

**PROGRESS IN IMPLEMENTING  
STRATEGIES TO INCREASE  
THE USE OF SEAT BELTS**

*National Highway Traffic Safety  
Administration*

*Report Number: MH-2002-109  
Date Issued: September 18, 2002*



# Memorandum


**U.S. Department of  
Transportation**

Office of the Secretary  
of Transportation

Office of Inspector General

Subject: **ACTION:** Report on Progress in Implementing  
Strategies to Increase the Use of Seat Belts,  
National Highway Traffic Safety Administration  
MH-2002-109

Date: September 18, 2002

From: Alexis M. Stefani   
Assistant Inspector General for Auditing

Reply to  
Attn. of: JA-40

To: National Highway Traffic Safety Administrator

This report presents the results of our review of the National Highway Traffic Safety Administration's (NHTSA) Progress in Implementing Strategies to Increase the Use of Seat Belts. We initiated this audit at the request of the Senate Committee on Appropriations, as cited in the Department of Transportation and Related Agencies Appropriations Report for Fiscal Year 2001. The Committee was concerned that national seat belt use rates have remained relatively constant, and that NHTSA might not achieve the Department of Transportation's (DOT) goal of 85 percent seat belt usage by the year 2000 and 90 percent by 2005. This concern was well founded because seat belt usage reached only 73 percent by 2001 and was growing at an average annual rate of 1 percentage point. On February 27, 2002, NHTSA announced that it was revising its 2003 seat belt use target downward to 78 percent. This compares to the 88 percent that had been its 2003 goal since 1997.

The objectives of this audit were to: (1) assess NHTSA's efforts to increase seat belt use rates; (2) evaluate NHTSA's processes for establishing performance goals and measures; (3) determine how NHTSA allocates Occupant Protection Program funds and grants to States and other partnerships; and (4) identify and evaluate the technical assistance NHTSA provides to State and local governments to improve seat belt use rates. The scope of our review and the methodology used to achieve our objectives are discussed in Exhibit A.

## RESULTS IN BRIEF

Over time, NHTSA and the States have been effective in increasing seat belt use, as the national seat belt use rate has increased from 14 percent in 1984 to 73 percent in 2001. Most of this increase (52 percentage points) occurred by 1993 when 49 States and U.S. territories passed mandatory seat belt use laws. However, over the last 8 years, the annual rate of increase in seat belt use has slowed to a relatively constant 1 percentage point. Unless additional States enact and enforce primary enforcement laws, which are the most effective means of increasing seat belt use, we see no credible basis to forecast increases in seat belt use in excess of the current trend.

Maintaining even the modest gains of the last 8 years will depend heavily on how aggressively and consistently NHTSA, its regions, and the States implement high-profile law enforcement activities, such as the *Click It or Ticket* program, where law enforcement agencies mobilize to focus on seat belt violations and publicize the efforts through the news media and advertising. According to NHTSA, even a 1 percentage point gain in seat belt use, which represents an additional 2.8 million people buckling up, produces an average savings of approximately 270 lives, 4,400 serious injuries, and \$800 million in economic costs.

***NHTSA's current efforts to increase seat belt use include a hierarchy of strategies.*** These strategies focus on legislation (enacting improved seat belt laws), enforcement, partnerships, and public information and education. Currently, the most effective strategies for increasing seat belt use are enacting improved seat belt use laws and actively enforcing the laws. Other strategies include public service announcements on radio and television, billboards, community outreach through schools and the faith community, job fairs, payroll inserts, posters, pamphlets, and flyers.

***Enacting primary seat belt laws generally has an immediate impact on seat belt use rates.*** To date, mandatory seat belt use laws have been passed in all States except New Hampshire. Thirty-one States<sup>1</sup> have passed secondary laws requiring that motorists be stopped for another highway traffic safety offense, such as speeding, before a seat belt citation can be issued. Twenty States have passed the more stringent primary enforcement laws, which permit law enforcement officers to stop drivers and issue citations solely for not using seat belts.

Enacting primary seat belt laws has historically enabled States to increase their seat belt use an average of 10 percentage points during the first year. However, primary enforcement laws can be controversial, and many States have not adopted them due to concerns about individual rights and racial profiling, which involves

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<sup>1</sup> "States" are defined as all 50 States, the District of Columbia, and Puerto Rico.

law enforcement officers stopping or harassing motorists solely based on race or ethnicity.

In its response to the draft report, NHTSA stated that the report should note the absence of any sanctions for States that fail to pass primary laws. NHTSA's experience with sanctions regarding States' enactment of 0.08 percent Blood Alcohol Concentration (BAC) laws shows that sanctions can lead to the enactment of state laws. According to NHTSA, prior to passage of the Transportation Equity Act for the 21st Century (TEA-21),<sup>2</sup> 16 States had set their illegal limits for driving at 0.08 percent. TEA-21 offered financial incentives to States that adopted 0.08 percent BAC laws, however, only three additional States, the District of Columbia, and Puerto Rico did so by October 2000. In October 2000, Congress enacted sanctions that would withhold a percentage of Federal-aid highway funds from States that did not enact and enforce 0.08 percent BAC laws. Subsequently, 15 additional States adopted the lower limit.

Given this, the Department may wish to consult with the appropriate congressional committees, in the context of highway safety reauthorization and other issues, about whether circumstances now warrant a range of steps to promote primary seat belt laws. These discussions should include the benefits and efficacy of primary seat belt laws in saving lives, as well as potential concerns about primary laws involving issues such as individual rights and racial profiling.

***Enforcement of existing seat belt use laws has proven effective in increasing seat belt use.*** Although active enforcement in States with primary seat belt laws usually shows a larger increase in the use of seat belts than in States with secondary seat belt laws, gains through active enforcement can still be achieved under either type of law. For example, the highly visible special Traffic Enforcement Program (sTEP) has successfully increased seat belt use by concentrating on enforcing seat belt laws for short periods of time (usually 1 or 2 weeks) several times a year, usually at designated checkpoints, and accompanied by intense media coverage. This was demonstrated in a 1999 NHTSA study of 16 States that had implemented sTEP mobilizations, which showed an overall increase in seat belt use of 7.7 percentage points: 16.8 percentage points for States with primary seat belt enforcement laws and 5.6 percentage points for States with secondary enforcement laws.

