 16- to 20-year-old passenger vehicle occupants killed in crashes were not wearing a safety belt.

Young drivers (16-20) have the highest driver involvement rates (based on 100,000 licensed drivers) in fatal crashes. The rate in fatal crashes for teens was 61.75 compared to 29.20 for all drivers in 2004.

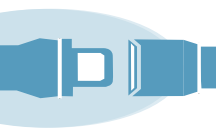
Rural Americans face greater risk of being injured or killed in a traffic crash than those who live and commute in urban areas.

The motor vehicle fatality rate in rural areas is more than double the fatality rate in urban areas.

Pickup truck drivers and their passengers, particularly those in rural areas, are the least likely group to buckle up.

Nationally, drivers and passengers in pickup trucks consistently have lower safety belt usage rates than the occupants of automobiles, vans and sport utility vehicles (SUVs).

According to NHTSA's 2005 National Occupant Protection Use Survey (NOPUS), the observed safety belt use rate was only 73 percent in pickup trucks compared to 83 percent in passenger cars and 85 percent in SUVs and vans.



## *The Facts: The Economic Cost of Non-Belt Use*

Motor vehicle crashes not only affect the individual crash victim, they affect society as a whole. The following information is taken from a NHTSA report<sup>42</sup> that examined the economic costs resulting from motor vehicle crashes during 2000. It provides a broad perspective on the all encompassing affect that traffic crashes have on our society.

- The cost of motor vehicle crashes that occurred in 2000 totaled \$230.6 billion. This is equal to approximately \$820 for every person living in the United States and 2.3 percent of the U.S. Gross Domestic Product.
- The lifetime economic cost to society for each fatality is over \$977,000. Over 80 percent of this amount is attributable to lost workplace and household productivity.
- Each critically injured survivor cost an average of \$1.1 million. Medical costs and lost productivity accounted for 84 percent of the cost for this most serious level of non-fatal injury.
- Lost workplace productivity costs totaled \$61 billion, which equaled 26 percent of the total costs. Lost household productivity totaled \$20.2 billion, representing 9 percent of the total costs.
- Total property damage costs for all crash types (fatal, injury, and property damage only) totaled \$59 billion and accounted for 26 percent of all costs.
- Property damage only crashes (in which vehicles were damaged but nobody was injured) were the most costly type of crash, due to their very high rate of occurrence. Their costs totaled \$59.8 billion and accounted for 26 percent of total motor vehicle crash costs.

- Present and future medical costs due to injuries occurring in 2000 were \$32.6 billion, representing 14 percent of the total costs. Medical costs accounted for 26 percent of costs from non-fatal injuries.
- Travel delay cost \$25.6 billion or 11 percent of total crash costs.
- Approximately 9 percent of all motor vehicle crash costs are paid from public revenues. Federal revenues accounted for 6 percent and States and localities paid for approximately 3 percent. Private insurers pay approximately 50 percent of all costs. Individual crash victims pay approximately 26 percent while third parties such as uninvolved motorists delayed in traffic, charities, and health care providers pay about 14 percent. Overall, those not directly involved in crashes pay for nearly three quarters of all crash costs, primarily through insurance premiums, taxes and travel delay. In 2000 these costs, borne by society rather than by crash victims, totaled over \$170 billion.

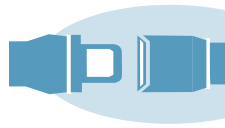
### *The Cost to Employers<sup>43</sup>*

- Including wage-risk premiums, on-the-job crashes cost employers over \$24,500 per crash and \$128,000 per injury.
- In one year, off-the-job crash injuries cost employers approximately \$20 billion.
- Employer health care (medical) spending on crash injuries is nearly \$8 billion every year. Another \$9 billion is spent on sick leave and life and disability insurance for crash victims.

### *Safety Belt Use Can Reduce These Costs*

- Hospital charges for an unbelted driver admitted as an inpatient exceed the inpatient hospital charges of a belted driver by \$5,000.
- NHTSA estimates that a national safety belt use rate of 90 percent would save Medicare and Medicaid \$356 million per year.
- Increasing the national safety belt use rate to 90 percent would produce an economic savings of about \$8.8 billion annually.





## Q's & A's Regarding Primary Safety Belt Laws

The following questions and respective answers address some of the key arguments used by opponents of primary safety belt laws.

**Question: Doesn't the State have more important things to do than to devote attention and resources to increasing safety belt use?**

**Answer:** *Traffic crashes are a leading threat to public health. Increasing safety belt use is still the single most effective and immediate way we can save lives and reduce injuries on America's roadways. Safety belts are estimated to save over 11,000 lives in America each year. And those who don't buckle up are costing all of us money and the consequences of lost productivity.*

**Question: Doesn't a primary law infringe on an individual's freedom of choice?**

**Answer:** *A primary safety belt law is no more intrusive of an individual's freedom than any other law. As with other laws, for example building and fire codes, it is the legitimate responsibility of government to provide for the protection of its citizens.*

**Question: Will a primary law really make a difference for people who don't want to wear safety belts?**

**Answer:** *States that have changed to primary laws have experienced an average 10-15 percent increase in safety belt use.*

**Question: Haven't public education campaigns done a good job of teaching the younger generation about safety belt safety? Don't we teach teenagers about safety belts and traffic crashes in driver education classes?**

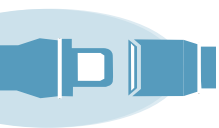
**Answer:** *The facts show that education alone does not convince most young people to buckle up. Safety belt use declines from age five to about 25. For those at age 18, safety belt use is far below the national average. Why? Young people—especially young men ages 16-25—simply do not think about being injured or killed. Yet they are the nation's highest risk drivers, responsible for a large percentage of impaired driving, speeding, and crashes. For this tough-to-reach group, stronger belt laws, enforcement and the fear of losing their driver's license work when neither education nor fear of death or injury does the job.*

**Question: What's wrong with the (secondary) law we already have?**

**Answer:** *It only allows for enforcement if a police officer observes another violation, such as speeding or a broken tail light.*

**Question: Isn't a secondary law sufficient for getting people to wear safety belts?**

**Answer:** *Allowing for primary enforcement procedures enhances the perceived importance of a safety belt use law by both the public and the law enforcement community. This enhanced perception ultimately leads to greater compliance. In 2005, the average safety belt use rate in States with primary enforcement laws was 10 percentage points higher than in States without primary enforcement laws—an indicator that secondary laws alone are not sufficient. Safety belt use enforcement is the only traffic violation in which some State laws do not allow for primary enforcement.*



## Myths and Facts Regarding Safety Belt Use

**Myth:** “I’m better off not wearing a safety belt because, in case of fire or submersion in water, I won’t be able to escape.”

**Fact:** *Most crash fatalities result from the force of impact or from being thrown from the vehicle, not from being trapped. All studies show you are much more likely to survive a crash if you are buckled in. Ejected occupants are four times as likely to be killed as those who remain inside.*

**Myth:** “I don’t need to wear a safety belt. My car has an air bag.”

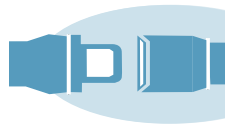
**Fact:** *Air bags are supplemental restraints and are designed to be used with safety belts. They help protect adults in a frontal crash, but they don’t provide protection*

*in side or rear impact crashes or in rollovers. Safety belts are needed for protection in all types of crashes and work well with air bags to provide optimum safety. In fact, safety belts help prevent air bag injuries by keeping occupants the proper distance away from deploying air bags.*

**Myth:** “I have a right to choose not to wear a safety belt because, if I get hurt, the only one I’m hurting is myself.”

**Fact:** *When someone is injured or dies in a traffic crash, society pays many of the costs, including emergency services, uninsured medical care, tax-supported rehabilitation programs, higher insurance costs, and survivor payments. In addition, a belted driver has a better chance of maintaining control of the vehicle in the event of a crash, protecting passengers and others on the road.*





**APPENDIX B**

# Fundamentals for Upgrading from a Secondary to a Primary Safety Belt Use Law

Knowledge of the legislative process, a strong, well-written safety belt law, and support from local and national partners will aid in the passage of a primary law.

### *Knowledge of the Legislative Process*

Consider the following insights gleaned from a study of six States that passed primary laws.<sup>44</sup>

- Clarify the overall legislative objective—stay focused on the passage of a primary law. Understand the need for compromise on the details, e.g., exemptions and fines.
- Understand the unique complexity of the political situation in your State—learn who the players are and what leverage is available.
- Identify and respond to opposition arguments—identify opportunities for persuasive compromise and vote-changing leverage, e.g., a sunset provision ( a clause is a provision in a statute or regulation that terminates or repeals all or portions of the law after a specific date, unless further legislative action is taken to extend it), language to recognize harassment concerns, etc.
- Identify barriers not directly related to overt opposition, e.g., a committee chair who isn't a strong supporter of traffic safety or the Governor's priorities.
- Look for emerging opportunities and threats to passage—trading support for other pending legislation, making legislative compromises, e.g., lower fines.
- Identify opportunities for organizations and individuals to play effective roles—use representatives of a traffic safety coalition to

testify, have individuals speak with key legislators about their concerns.

- Capitalize on dramatic incidents that affect political will—provide key legislators with statistics and the names of individuals killed in crashes in their home district, identify legislators who have been in a motor vehicle crash.

### *A Strong, Well-Written Safety Belt Law*

Having a strong, well-written safety belt law is crucial to saving lives. The National Committee on Uniform Traffic Laws and Ordinances (NCUTLO) developed a model primary safety belt law for States to consider when upgrading their safety belt legislation (see Appendix C). Using this model law as a framework for safety belt legislation can be a tremendous help, as this sample legislation has been thoroughly researched and reviewed by traffic safety experts. NCUTLO is a private, non-profit membership organization dedicated to providing uniformity of traffic laws and regulations through the timely dissemination of information and model legislation on traffic safety issues. More information about NCUTLO is available on their Web site at [www.ncutlo.org](http://www.ncutlo.org). Another excellent resource that is available on NHTSA's Web site ([www.nhtsa.dot.gov](http://www.nhtsa.dot.gov)) is titled, "Implementing a Standard Enforcement Seat Belt Law in Your State: A How-to Guide."

### *National Partnerships*

NHTSA has worked with hundreds of partners nationwide by providing educational resources, research data, and technical support regarding safety belt laws. For more information, visit NHTSA's Web site at [www.nhtsa.dot.gov](http://www.nhtsa.dot.gov).





## APPENDIX C

# Model Law

**Standard (Primary) Safety Belt Model Law**  
**National Committee on Uniform Traffic Laws and Ordinances**  
**June 16, 1997**  
**Reprinted with permission**

**Purpose:** The purpose of this legislation is to reduce injuries and fatalities on the streets, roads and highways by requiring all drivers and all passengers to wear safety belts meeting applicable federal motor vehicle safety standards while riding in motor vehicles and by authorizing primary enforcement.

### *Section 1: Title*

This act may be cited as the [State's] Safety Belt Use Act.

### *Section 2: Definitions*

As used in this act:

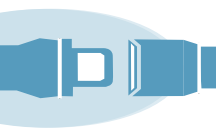
- (a) "Motor vehicle" means any motor vehicle having a gross vehicle weight of 10,000 pounds or less that is required to be equipped with safety belts by Federal Motor Vehicle Safety Primary No. 208. Passenger cars are required to have belts if built after December 31, 1967. Light trucks and multi-purpose vehicles are required to have safety belts if built after December 31, 1971.
- (b) "Driver" means a person who drives or is in actual physical control of a motor vehicle.
- (c) "Safety belt" means any strap, webbing, or similar device designed to secure a person in a motor vehicle including all necessary buckles and other fasteners, and all hardware designed for installing such safety belt assembly in a motor vehicle.

### *Section 3: Application*

This act shall apply to drivers and all occupants of motor vehicles on the streets, roads, and highways of this State.