One special Traffic Enforcement Program that has shown success in increasing seat belt use is the *Click It or Ticket* program. This high visibility seat belt enforcement campaign focuses its media message on the risks involved in not wearing seat belts—the increased threat of a traffic ticket—since for many people, it is the threat of the ticket that spurs them to wear a seat belt. In *Click It or Ticket*

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<sup>2</sup> Public Law 105-178, June 9, 1998.

programs, law enforcement agencies mobilize to focus on seat belt violations and publicize the effort through the news media and advertising.

NHTSA is encouraging States to adopt the *Click It or Ticket* program and is supporting this effort with funding to purchase radio and television advertisements that emphasize the increased likelihood of receiving a ticket for not wearing a seat belt. During 2002, 13 States will spend \$8 million set aside by Congress to purchase broadcast and print advertisements to publicize the States' seat belt enforcement efforts. NHTSA plans to encourage the States to maintain the enforcement theme of this campaign over the next 18 months, using funds set aside for increasing seat belt use.

In its response to the draft report, NHTSA stated that the use of paid media and an unmistakable enforcement message were the major distinguishing factors in the successful pilot test of the *Click It or Ticket* model in NHTSA Region IV during May 2001. This successful campaign resulted in all 10 NHTSA Regional Offices making *Click It or Ticket* the centerpiece of their Strategic Plans for fiscal year (FY) 2002. An evaluation of NHTSA's May 2002 mobilization efforts is underway, but NHTSA states that preliminary results clearly show the benefits of paid media in this high intensity, short duration enforcement program.

***NHTSA can influence States to adopt successful strategies through its technical assistance program.*** NHTSA cannot require States to implement specific strategies aimed at increasing seat belt use. It can, however, create a cooperative environment through its technical assistance program where it exports effective strategies and best practices to States. However, several factors have hindered NHTSA's ability to get States to implement proven strategies, such as highly visible enforcement programs.

For example, NHTSA regions are not consistently pursuing State implementation of successful programs. Each of NHTSA's 10 Regional Offices has discretion on the types of technical assistance it provides to the States in the region, and some regions are more effective than others in encouraging States to implement proven strategies. In addition, some States have not participated in initiatives involving highly visible enforcement efforts for a variety of reasons. These include the time it takes to organize and develop strategies for an enforcement mobilization, State laws prohibiting checkpoints, and a belief that enforcement is not the best program for the State.

***Funding is available to States to implement proven strategies for increasing seat belt use.*** NHTSA provides funding for occupant protection programs (which include both seat belt and child passenger protection programs) through either formula grants or grants dedicated specifically to occupant protection programs. In TEA-21, Congress set aside funds specifically for occupant protection programs, including \$62 million for FY 2001. With the recent influx of dedicated

occupant protection funding, States have the funding to implement strategies for increasing seat belt use. According to data reported to NHTSA by the States, 80 percent of the funds were spent on enforcement, one of the most effective strategies for increasing seat belt use. The remaining funds were spent on longer term strategies such as public information and education, partnerships, and legislation.

***NHTSA has never reached its annual targets for seat belt use and will not reach its revised 2003 national seat belt use target given the trend of the last 8 years.*** NHTSA's performance goals, first established in 1997, included a 90 percent national seat belt use rate by 2005, and were based, in part, on results achieved in other countries. However, our review indicates that there was no basis, given data available at the time the goals were established, to suggest that increases of this magnitude could be achieved in the United States. NHTSA has since recognized this goal as unrealistic, and, supported by two analytical methodologies, revised its 2003 target downward to 78 percent.

Concurrent with the change in NHTSA's FY 2003 performance goal, the Department also determined that fatality rates are better indicators of overall highway safety performance than seat belt use. Beginning with the FY 2003 DOT Government Performance and Results Act (GPRA) Performance Plan, DOT will measure the effectiveness of highway safety performance using fatality rates. The seat belt use rate will become a supplementary measure to be monitored by NHTSA. We agree that using fatality rates as measures of performance would be a better indicator of the overall effectiveness of the highway safety program.

***To ensure that progress continues toward the Departmental goal of decreasing the number of transportation-related deaths and injuries, we are recommending that the NHTSA Administrator*** promote greater consistency among NHTSA Regional Offices by directing NHTSA regional staff to develop a detailed and time-phased plan encouraging each State to implement successful seat belt use strategies. We are also recommending that the Administrator continue to emphasize high-profile law enforcement programs, such as *Click It or Ticket*, in order to maintain recent gains in seat belt use.

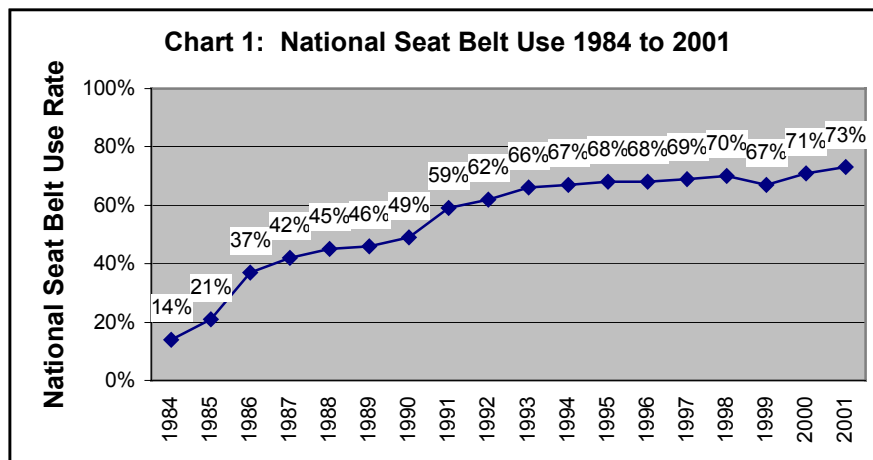
In his August 13, 2002, written response to the draft report, the NHTSA Administrator concurred with the report's recommendations, and identified corrective actions that NHTSA has already begun in earnest to implement.

## SUMMARY OF FINDINGS

### Since 1993, the Rate of Increase in the National Seat Belt Use Has Slowed Significantly

Seat belt use has increased 59 percentage points since 1984, and by 2001, usage stood at 73 percent nationally. Most of this increase (52 percentage points) occurred by 1993 when 49 States and U.S. territories passed mandatory seat belt use laws. For the 8-year period ending in 2001, seat belt use increased an average of only about 1 percentage point annually. According to NHTSA, even a 1 percentage point gain in seat belt use, which represents an additional 2.8 million people buckling up, produces an average savings of approximately 270 lives, 4,400 serious injuries, and \$800 million in economic costs.

According to NHTSA officials, the increase has slowed substantially because the remaining population tends to exhibit multiple high-risk behaviors, such as speeding or drinking and driving, and is more frequently involved in crashes. These individuals do not believe they will be physically or financially penalized for not wearing a seat belt, and are therefore more difficult to convince to use seat belts. Chart 1 illustrates the steady growth in seat belt use until 1993, when annual rate increases began to level off to an average of 1 percentage point.



### Enacting Stronger Seat Belt Use Laws and Enforcing Existing Seat Belt Use Laws Have Proven Effective in Increasing Seat Belt Use

NHTSA's current efforts to increase seat belt use include a hierarchy of strategies that focus on four fundamental elements: legislation, enforcement, partnerships, and public information and education. Legislation includes not only encouraging States to pass primary seat belt laws, but also encouraging all States to pass more comprehensive laws (higher fines, covering all seating positions in a vehicle, and

assessing driver's license points for violations). Enforcement includes using highly visible enforcement such as the special Traffic Enforcement Program, establishing law enforcement liaisons (LEL) within the States, and instituting special enforcement training.

Establishing effective partnerships involves, in part, working with educational institutions, teen organizations and the leaders of other similar groups for outreach to these segments of society and as a forum for "selling" seat belt use. Public information and education covers many different strategies including public service announcements that target low-use population segments and seat belt honor roll awards programs for high-use corporations.

NHTSA's current strategy for increasing seat belt use focuses on: (1) encouraging States to enact primary enforcement seat belt laws, which permit law enforcement officers to stop drivers and issue citations solely for not using seat belts; and (2) encouraging States to implement programs involving the highly publicized enforcement of seat belt laws, regardless of whether the law contains primary or secondary enforcement provisions.

NHTSA studies have shown that the passage of primary enforcement laws enabled States to achieve an immediate increase in seat belt use, regardless of enforcement activities undertaken, and a minimum of 10 percentage points increase when actively enforced. However, only 20 States have adopted these laws to date, primarily because of citizen concerns about individual rights and personal freedoms. Many citizens fear that primary laws could make it easier for enforcement personnel to stop motorists based solely on race or ethnicity, and therefore facilitate racial profiling and harassment. Also, others question the use of police powers to compel people to wear their seat belts, which they consider non-criminal offenses involving personal decisions. They also believe that an individual's failure to wear a seat belt poses potential harm only to that individual and not to others.

In its response to the draft report, NHTSA stated that the report should note the absence of any sanctions for States that fail to pass primary laws. NHTSA's experience with sanctions regarding States' enactment of 0.08 percent BAC laws shows that sanctions can lead to the enactment of state laws. According to NHTSA, prior to passage of TEA-21, 16 States had set their illegal limits for driving at 0.08 percent. TEA-21 offered financial incentives to States that adopted 0.08 percent BAC laws, however, only three additional States, the District of Columbia, and Puerto Rico did so by October 2000. In October 2000, Congress enacted sanctions that would withhold a percentage of Federal-aid highway funds from States that did not enact and enforce 0.08 percent BAC laws. Subsequently, 15 additional States adopted the lower limit.



Given this, the Department may wish to consult with the appropriate congressional committees, in the context of highway safety reauthorization and other issues, about whether circumstances now warrant a range of steps to promote primary seat belt laws. These discussions should include the benefits and efficacy of primary seat belt laws in saving lives, as well as potential concerns about primary laws involving issues such as individual rights and racial profiling.

NHTSA's seat belt strategy includes encouraging States to enforce existing seat belt use laws regardless of whether the law contains primary or secondary enforcement provisions. Although active enforcement in States with primary seat belt laws usually shows a larger increase in seat belt use than in States with secondary seat belt laws, gains through active enforcement can still be achieved under either law.

A proven strategy to increase seat belt use is the highly visible enforcement of seat belt laws using programs such as sSTEP, which involves intense enforcement for short periods throughout the year with simultaneous media coverage publicizing the enforcement. States have successfully implemented the sSTEP model with either primary or secondary enforcement laws. This was demonstrated in a 1999 NHTSA study of 16 States that had implemented sSTEP mobilizations, which showed an overall increase in seat belt use of 7.7 percentage points: 16.8 percentage points for States with primary seat belt enforcement laws, and 5.6 percentage points for States with secondary enforcement laws.

Most States allow enforcement checkpoints, and to ensure consistency with existing State laws, many States set their own guidelines to supplement Federal decisions upholding the constitutionality of this enforcement tool. This is done in part to ensure that enforcement laws are obeyed, particularly in States with secondary laws. For example, in States with secondary laws, if no primary violation has been committed, the unrestrained person is instructed about the State's seat belt law and requested to buckle up. In addition, many States require advance notice of the checkpoint to the public. A few States require the production of police studies showing why a checkpoint location is selected. One State requires police to obtain a Superior Court order before the checkpoint may be designated. In the 11 States where checkpoints are prohibited, sSTEP mobilizations can still be performed by using other highly visible enforcement strategies such as enforcement zones and saturation patrols.

One special Traffic Enforcement Program that has shown success in increasing seat belt use is the *Click It or Ticket* program. This high visibility seat belt enforcement campaign focuses its media message on the risks involved in not wearing seat belts—the increased threat of a traffic ticket—since for many people, it is the threat of the ticket that spurs them to wear a seat belt. In *Click It or Ticket*

programs, law enforcement agencies mobilize to focus on seat belt violations and publicize the effort through the news media and advertising.