### *Section 4: Operation of motor vehicles with safety belts.*

- (a) Each driver of a motor vehicle in this State shall have a safety belt meeting applicable federal motor vehicle safety standards properly fastened about his or her body at all times when operating a motor vehicle.
- [(b) Alternate 1 - The driver of a motor vehicle in this State shall not operate a motor vehicle unless the driver secures or causes to be secured in a properly adjusted and fastened safety belt or child restraint system meeting applicable federal motor vehicle safety standards all passengers and secures any passenger 12 or younger in the rear seat, unless all available rear seats are in use by other passengers 12 or younger.]
- [(b) Alternate 2 - The driver of a motor vehicle in this State shall not operate a motor vehicle unless every occupant is secured in a properly adjusted and fastened safety belt or child restraint system meeting applicable federal motor vehicle safety standards and consistent with the [State's] child restraint use law.]
- (c) Every occupant of a motor vehicle in this State shall have a safety belt meeting applicable federal motor vehicle safety



standards properly fastened about his or her body at all times when the vehicle is in operation.

### Section 5: Exemptions

- (a) The provisions of sections (4) (c) shall not apply to children covered by [cite to the State’s child restraint use act or law].
- (b) The provisions of section (4) shall not apply to persons with a physically disabling condition whose physical disability would prevent appropriate restraint in safety belts, provided, however, such condition is duly certified by a physician who shall state the nature of the condition, as well as the reason such restraint is inappropriate.
- (c) The provisions of this law shall not apply to passenger cars built prior to December 31, 1967 and possessing no safety belts.
- (d) The provisions of this law shall not apply to passenger vehicles which are not required to be equipped with safety belts under federal law.

### Section 6: Penalties

A person who violates section (4) (a), (b), or (c) of this act shall be punished by a fine of not less than \$25.00 nor more than \$50.00, [and court costs].

#### Drafters’ Notes:

#### *On the Purpose:*

In the absence of limitations on enforcement, all laws authorize standard (“primary”) enforcement. Consequently, no special language is needed to authorize primary enforcement of safety belt laws.

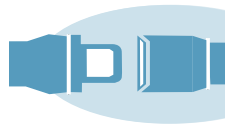
Secondary safety belt laws uniquely restrict enforcement by specifying that officers may not issue a citation solely for a belt infraction, but also must have another legal reason to stop the vehicle.

This model law is a primary law. Nevertheless, the drafters strongly recommend use of the term “standard safety belt use law” in describing this or any other safety belt law which does not restrict enforcement because the absence of a secondary provision limiting enforcement merely establishes an enforcement standard comparable to other traffic laws.

This model is intentionally silent on the admissibility in civil lawsuits of evidence of noncompliance with safety belt usage requirements.

The drafting committee notes that a number of proposals have been made (and some enacted) which would alter State tort law as applied to lawsuits arising from traffic crashes where potential plaintiffs were not wearing a safety belt.





Some of these proposals would require that such noncompliance always be admissible evidence, while others would stipulate that noncompliance with a safety belt law could never be admitted into evidence. The drafting committee believes that no such provision(s) should be included in any safety belt law, and any such provisions now enacted should be repealed, in order to allow the application of traditional State tort law to determine civil lawsuit evidentiary questions.

### *On Section 4(b)*

In the event of a crash, the rear seat is the safer seating position. The drafters recommend language to provide maximum protection to children 12 and under (4(b) Alternate 1). This issue is particularly important in light of injuries and fatalities that have occurred when infants and young children have gotten in the path of an air bag early in its inflation. The risk is greatest for infants in rear-facing child restraints and unbelted children traveling in the front seats of vehicles with passenger side air bags.

### *On Section 5*

Taxicab exemptions are common. The following additional Section 5 (e) is offered to exempt drivers from responsibility for adult passengers but not for underage passengers. [(e) The provisions of Section (4) (b) shall not apply to taxicab drivers [with regard to passengers age 18 or older].”

### *On Section 6:*

License sanctions (e.g., “points”) have been shown to be among the most effective methods of increasing compliance with traffic laws. Survey research has demonstrated that persistent safety belt law violators are unwilling to use safety belts even when high fines are imposed. They report that license sanctions would, however, increase their compliance. The following is offered for those legislators wishing to consider imposition of points or other license sanctions for violators of the Safety Belt Law.

### *For States with point systems:*

“Section 6: (b) A person who violates Section 4 (a) or (b) of this act shall be assessed 2 points.”

### *For States that do not have point systems:*

“Section 6: (b) Violation of Section 4 (a) or (b) shall be considered a minor moving offense for the purpose of driver license records.”

States may choose to raise the upper limit of the range of fines, but should not consider reducing the lower limit of the range.







**APPENDIX D**

# Resources

## *Federal Resources*

### **National Highway Traffic Safety Administration**

400 Seventh Street SW.  
Washington, DC 20590  
Phone: 888-327-4236 (Auto Safety Hotline)  
www.nhtsa.gov

## *NHTSA Regional Offices*

### **New England**

**(CT, ME, MA, NH, RI, VT)**

Regional Administrator, NHTSA  
Volpe National Transportation Systems Center  
55 Broadway-Kendall Square, Code 903  
Cambridge, MA 02142  
Phone: 617-494-3427  
Fax: 617-494-3646

### **Eastern**

**(NY, NJ, PR, VI)**

Regional Administrator, NHTSA  
222 Mamaroneck Avenue, Suite 204  
White Plains, NY 10605  
Phone: 914-682-6162  
Fax: 914-682-6239

### **Mid Atlantic**

**(DE, DC, MD, PA, VA, WV)**

Regional Administrator, NHTSA  
10 South Howard Street, Suite 4000  
Baltimore, MD 21201  
Phone: 410-962-0090  
Fax: 410-962-2770

### **Southeast**

**(AL, FL, GA, KY, MS, NC, SC, TN)**

Regional Administrator, NHTSA  
Atlanta Federal Center  
61 Forsyth Street, SW, Suite 17T30  
Atlanta, GA 30303  
Phone: 404-562-3739  
Fax: 404-347-3763

### **Great Lakes**

**(IL, IN, MI, MN, OH, WI)**

Regional Administrator, NHTSA  
1990 Governors Drive, Suite 201  
Olympia Fields, IL 60461

Phone: 708-503-8822

Fax: 708-503-8991

### **South Central**

**(AR, LA, NM, OK, TX, Indian Nations)**

Regional Administrator, NHTSA  
819 Taylor Street, Room 8A38  
Fort Worth, TX 76102-6177  
Phone: 817-978-3653  
Fax: 817-978-8339

### **Central**

**(IA, KS, MO, NE)**

Regional Administrator, NHTSA  
901 Locust Street, Room 466  
Kansas City, MO 64106  
Phone: 816-329-3900  
Fax: 816-329-3910

### **Rocky Mountain**

**(CO, MT, ND, SD, UT, WY)**

Regional Administrator, NHTSA  
12300 West Dakota Avenue, Suite 140  
Lakewood, CO 80228-2583  
Phone: 720-963-3100  
Fax: 720-963-3108

### **Western**

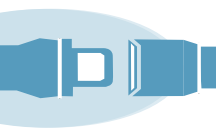
**(AZ, CA, HI, NV, American Samoa, Guam,  
Northern Mariana Islands)**

Regional Administrator, NHTSA  
201 Mission Street, Suite 2230  
San Francisco, CA 94105  
Phone: 415-744-3089  
Fax: 415-744-2532

### **Pacific Northwest**

**(AK, ID, OR, WA)**

Regional Administrator, NHTSA  
3140 Jackson Federal Building  
915 Second Avenue  
Seattle, WA 98174  
Phone: 206-220-7640  
Fax: 206-220-7651



## State Resources

### Highway Safety Coordinators and Governor's Representatives

#### Alabama

Coordinator  
Department of Economic and Community Affairs  
Suite 466  
P.O. Box 5690  
401 Adams Avenue  
Montgomery, AL 36103-5690  
Phone: 334-242-5803  
Fax: 334-242-0712

#### Alaska

Coordinator/Governor's Representative  
Alaska Highway Safety Office  
Department of Transportation  
3132 Channel Drive, Rm. 200  
Juneau, AK 99801-7898  
Phone: 907-465-4374  
Fax: 907-465-4030  
[www.dot.state.ak.us/stwdping/hwysafety/safetyaboutus.html](http://www.dot.state.ak.us/stwdping/hwysafety/safetyaboutus.html)

#### Arizona

Coordinator  
Governor's Office of Highway Safety  
(Phoenix Office)  
3030 North Central, Suite 1550  
Phoenix, AZ 85012  
Phone: 602-255-3216  
Fax: 602-255-1265

#### Arkansas

Coordinator  
Highway Safety Program Coordinator  
One State Police Plaza  
Little Rock AR 72209  
Phone: 501-618-8356  
Fax: 501-618-8124

#### California

Coordinator  
Office of Traffic Safety  
7000 Franklin Blvd., Suite 440  
Sacramento, CA 95823  
Phone: 916-262-0997  
Fax: 916-262-2960  
[www.ots.ca.gov](http://www.ots.ca.gov)

#### Colorado

Coordinator  
Department of Transportation  
4201 E. Arkansas Avenue  
Denver, CO 80222  
Phone: 303-757-9273  
Fax: 303-757-9219  
[www.dot.state.co.us/public/transportationsafety/](http://www.dot.state.co.us/public/transportationsafety/)

#### Connecticut

Coordinator/Governor's Representative  
Department of Transportation  
Division of Highway Safety  
2800 Berlin Turnpike  
Newington, CT 06131-7546  
Phone: 860-594-2370  
Fax: 860-594-2374  
[www.state.ct.us/dot/hwysafety/index.htm](http://www.state.ct.us/dot/hwysafety/index.htm)

#### Delaware

Coordinator  
Office of Highway Safety  
Public Safety Building  
303 Transportation Circle  
Dover, DE 19903-1321  
Phone: 302-744-2745  
Fax: 302-739-5995  
[www.state.de.us/highway/index.htm](http://www.state.de.us/highway/index.htm)

#### District of Columbia

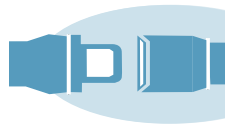
Coordinator  
Transportation Safety Division  
Frank D. Reeves Center, 7th Floor  
2000 14th Street, N.W.  
Washington, D.C. 20009  
Phone: 202-671-0492  
Fax: 202-671-0617  
[www.publicworks.ci.washington.dc.us](http://www.publicworks.ci.washington.dc.us)

#### Florida

Coordinator  
Department of Transportation  
605 Suwanne Street, MS-17  
Tallahassee, FL 32399-0450  
Phone: 850-245-1500  
Fax: 850-245-1553

#### Georgia

Coordinator/Governor's Representative  
Governor's Office of Highway Safety  
One Park Tower  
34 Peachtree Street, Suite 800  
Atlanta, GA 30303  
Phone: 404-656-6996  
Fax: 404-651-9107



### **Hawaii**

Coordinator  
Department of Transportation  
Safe Community Office  
869 Punchbowl Street  
Honolulu, HI 96813  
Phone: 808-587-6302  
Fax: 808-587-6303

### **Idaho**

Coordinator  
Office of Traffic and Highway Safety  
P.O. Box 7129  
3311 West State Street  
Boise, ID 83707  
Phone: 208-334-8101  
Fax: 208-334-4430

### **Illinois**

Coordinator  
Department of Transportation  
P.O. Box 19245  
3215 Executive Park Drive  
Springfield, IL 62794-9245  
Phone: 217-782-4974  
Fax: 217-782-9159  
[www.dot.state.il.us](http://www.dot.state.il.us)

### **Indiana**

Coordinator  
Governor's Council on Impaired and  
Dangerous Driving  
1 North Capitol Avenue, Suite 1000  
Indianapolis, IN 46204  
Phone: 317-232-4220  
Fax: 317-233-5150  
[www.state.in.us/cji](http://www.state.in.us/cji)

### **Iowa**

Coordinator  
Governor's Traffic Safety Bureau  
Wallace State Office Building  
502 East 9th Street – 4th Floor  
Des Moines, IA 50319-0248  
Phone: 515-281-3907  
Fax: 515-281-6190  
[www.state.ia.us/government/dps/gtsb/index.htm](http://www.state.ia.us/government/dps/gtsb/index.htm)