NHTSA is encouraging States to adopt the *Click It or Ticket* program, and is supporting this effort with funding to purchase radio and television advertisements that emphasize the increased likelihood of receiving a ticket for not wearing a seat belt. During 2002, 13 States will spend \$8 million set aside by Congress to purchase broadcast and print advertisements to publicize the States' seat belt enforcement efforts. NHTSA plans to encourage the States to maintain the enforcement theme of this campaign over the next 18 months, using funds set aside for increasing seat belt use.

In its response to the draft report, NHTSA stated that the use of paid media and an unmistakable enforcement message were the major distinguishing factors in the successful pilot test of the *Click It or Ticket* model in NHTSA Region IV during May 2001. This successful campaign resulted in all 10 NHTSA Regional Offices making *Click It or Ticket* the centerpiece of their Strategic Plans for FY 2002. An evaluation of NHTSA's May 2002 mobilization efforts is underway, but NHTSA states that preliminary results clearly show the benefits of paid media in this high intensity, short duration enforcement program.

### **NHTSA Can Influence States to Adopt Successful Strategies Through Its Technical Assistance Program**

While NHTSA cannot require States to implement specific strategies to increase seat belt use, it can create a cooperative environment through its technical assistance program where it exports effective strategies and best practices to States. NHTSA's Headquarters and 10 Regional Offices provide technical assistance to the States and other public and private customers for a variety of highway traffic safety programs (e.g., impaired driving, emergency medical services, and occupant protection—which includes seat belt and child passenger safety). This technical assistance<sup>3</sup> includes promoting legislation, administering the agency's grant fund programs, assisting in coalition building, and delivering training and education programs and materials.

However, several factors have hindered NHTSA's ability to get States to implement proven strategies, such as highly visible enforcement programs. For example, NHTSA regions are not consistently pursuing State implementation of successful programs. Each of NHTSA's 10 Regional Offices has discretion on the types of technical assistance it provides to the States in the region, and some regions are more effective than others in encouraging States to implement proven strategies. In addition, some States have not participated in initiatives involving

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<sup>3</sup> NHTSA defines technical assistance as developing, facilitating, implementing, testing, demonstrating, and refining highway safety strategies.

highly visible enforcement efforts for a variety of reasons. These include the time it takes to organize and develop strategies for an enforcement mobilization, State laws prohibiting checkpoints, and a belief that enforcement was not the correct program for the State.

One strategy that NHTSA has used to influence States and to create a cooperative environment is the use of law enforcement liaisons to persuade States that seat belt use can be increased by using programs that have been successful elsewhere. The LELs, employed or contracted by NHTSA Regional Offices and the States, are usually current, former, or retired law enforcement officers that interact with State and local law enforcement officials. By using this peer relationship, the LEL can often obtain a State's commitment to implement specific strategies. This successful strategy has not, however, been consistently pursued by all NHTSA regions.

LELs were used successfully in NHTSA Region IV, comprised of eight States in the Southeast. NHTSA obtained participation by all 3,250 State and local law enforcement agencies in its 2001 Memorial Day seat belt enforcement efforts. The role of the LELs in persuading State and local governments to participate in this effort is in part credited with the program's success, which resulted in an overall regional increase of 9 percentage points in seat belt use. This was the first time that a region had undertaken a joint effort of this type and achieved such a high degree of participation.

Despite the success of the LELs in Region IV, most NHTSA regions have not attempted similar region-wide efforts. As shown in Region IV, consistent program implementation among the States can result in a significant increase in seat belt use; consistent implementation among all NHTSA regions could show similar results.

### **Funding Is Available to States to Implement Proven Strategies for Increasing Seat Belt Use**

NHTSA provides funding for occupant protection programs, either through general highway safety formula grants or through grants dedicated to occupant protection programs. Prior to the passage of TEA-21 in 1998, occupant protection programs competed with other highway safety programs within the States for funds provided by a formula based on population and road miles. Decisions on how to spend the money were left almost exclusively to the discretion of the State. With the passage of TEA-21, Congress set aside grant funds specifically for occupant protection programs, both as incentives to improve seat belt use rates, and to promote innovation in seat belt programs.

With the recent influx of dedicated occupant protection funding, States have the funding to implement strategies for increasing seat belt use. According to data the

States reported to NHTSA, States spent 80 percent of seat belt funds on enforcement, one of the most effective strategies for increasing seat belt use. The remaining funds were spent on longer term strategies such as public information and education (14 percent), partnerships (5 percent), and legislation (1 percent).

### **NHTSA Has Never Reached Its Annual Targets for Seat Belt Use and Will Not Reach Its Revised 2003 National Seat Belt Use Target Given the Trends of the Last 8 Years**

NHTSA's national seat belt use goals of 85 percent by 2000 and 90 percent by 2005 were established in 1997, based in part on occupant protection programs in countries that had reached and sustained seat belt use rates of 90 percent or greater, such as Canada, Australia, and Sweden. However, our review indicates that there was no basis, given data available at the time the goals were established, to suggest that increases of this magnitude could be achieved in the United States. NHTSA has since recognized these goals as unrealistic, and, supported by two analytical methodologies, revised its 2003 target downward from 88 percent to 78 percent.

Concurrent with the change in NHTSA's FY 2003 performance goal, the Department also determined that fatality rates are better indicators of overall highway safety performance than seat belt use. Beginning with the FY 2003 DOT GPRA Performance Plan, DOT will measure the effectiveness of highway safety performance using fatality rates. The seat belt use rate will become a supplementary measure to be monitored by NHTSA. We agree that using fatality rates as measures of performance would be a better indicator of the overall effectiveness of the highway safety program.

However, if the trend in seat belt use of the last 8 years continues, NHTSA will still fall short of the goal. Unless additional States enact and enforce primary enforcement laws, which are the most effective means of increasing seat belt use, we see no credible basis to forecast increases in seat belt use in excess of the current trend of 1 percentage point per year. In addition, each percentage point gain in the seat belt use rate will become increasingly more difficult to attain.