### **Kansas**

Coordinator  
Bureau of Traffic Safety  
700 S. W. Harrison  
Topeka, KS 66603  
Phone: 785-296-3756  
Fax: 785-291-3010  
[www.ink.org/public/kdot/safety](http://www.ink.org/public/kdot/safety)

### **Kentucky**

Coordinator  
Governor's Highway Safety Program  
919 Versailles Road  
Frankfort, KY 40601-2638  
Phone: 502-695-6317  
Fax: 502-573-1616

### **Louisiana**

Coordinator/Governor's Representative  
Louisiana Highway Safety Commission  
P.O. Box 66336  
Baton Rouge, LA 70896  
7919 Independence Blvd.  
Baton Rouge, LA 70806  
Phone: 225-925-6991  
Fax: 225-922-0083  
[www.dps.state.la.us/hsc/lhsc-1.htm](http://www.dps.state.la.us/hsc/lhsc-1.htm)

### **Maine**

Coordinator  
Bureau of Highway Safety  
164 State House Station  
Augusta, ME 04333-0164  
Phone: 207-626-3840  
Fax: 207-626-3839  
[www.state.me.us/dps/bas/homepage.htm](http://www.state.me.us/dps/bas/homepage.htm)

### **Maryland**

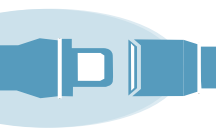
Coordinator  
Maryland Highway Safety Office  
7491 Connelley Drive  
Hanover, MD 21076  
Phone: 410-787-5824  
Fax: 410-787-4082  
[www.sha.state.md.us/prognregs.htm](http://www.sha.state.md.us/prognregs.htm)

### **Massachusetts**

Coordinator  
Executive Office of Public Safety  
Programs Division  
Ten Park Plaza, Suite 3720  
Boston, MA 02116  
Phone: 617-725-3301  
Fax: 617-725-0260

### **Michigan**

Coordinator/Governor's Representative  
Office of Highway Safety Planning  
4000 Collins Road  
P.O. Box 30633  
Lansing, MI 48909 8133  
Phone: 517-336-6477  
Fax: 517-333-5756  
[www.ohsp.msp.state.mi.us/](http://www.ohsp.msp.state.mi.us/)



### Minnesota

Coordinator  
Office of Traffic Safety  
444 Cedar Street, Suite 150  
St. Paul, MN 55101-5150  
Phone: 651-296-9507  
Fax: 651-297-4844  
[www.dps.state.mn.us/](http://www.dps.state.mn.us/)

### Mississippi

Coordinator  
Office of Highway Safety  
Department of Public Safety Planning  
3750 I-55 North Frontage Road  
Jackson, MS 39211  
Phone: 601-987-4990  
Fax: 601-987-4154

### Missouri

Coordinator  
MODOT  
2211 St. Marys Blvd.  
P.O. Box 270 (65102)  
Jefferson City, MO 65109  
Phone: 573-751-2976  
Fax: 573-522-9502  
[www.modot.mo.gov](http://www.modot.mo.gov)

### Montana

Coordinator  
State Highway Traffic Safety Office  
P.O. Box 201001  
2701 Prospect Avenue  
Helena, MT 59620-1001  
Phone: 406-444-7417  
Fax: 406-444-9409  
[www.mdt.state.mt.us/departments/engineering/trafsafety](http://www.mdt.state.mt.us/departments/engineering/trafsafety)

### Nebraska

Coordinator  
Office of Highway Safety  
301 Centennial Mall South (68508)  
P.O. Box 94612  
Lincoln, NE 68509  
Phone: 402-471-2515  
Fax: 402-471-3865

### Nevada

Coordinator  
Office of Traffic Safety  
Department of Public Safety  
555 Wright Way  
Carson City, NV 89711  
Phone: 775-684-7470  
Fax: 775-684-7482  
[www.ots.state.nv.us](http://www.ots.state.nv.us)

### New Hampshire

Coordinator/Governor's Representative  
New Hampshire Highway Safety Representative  
Pine Inn Plaza, 117 Manchester St.  
Concord, NH 03301  
Phone: 603-271-2131  
Fax: 603-271-3790  
[www.state.nh.us/safety](http://www.state.nh.us/safety)

### New Jersey

Coordinator/Governor's Representative  
Division of Highway Traffic Safety  
P.O. Box 048  
140 East Front Street  
Trenton, NJ 08625  
Phone: 609-633-9300  
Fax: 609-633-9020  
[www.njsaferoads.com](http://www.njsaferoads.com)

### New Mexico

Coordinator  
Traffic Safety Bureau  
P.O. Box 1149  
Santa Fe, NM 87504-1149  
604 West San Mateo  
Santa Fe NM 87501  
Phone: 505-827-0427  
Fax: 505-827-0431  
[www.unm.edu/~dgrint/tsb.html](http://www.unm.edu/~dgrint/tsb.html)

### New York

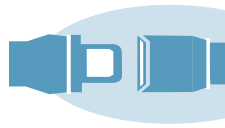
Coordinator  
Governor's Traffic Safety Committee  
Swan Street Building Empire Plaza  
Albany, NY 12228  
Phone: 518-474-5111  
Fax: 518-473-6946  
[www.safeny.com](http://www.safeny.com)

### North Carolina

Coordinator  
Governor's Highway Safety Program  
215 East Lane Street  
Raleigh, NC 27601  
Phone: 919-733-3083  
Fax: 919-733-0604

### North Dakota

Coordinator  
Drivers License and Traffic Safety Division  
Department of Transportation  
608 East Blvd. Avenue  
Bismarck, ND 58505-0700  
Phone: 701-328-2600  
Fax: 701-328-2435



**Ohio**

Coordinator  
 Governor’s Highway Safety Office  
 P. O. Box 182081  
 Columbus, OH 43218-2081  
 1970 West Broad Street  
 Columbus, OH 43223  
 Phone: 614-466-3250  
 Fax: 614-728-8330  
[www.state.oh.us/odps/default.htm](http://www.state.oh.us/odps/default.htm)