### **RECOMMENDATIONS**

Maintaining even the modest gains of the last 8 years will depend heavily on how aggressively and consistently NHTSA, its regions, and the States implement high-profile law enforcement activities, such as the *Click It or Ticket* program. To ensure that progress continues toward the Departmental goal of decreasing the number of transportation-related deaths and injuries, we recommend that the NHTSA Administrator:

1. Promote greater consistency among NHTSA Regional Offices by directing NHTSA regional staff to develop a detailed and time-phased plan encouraging each State to implement successful seat belt use strategies. These plans should reflect where NHTSA has already successfully:
  - Identified, developed, and distributed best practices and implementation prototypes for strategies that have proven effective in increasing seat belt use;
  - Emphasized and encouraged the States to allocate available funding to strategies such as highly visible enforcement mobilizations that have proven effective in increasing seat belt use; and
  - Created and enhanced a cooperative environment between NHTSA Regional Offices and the States to assist States in implementing strategies such as the law enforcement liaison program that have successfully increased seat belt participation elsewhere.
2. Continue to emphasize high-profile law enforcement programs, such as *Click It or Ticket*, in order to maintain recent gains in seat belt use. This program, when implemented consistently among the States, correlates with success factors we have identified in this report.

## **MANAGEMENT RESPONSE AND AUDIT COMMENTS**

A draft of this report was provided to NHTSA on July 16, 2002. OIG staff subsequently met with the National Highway Traffic Safety Administrator to discuss the draft report findings and recommendations, and these comments are reflected in his August 13, 2002 written response to the draft report. In the response, the Administrator concurred with the report's recommendations, and identified corrective actions that NHTSA has already begun in earnest to implement. We have seen that NHTSA is improving its plans and is emphasizing high-profile law enforcement programs, such as *Click It or Ticket*. However, the reply does not provide target dates for completion of these efforts.

NHTSA also provided comments on its restricted capability for effecting legislative change, benefits of incremental gains in seat belt use, importance of paid media, and preliminary results from the May 2002 mobilization efforts. We have noted these comments and made appropriate changes to the report.

## BACKGROUND

Every 10 seconds, someone in America is injured in a traffic crash, and every 13 minutes, someone is killed in a crash. According to this Nation's leading highway safety organizations,<sup>4</sup> seat belts are the most effective means of reducing fatalities and serious injuries when traffic crashes occur. When properly fastened, seat belts provide significant protection to vehicle occupants involved in a crash. A recent NHTSA study<sup>5</sup> reported that the simple act of buckling a seat belt can improve an occupant's chance of surviving a potentially fatal crash from 45 to 73 percent, depending on the type of vehicle and seating position involved. The report further stated that seat belts are also highly effective against serious nonfatal injuries, reducing the chance of receiving a moderate to critical injury by 44 to 78 percent.

NHTSA also reported that in the year 2000, seat belts prevented 11,900 fatalities and 325,000 serious injuries, saving \$50 billion in medical care, lost productivity, and other injury-related costs. Also in 2000, over 9,200 people were killed and 143,000 were injured unnecessarily because they failed to wear their seat belts, costing society \$26 billion.

For over 30 years, the Federal Government has had a policy of promoting the use of seat belts as a means of reducing highway deaths and injuries. In 1968, DOT required the installation of seat belts on all new automobiles sold in the United States. DOT worked with States to encourage the occupants of motor vehicles to wear seat belts; however, only about 14 percent of people used seat belts before the mid-1980s, when States began to adopt mandatory seat belt use laws. By 1997, all States but one had passed mandatory seat belt use laws.

Also in 1997, the President directed the Secretary of Transportation to prepare a plan to increase the use of seat belts nationwide, and subsequently issued Executive Order 13043, *Increasing Seat Belt Use in the United States*. In response to this presidential initiative, NHTSA developed the Buckle Up America Plan, and DOT established national goals for increasing the seat belt use rate to 85 percent by the year 2000 and to 90 percent by the year 2005. These seat belt use goals were included in the Department's GPRA performance plan as contributing to the strategic outcomes of reduced fatality and injury rates.

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<sup>4</sup> Advocates for Highway and Auto Safety, the Air Bag and Seat Belt Safety Campaign, the Automotive Coalition for Traffic Safety, the Insurance Institute for Highway Safety, the National Association of Governors' Highway Safety Representatives, the National Highway Traffic Safety Administration, and the National Safety Council, as presented in the report from the 2001 Seat Belt Summit, January 11-13, 2001.

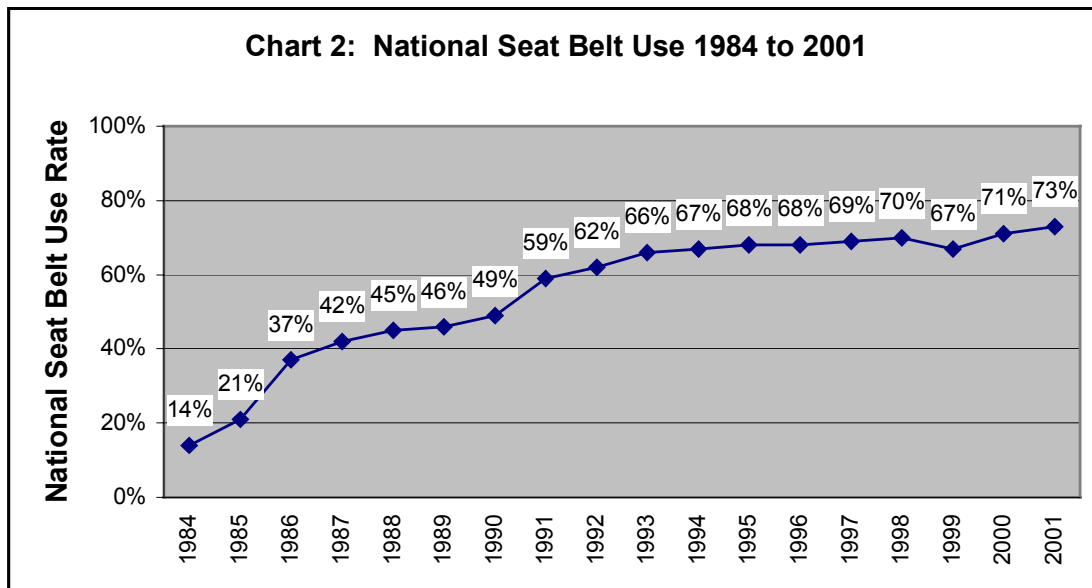
<sup>5</sup> *The Economic Impact of Motor Vehicle Crashes, 2000*, NHTSA Report No. DOT HS 809 446, May 2002.

## RESULTS

### The National Seat Belt Use Rate Has Slowed Significantly Since 1993

Nationally, seat belt use has increased 59 percentage points since 1984. Most of this increase (52 percentage points) occurred by 1993 when 49 States and U.S. territories passed mandatory seat belt use laws. Since 1993, the rate of increase in the national seat belt use rate has slowed significantly, increasing an average of only about 1 percentage point in each of the 8 years through 2001. According to NHTSA, even a 1 percentage point gain in seat belt use, which represents an additional 2.8 million people buckling up, produces an average savings of approximately 270 lives, 4,400 serious injuries, and \$800 million in economic costs.

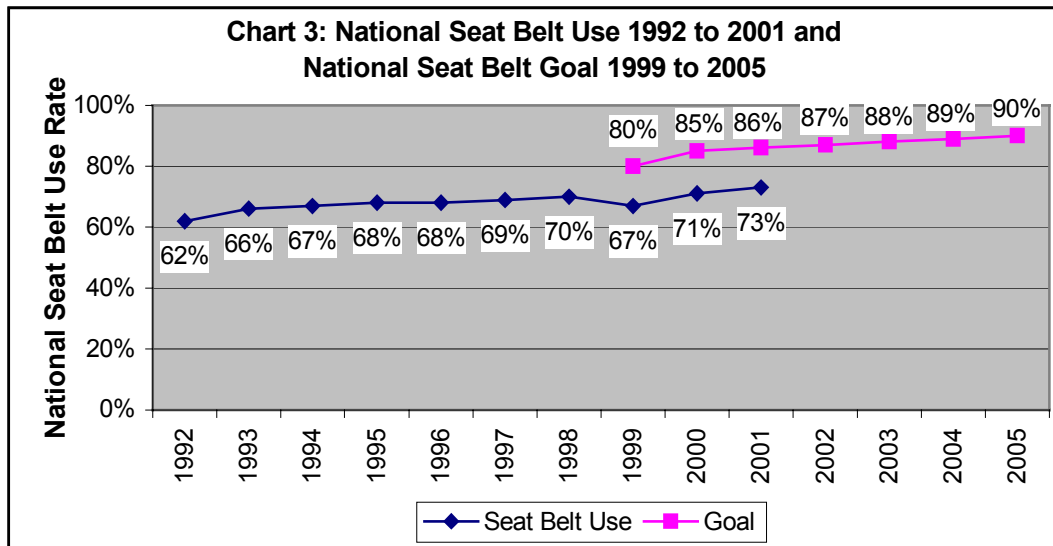
The increase has slowed substantially because the last 30 percent of the population tends to exhibit multiple high-risk behaviors, such as speeding or drinking and driving, and are more frequently involved in crashes. These individuals do not believe they will be physically or financially penalized for not wearing a seat belt, and are therefore more difficult to convince to buckle up. Chart 2 illustrates the steady growth in seat belt use until 1993, when annual rate increases began to level off to an average of 1 percentage point.



Despite the combined efforts of Federal, State, and local governments, NHTSA did not meet its 2000 or 2001 national seat belt use goals of 85 percent and 86 percent, respectively. The national seat belt use rate only reached 71 percent in

2000, 14 percentage points below the 2000 goal. In 2001, seat belt use reached 73 percent, 13 percentage points below the 2001 goal.

Chart 3 tracks the growth in seat belt use since 1992 compared to NHTSA's goals since 1999.



At the current average rate of increase in seat belt use, NHTSA would not have achieved its 2005 goal of 90 percent usage. Instead, the 2005 goal would not be met until 2018; similarly the previous 2000 goal of 85 percent would not have been met until about 2013.

### **Enacting Stronger Seat Belt Use Laws and Enforcing Existing Seat Belt Use Laws Have Proven Effective in Increasing Seat Belt Use**

NHTSA's current efforts to increase seat belt use include a hierarchy of strategies that focus on four fundamental elements: enforcement, legislation, partnerships, and public information and education. These four elements are comprised of many strategies to help increase seat belt use. Enforcement includes using highly visible enforcement such as the special Traffic Enforcement Program, along with establishing law enforcement liaisons within the States, and providing special training encompassing Complete Traffic Stops and Traffic Occupant Protection Strategies.

Legislation includes not only focusing on States that have the best chance of passing primary seat belt use laws, but also encouraging all States to pass more comprehensive laws that include mandatory belt use in all types of vehicles and all seating positions, as well as higher fines and sanctions (driver's license points).



Effective partnerships have been established with educational institutions, teen organizations, medical providers, minority and faith communities, and the automotive and trucking industries. Additional partnerships include public service and health agencies, service groups and organizations, sports and celebrity spokespersons, activist groups, State and Federal agencies, and other organizations concerned with saving lives.

Public information and education has the widest range of strategies, including:

- local public service announcements and messages targeting low-use audiences with paid media campaigns;
- public information workshops and the use of high-visibility media spokespersons;
- newspaper articles as well as local and national talk shows on seat belt use;
- seat belt honor roll awards programs and corporate-sponsored seat belt surveys; and
- seat belt awareness information distributed at job fairs and community events, and audio and video media for both English and non-English speaking audiences.

According to NHTSA, full use of all available strategies can lead to seat belt use rates of between 80 percent and 90 percent. However, based on the results of our review, as well as analyses performed by NHTSA and others, the most effective strategies that can be used to reach the seat belt use goals are primary laws supported by highly visible enforcement.