**Oklahoma**

Coordinator  
 Oklahoma Highway Safety Office  
 3223 North Lincoln  
 Oklahoma City, OK 73105  
 Phone: 405-523-1580  
 Fax: 405-523-1586  
[www.dps.state.ok.us/ohso](http://www.dps.state.ok.us/ohso)

**Oregon**

Coordinator/Governor’s Representative  
 Transportation Safety Division  
 235 Union Street, NE  
 Salem, OR 97301-1054  
 Phone: 503-986-4192  
 Fax: 503-986-4341  
[www.odot.state.or.us/transafety](http://www.odot.state.or.us/transafety)

**Pennsylvania**

Coordinator  
 Bureau of Highway Safety And  
 Traffic Engineering  
 400 North Street, 6th Floor  
 Harrisburg, PA 17120-0064  
 Phone: 717-787-7350 Or 8069  
 Fax: 717-783-8012  
[www.dot.state.pa.us](http://www.dot.state.pa.us)

**Puerto Rico**

Coordinator  
 Traffic Safety Commission  
 Box 41289, Minillas Station  
 Santurce, PR 00940  
 Phone: 787-723-3590  
 Fax: 787-727-0486

**Rhode Island**

Coordinator  
 Governor’s Highway Safety Office  
 345 Harris Avenue  
 Providence, RI 02909  
 Phone: 401-222-3024 Main 3024  
 Fax: 401-222-6038

**South Carolina**

Coordinator  
 Office of Highway Safety  
 Department of Public Safety  
 10311 Wilson Blvd  
 P.O. Box 1993, Bldg C, 2nd Floor  
 Blythewood, SC 29016  
 Phone: 803-896-9950  
 Fax: 803-896-9978

**South Dakota**

Coordinator  
 Office of Highway Safety  
 118 West Capitol  
 Pierre, SD 57501  
 Phone: 605-773-4949  
 Fax: 605-773-6893

**Tennessee**

Coordinator  
 Governor’s Highway Safety Office  
 James K. Polk State Office Building  
 500 Deaderick Street, Suite 1800  
 Nashville, TN 37243  
 Phone: 615-741-2589  
 Fax: 615-253-5523

**Texas**

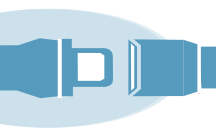
Coordinator  
 Department of Transportation  
 Traffic Operations Division  
 125 E. 11th Street  
 Austin, TX 78701-2483  
 Phone: 512-416-3202  
 Fax: 512-416-3214  
<http://www.dot.state.tx.us/insdotdot/rgchart/trf/trfsfty.htm>

**Utah**

Coordinator  
 Utah Highway Safety Office  
 5263 South Commerce Drive, Suite 202  
 Salt Lake City, UT 84107  
 Phone: 801-293-2481  
 Fax: 801-293-2498  
[www.hs.state.ut.us/default.html](http://www.hs.state.ut.us/default.html)

**Vermont**

Coordinator  
 Governor’s Highway Safety Program  
 5 Park Row  
 Waterbury, VT 05671-2101  
 Phone: 802-241-5501  
 Fax: 802-241-5558  
[www.dps.state.vt.us](http://www.dps.state.vt.us)



**Virginia**

Coordinator  
Department of Motor Vehicles  
P.O. Box 27412  
Richmond, VA 23269  
Phone: 804-367-1670  
Fax: 804-367-6631  
www.dmv.state.va.us

**Washington**

Coordinator/Governor's Representative  
Traffic Safety Commission  
1000 South Cherry Street, Ms/Pd-11  
Olympia, WA 98504-0944  
Phone: 360-753-6197  
Fax: 360-586-6489  
www.wa.gov.wtsc

**West Virginia**

Coordinator  
Department of Motor Vehicle  
Capitol Complex Bldg 3 Rm. 118  
Charleston, WV 25317  
Phone: 304-558-1515  
Fax: 304-558-2723  
www.state.wv.us/wvdot

**Wisconsin**

Coordinator  
Bureau of Transportation Safety  
Hill Farms State Office Bldg., #933  
4802 Sheboygan Avenue  
P.O. Box 7936  
Madison, WI 53707-7936  
Phone: 608-266-3048  
Fax: 608-267-0441  
www.dot.state.wi.us

**Wyoming**

Coordinator/Governor's Representative  
Highway Safety Program  
5300 Bishop Blvd.  
Cheyenne, WY 82002-9019  
Phone: 307-777-4450  
Fax: 307-777-4250  
wydotweb.state.wy.us

**American Samoa**

Coordinator  
Office of Highway Safety  
Government of American Samoa  
P.O. Box 1086  
Pago Pago, AS 96799  
Phone: 9-011-684-633-1111  
Ext. 56  
Fax: 9-011-684-633-7964

**Guam**

Coordinator  
Guam Department of Public Works  
Office of Highway Safety  
542 North Marine Drive  
Tamuning, GU 96913  
Phone: 671-647-5059 or 646-3229  
Fax: 671-646-3733

**Commonwealth of the Northern Mariana Islands**

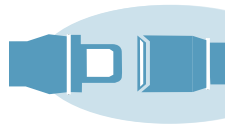
Coordinator  
Office of Special Services  
Commonwealth of the Northern Mariana Islands  
P.O. Box 791  
Civic Center; Susupe Village  
Saipan, MP 96950  
Phone: 670-664-9128  
Fax: 670-664-9141

**Virgin Islands**

Coordinator  
Office of Highway Safety  
VI Police Department  
Patrick Sweeney Headquarters  
R-R Kingshill  
St. Croix, VI 00850  
Phone: 340-778-2244 X 4708

**Indian Nations**

Coordinator  
Bureau of Indian Affairs  
Indian Highway Safety Program  
201 Third Street, NW, Suite 310  
Albuquerque, NM 87102  
Phone: 505-245-2100  
Fax: 505-245-2106



**APPENDIX E**

# Potential Supporters of Primary Enforcement and Other State Traffic Safety Laws

## *Potential Supporters of Primary Enforcement*

### **State Government officials**

- Highway safety office/Governor's Representative
- Insurance commissioner's office
- State police or highway patrol