NHTSA's current strategy for increasing seat belt use focuses on: (1) encouraging States to enact primary enforcement seat belt laws, which permit law enforcement officers to stop drivers and issue citations solely for not using seat belts, and (2) encouraging States to implement programs involving the highly publicized enforcement of seat belt laws regardless of whether the law contains primary or secondary enforcement provisions.

Enactment of primary laws can be controversial, and States have been reluctant to implement these laws due to public concerns about individual rights and racial profiling. Concern has also been raised about the use of resources to enforce seat belt laws because many view the use of a seat belt as a personal choice that primarily affects only the individual motorist. Highly visible law enforcement mobilizations are also an effective technique for increasing seat belt use; however,

State participation and corresponding results have varied. These two strategies, however, have resulted in the most significant changes in seat belt use.

*Primary Enforcement Seat Belt Laws Increase Seat Belt Use, But States Are Reluctant to Implement Them Because of Individual Rights and Personal Freedom Concerns*

NHTSA continues to encourage States to upgrade current seat belt laws through the passage of more comprehensive seat belt laws, because States with primary laws generally have higher seat belt use rates than States with secondary laws. Seat belt use rates for all States in 2000 showed that 10 States attained seat belt use rates of 80 percent or above. All but one of these States (Washington) had a primary enforcement seat belt law. Four of these States, all with primary seat belt laws, achieved NHTSA's goal of 85 percent usage in 2000. The 10 highest States in terms of seat belt use, and the type of seat belt law passed by each, are shown in Table 1.

**TABLE 1: Ten States with Highest Seat Belt Use Rates**

State	Seat Belt Law	1999 Rate	2000 Rate
California *	Primary	89.3%	88.9%
New Mexico *	Primary	86.6%	87.0%
Puerto Rico *	Primary	77.8%	87.0%
Maryland *	Primary	82.7%	85.0%
Oregon	Primary	82.7%	83.6%
Michigan	Primary	70.1%	83.5%
District of Columbia	Primary	77.9%	82.0%
Washington	Secondary	81.1%	81.6%
North Carolina	Primary	78.1%	80.5%
Hawaii	Primary	80.3%	80.4%

\*Achieved 2000 goal of 85 percent.

Conversely, 10 States had seat belt use rates in 2000 below 60 percent, with 3 States at or below 50 percent. Nine of these States had only a secondary enforcement seat belt law, and one State, New Hampshire, has no seat belt law.

NHTSA has completed nine studies over the past 14 years focusing on the relationship of the type of seat belt law to the level of seat belt use. In addition, NHTSA completed case studies on seven States that had passed primary seat belt laws. The results of the evaluations and case studies showed that enactment of primary laws resulted in an immediate increase in seat belt use, regardless of enforcement activities undertaken.

Additional gains in seat belt use are realized when primary laws are actively enforced. We found that for the seven States that passed primary laws after 1996, seat belt rates increased from 4.7 to 17.7 percentage points, or an average of 11.4 percentage points. In Indiana and Oklahoma, the laws were not actively enforced in the first year after enactment; however, increases in seat belt use of 8.6 percentage points and 4.7 percentage points, respectively, were still attained. For the remaining five States that enforced the law after enactment, the minimum increase in seat belt use was 10 percentage points. Increases in seat belt use for each State enacting a primary law since 1996 are shown in Table 2.

**TABLE 2: Increase in Seat Belt Rates with Passage of Primary Seat Belt Law Since 1996**

State	Primary Law Enacted	Seat Belt Use Prior to Primary Law Enactment	Seat Belt Use After Primary Law Enactment	Increase in Seat Belt Use
District of Columbia	10/01/1997	64.1%	81.8%	17.7%
Michigan	03/10/2000	70.1%	83.5%	13.4%
Alabama	12/09/1999	57.9%	70.6%	12.7%
Maryland	10/01/1997	71.0%	82.6%	11.6%
New Jersey	05/01/2000	63.3%	74.2%	10.9%
Indiana*	07/01/1998	53.2%	61.8%	8.6%
Oklahoma*	11/01/1997	56.0%	60.7%	4.7%
<b>Average</b>				<b>11.4%</b>

\* Indiana and Oklahoma both passed primary laws after 1996; however, active enforcement was delayed.

**States have been reluctant to enact primary laws due to public concern about individual rights and racial profiling.** To date, only 20 States have passed the more stringent primary enforcement seat belt use laws. Many States have not adopted these laws because of concerns about individual rights and personal freedoms, as well as concerns that primary enforcement laws will result in racial profiling or harassment. These concerns pose a significant obstacle to passage of primary enforcement laws, since they arise from deep-seated convictions about the role and limitations of government, and the potential abuse of laws.

Concerns about individual rights and personal freedom reflect the belief that an individual's failure to wear a seat belt poses potential harm only to that individual and not to others. Citizens question the use of police powers to compel people to wear their seat belts, which they consider non-criminal offenses that involve personal decisions, actions, and lifestyle choices.

Racial profiling involves law enforcement officers stopping or harassing motorists solely based on race or ethnicity. According to the October 2000 report, "Blue Ribbon Panel to Increase Seat Belt Use Among African Americans," African

American and other ethnic American communities are generally distrustful of providing law enforcement officials with more laws that could present legal excuses for rogue behaviors and practices, such as racial profiling. Racial profiling has been a significant concern in several States, but especially in New Jersey, where in December 1999 the State entered into a consent decree with the U.S. Department of Justice to eliminate racial profiling by its troopers.

Some States that enacted primary enforcement legislation did so by specifying racial profiling safeguards within the legislation. For example, both Alabama and Michigan included provisions in their primary seat belt legislation to monitor the potential for racial profiling. In Alabama, an officer issuing a seat belt ticket must also record the reason for the stop and the race of the driver and occupants. In Michigan, law enforcement agencies must investigate reports of harassment that arise from enforcement of the law.

NHTSA has also addressed racial profiling in the training course it has developed for State and local law enforcement officers. This course, "Conducting the Complete Traffic Stop," contains a segment addressing racial profiling, emphasizing that this practice is illegal.