### **Local Government officials**

- Municipal police chiefs and police departments
- County sheriffs and sheriffs' offices
- City and county health agencies
- Childcare agencies

### **Education officials, including:**

- Administrators and other school officials
- School boards
- Principals
- PTAs

### **Business leaders**

- Chambers of commerce
- Leading local companies/major employers
- Insurance companies
- Sports teams
- Civic groups

### **Medical and safety community**

- Doctors, nurses, and other health care professionals
- State associations representing health care professionals
- Emergency medical squads/fire and rescue departments
- State and local highway safety groups



APPENDIX F

# State Safety Belt Laws

*State Safety Belt Laws, Effective Date and Belt Usage in 2005*

Primary Enforcement			Secondary Enforcement		
STATE	EFFECTIVE DATE	USAGE IN 2005	STATE	EFFECTIVE DATE	USAGE IN 2005
<b>*Alaska</b>	5/1/06	78.4%	<b>Arizona</b>	1/1/91	94.2%
<b>Alabama</b>	12/10/99	81.8%	<b>Arkansas</b>	7/15/91	68.3%
<b>California</b>	1/1/93	92.5%	<b>Colorado</b>	7/1/87	79.2%
<b>Connecticut</b>	1/1/86	81.6%	<b>Florida</b>	7/1/86	73.9%
<b>Delaware</b>	7/3/03	83.8%	<b>Idaho</b>	7/1/86	76.0%
<b>Georgia</b>	7/1/96	89.9%	<b>Kansas</b>	7/1/86	69.0%
<b>Hawaii</b>	12/16/85	95.3%	<b>Maine</b>	12/27/95	75.8%
<b>Illinois</b>	7/3/03	86.0%	<b>Massachusetts</b>	2/1/94	64.8%
<b>Iowa</b>	7/1/86	87.1%	<b>Minnesota</b>	8/1/86	83.9%
<b>Indiana</b>	7/1/98	81.2%	<b>Missouri</b>	9/28/85	77.4%
<b>**Kentucky</b>	7/12/06	66.7%	<b>Montana</b>	10/1/87	80.0%
<b>Louisiana</b>	9/1/95	77.7%	<b>Nebraska</b>	1/1/93	79.2%
<b>Maryland</b>	10/1/97	91.1%	<b>Nevada</b>	7/1/87	94.8%
<b>Michigan</b>	4/1/00	92.9%	<b>North Dakota</b>	7/14/94	76.3%
<b>*Mississippi</b>	5/27/06	60.8%	<b>Ohio</b>	5/6/86	78.7%
<b>New Mexico</b>	1/1/86	89.5%	<b>Pennsylvania</b>	11/23/87	83.3%
<b>New Jersey</b>	5/1/00	86.0%	<b>Rhode Island</b>	6/18/91	74.7%
<b>New York</b>	12/1/84	85.0%	<b>South Dakota</b>	1/1/95	68.8%
<b>North Carolina</b>	10/1/85	86.7%	<b>Utah</b>	4/28/86	86.9%
<b>Oklahoma</b>	11/1/97	83.1%	<b>Vermont</b>	1/1/94	84.7%
<b>Oregon</b>	12/7/90	93.3%	<b>Virginia</b>	1/1/88	80.4%
<b>*South Carolina</b>	12/9/05	69.7%	<b>West Virginia</b>	9/1/93	84.9%
<b>Tennessee</b>	5/20/04	74.4%	<b>Wisconsin</b>	12/1/87	73.3%
<b>Texas</b>	9/1/85	89.9%	<b>Wyoming</b>	6/8/89	N/A
<b>Washington</b>	6/01/02	95.2%			
<b>Puerto Rico</b>	1/19/75	92.5%			
<b>District of Columbia</b>	10/1/97	88.8%			
<b>Total: 25 States</b> Plus Puerto Rico and the District of Columbia.			<b>Total: 24 States</b> New Hampshire does not have an adult safety belt law.		

\*The primary safety belt law HAD NOT taken effect in these States when the safety belt usage survey was conducted.

\*\* Kentucky's law carries a 6 month warning period. The law will be enforced beginning January 1, 2007.



# References

- 1 NHTSA Press Release DOT 141-05, "Transportation Secretary Mineta Announces Record Safety Belt Usage in the U.S.," September 30, 2005.
- 2 Traffic Safety Facts Research Note. Safety Belt Use in 2005, Overall Results. National Highway Traffic Safety Administration, DOT HS 809 932. August 2005.
- 3 Traffic Safety Facts Research Note. Motor Vehicle Traffic Crashes as a Leading Cause of Death in the United States, 2003. National Highway Traffic Safety Administration. DOT HS 810 568, March 2006.
- 4 NHTSA Press Release 09-05, "2004 Highway Deaths Projected to Reach 42,800; Transportation Secretary Mineta Calls Fatalities a "National Epidemic," April, 21, 2005.
- 5 Traffic Safety Facts 2004 Data. Occupant Protection. National Highway Traffic Safety Administration, DOT HS 809 909.
- 6 Ibid.
- 7 Traffic Safety Facts Research Note. Safety Belt Use in 2005, Overall Results. National Highway Traffic Safety Administration. DOT HS 809932. August 2005.
- 8 Traffic Safety Facts. Laws, Strengthening Safety Belt Use Laws, National Highway Traffic Safety Administration, March 2005.
- 9 Fatality Analysis Reporting System (FARS), National Highway Traffic Safety Administration.
- 10 Traffic Safety Facts. Laws, Strengthening Safety Belt Use Laws, National Highway Traffic Safety Administration. January 2006.
- 11 Ibid.
- 12 A. Crancer, "Analysis of the Impact of Washington State's Primary Seat Belt Law and *Click It or Ticket* on Restraint Use in Passenger Vehicle Fatalities, 2002," December 2003.
- 13 P. M. Salzberg and J. M. Moffat "Ninety Five Percent: An Evaluation of Law, Policy, and Programs To Promote Seat Belt Use In Washington State," published by of the Washington Traffic Safety Commission, November 2003.
- 14 Traffic Safety Facts Research Note. Motor Vehicle Traffic Crashes as a Leading Cause of Death in the United States, 2003. National Highway Traffic Safety Administration. DOT HS 810 568, March 2006.
- 15 A.T. McCarett and V.I. Shabanova. "Teenage Seat Belt Use: White Paper Update." Prepared for The National Safety Council's Air Bag & Seat Belt Safety Campaign, April 2004.
- 16 L. Blincoe, E. Seay, M.T. Zaloshnja, E. Romano, S. Luchter, R. Spicer, "The Economic Impact of Motor Vehicle Crashes 2000," National Highway Traffic Safety Administration, DOT HS 809 446, May 2002.
- 17 "The Economic Burden of Traffic Crashes on Employers-Costs by State and Industry and by Alcohol and Restraint Use," National Highway Traffic Safety Administration, DOT HS 809 682, August 2005.
- 18 M.G. Solomon, R.G. Ulmer, D.F. Preusser. "Evaluation of *Click It or Ticket* Model Programs." National Highway Traffic Safety Administration, DOT 809 498, November 2002.
- 19 M. G. Solomon, R.H.B. Chaffe, and L. A. Cosgrove, "May 2004 *Click It or Ticket* Safety Belt Mobilization Evaluation." USDOT/NHTSA (2006, in progress).
- 20 Traffic Safety Facts Research Note. "States with Primary Enforcement Laws Have Lower Fatality Rates." National Highway Traffic Safety Administration, DOT HS 810 557, February 2006.
- 21 C.F. Farmer and A.F. Williams, "Effect on fatality risk of changing from secondary to primary seat belt enforcement," Insurance Institute for Highway Safety, Arlington, Virginia, December 2004.
- 22 Ibid.
- 23 Insurance Institute for Highway Safety, Status Report, Vol. 40, No. 2, January 31, 2005.
- 24 N. K Chaudhary and D. F. Preusser, "Lives Lost by States' Failure to Implement Safety Belt Laws," published by the National Safety Council's Air Bag & Seat Belt Safety Campaign, November 5, 2003.
- 25 L. Blincoe, E. Seay, M.T. Zaloshnja, E. Romano, S. Luchter, R. Spicer, "The Economic Impact of Motor Vehicle Crashes 2000," National Highway Traffic Safety Administration, DOT HS 809 446, May 2002.
- 26 T. B. Dinh-Zarr, PhD, MPH; D. A. Sleet, PhD, MA; R.

- A. Shults, PhD, MPH; S. Zaza, MD, MPH; R. W. Elder, MD; J. L. Nichols, PhD; R. S. Thompson, MD; D. M. Sosin, MD, MPH; and the Task Force on Community Preventive Services, "Reviews of Evidence Regarding Interventions to Increase the Use of Safety Belts," Centers for Disease Control and Prevention, October 2003.
- 27 2003 Motor Vehicle Occupant Safety Survey, Volume 2, National Highway Traffic Safety Administration, DOT HS 809 789, September 2004.
- 28 Ibid.
- 29 Insurance Institute for Highway Safety, Status Report, Vol. 38, No. 1, January 11, 2003.
- 30 Governors' Highway Safety Association, Highway Safety Policies and Priorities, Updated 2004.
- 31 J. M. Boyle and P. Vanderwolf, 2003 Motor Vehicle Occupant Safety Survey Safety Belt Report, National Highway Traffic Safety Administration, DOT HS 809 789, September 2003.
- 32 *Simon v. Sargent*, D.C.Mass.1972, 346 F.Supp. 277, affirmed 93 S.Ct. 463, 409 U.S. 1020, 34 L.Ed.2d 312.
- 33 D. W. Eby, L. P. Kostyniuk, L. J. Molnar, J. M. Vivoda, L. L. Miller, "The Effect of Changing from Secondary to Primary Safety Belt Enforcement on Police Harassment," *Accident Analysis & Prevention*, Vol. 36, 2004.
- 34 R.G. Ulmer, C.W. Preusser, D.F. Preusser, Evaluation of Georgia's Safety Belt Law Change to Primary Enforcement. National Highway Traffic Safety Administration, in progress.
- 35 D.F. Preusser, C.W. Preusser, Evaluation of Louisiana's Safety Belt Law Change to Primary Enforcement. National Highway Traffic Safety Administration, DOT HS 808 620, 1997.
- 36 R.G. Ulmer, C.W. Preusser, D.F. Preusser, Evaluation of California's Safety Belt Law Change to Primary Enforcement. National Highway Traffic Safety Administration, DOT HS 808 205, 1994.
- 37 Evaluation of Maryland, Oklahoma, and the District of Columbia's Seat Belt Law Change to Primary Enforcement, Final Report, National Highway Traffic Safety Administration, DOT HS 809 213, March 2001.
- 38 Unless otherwise noted, all information is taken from 2004 fact sheets prepared by NHTSA's National Center for Statistics and Analysis. See NCSA Homepage on NHTSA's website, [www.nhtsa.gov](http://www.nhtsa.gov).
- 39 Motor Vehicle Traffic Crashes as Leading Cause of Death in the United States, 2003. National Highway Traffic Safety Administration, DOT 810 568, March 2006.
- 40 Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, Ten Leading Causes of Death, <http://www.cdc.gov/ncipc/osp/charts.htm>.
- 41 Ibid.
- 42 L. Blincoe, E. Seay, M.T. Zaloshnja, E. Romano, S. Luchter, R. Spicer, The Economic Impact of Motor Vehicle Crashes, 2000, National Highway Traffic Safety Administration, DOT HS 809 446, May 2002
- 43 "The Economic Burden of Traffic Crashes on Employers-Costs by State and Industry and by Alcohol and Restraint Use," National Highway Traffic Safety Administration, DOT HS 809 682, August 2005.
- 44 N. Russell, P. Dreyfus, M. Cosgrove, Legislative History of Recent Primary Safety Belt Laws. DOT HS 808 833, January 1999.



DOT HS 810 649  
September 2006



U.S. Department  
of Transportation

**National Highway  
Traffic Safety  
Administration**

[www.nhtsa.gov](http://www.nhtsa.gov)

**NHTSA**