In its response to the draft report, NHTSA stated that the report should note the absence of any sanctions for States that fail to pass primary laws. NHTSA's experience with sanctions regarding States' enactment of 0.08 percent BAC laws shows that sanctions can lead to the enactment of state laws. According to NHTSA, prior to passage of TEA-21, 16 States had set their illegal limits for driving at 0.08 percent. TEA-21 offered financial incentives to States that adopted 0.08 percent BAC laws, however, only three additional States, the District of Columbia, and Puerto Rico did so by October 2000. In October 2000, Congress enacted sanctions that would withhold a percentage of Federal-aid highway funds from States that did not enact and enforce 0.08 percent BAC laws. Subsequently, 15 additional States adopted the lower limit.

Given this, the Department may wish to consult with the appropriate congressional committees, in the context of highway safety reauthorization and other issues, about whether circumstances now warrant a range of steps to promote primary seat belt laws. These discussions should include the benefits and efficacy of primary seat belt laws in saving lives, as well as potential concerns about primary laws involving issues such as individual rights and racial profiling.

### ***Enforcement of Seat Belt Laws Increases Seat Belt Use for States With Either Primary or Secondary Laws***

An important part of NHTSA's seat belt strategy is encouraging States to enforce existing seat belt use laws regardless of whether the law contains primary or secondary enforcement provisions. Although active enforcement in States with

primary seat belt laws usually shows a larger increase in seat belt use than in States with secondary seat belt laws, gains through active enforcement can still be achieved under either law.

The most effective method to get people to buckle up is to enforce seat belt laws in the same manner as any other traffic law, 24 hours per day, 7 days per week. Three States, California (the State with the highest seat belt use rate), Maryland, and the District of Columbia, enforce seat belt laws daily, in the same manner as any other traffic violation such as speeding and drunk driving. This enforcement strategy is possible in these jurisdictions since all three have enacted primary enforcement laws. Prior to this current “24/7” strategy, these States first used highly visible law enforcement mobilizations.

We found that States that undertake highly visible law enforcement mobilizations, modeled after sTEP, have higher seat belt use rates. The sTEP model concentrates on enforcing seat belt laws for short periods of time (usually 1 or 2 weeks) several times a year, with intense media coverage. During these mobilizations, State and local law enforcement agencies work together at traffic checkpoints to identify and ticket motorists who are not using their seat belts.

These checkpoints are usually conducted at high crash locations where all vehicles are stopped to determine seat belt and child safety seat use, in addition to looking for other traffic or criminal violations. These checkpoints are developed using NHTSA guidelines originally established for sobriety checkpoints.

The U.S. Supreme Court upheld the constitutionality of sobriety checkpoints in 1990. If conducted properly, sobriety checkpoints do not constitute illegal search and seizure in most States. The U.S. Supreme Court decision held that the interest in reducing alcohol-impaired driving was sufficient to justify the brief intrusion of a properly conducted sobriety checkpoint.

Most States allow checkpoints, and many States set their own guidelines to supplement the Federal rules. For example, many States require advance notice of the checkpoint to the public. A few States require the production of police studies showing why a checkpoint location is selected. One State requires police to obtain a Superior Court order before the checkpoint may be conducted. In the 11 States where checkpoints are prohibited, sTEP mobilizations can still be performed by using other highly visible enforcement strategies such as enforcement zones and saturation patrols.

Although checkpoints provide the opportunity to ticket offenders, the ultimate goal is deterrence. Well-publicized checkpoint programs educate both those who pass through the checkpoint and the general driving public that traffic violators will be caught. In States with primary seat belt law enforcement, if a vehicle is stopped and passengers are not wearing their seat belts, a citation will be issued.

In States with secondary laws, a primary traffic law violation, such as an unrestrained child, must occur before a seat belt citation can be issued. If no primary violation has been committed, the unrestrained person is instructed about the seat belt law and requested to buckle up before leaving the checkpoint.

Checkpoints achieve law enforcement benefits beyond increasing seat belt use. For instance, during the State of North Carolina's Fall 2000 *Click It or Ticket* mobilization, six county sheriff offices joined together to conduct checkpoints. The very first driver in the checkpoint was arrested for driving while under the influence, and a crack pipe was found in the car.

The above example shows how law enforcement agencies have found sSTEP mobilizations to be an effective use of resources, not only to increase seat belt use, but also to identify and arrest drunk drivers, speeders, and felons. Table 3 shows the number of citations and arrests made during the State of North Carolina's Fall 2000 *Click It or Ticket* Mobilization.

**Table 3: Citations and Arrests Made During North Carolina's Fall 2000 Click It or Ticket Mobilization**

Citations	Arrests
Over 12,000 seat belt violations	Over 3,400 driving while under the influence
Over 21,000 speeding violations	147 felony drug arrests
Over 16,800 other traffic violations	47 stolen vehicles arrests
Over 1,100 child passenger safety seat violations	16 fugitive arrests
	Over 2,100 other criminal arrests

As stated above, implementing sSTEP mobilizations is not limited to States with primary enforcement seat belt laws, although States with these laws usually show a larger increase in seat belt use than do States with secondary seat belt laws. This was demonstrated in a 1999 NHTSA study of 16 States that had implemented sSTEP mobilizations, which showed an overall increase in seat belt use of 7.7 percentage points: 16.8 percentage points for States with primary seat belt laws, and 5.6 percentage points for States with secondary laws.

Further, the State of Washington, which until June 2002 had a secondary law,<sup>6</sup> participates in a joint enforcement sSTEP program called "3-Flags" with Oregon and the Canadian province of British Columbia. This program is based on the Canadian sSTEP program, and has been in existence since October 1993. In preparation for an enforcement blitz, Washington State brings all types of State

<sup>6</sup> On April 2, 2002, the Governor of Washington signed into law a primary enforcement seat belt use law, effective in June 2002. This made Washington the 20<sup>th</sup> State with a primary enforcement seat belt use law.

and local law enforcement officers together—line officers, managers, and chiefs—for training in traffic enforcement. Training sessions have included motivational speakers, marketing strategies, public information campaigns, and successful program presentations covering seat belt campaigns.

Also, Washington State develops public service announcements for its three enforcement “blitzes” held each year. Public service announcements, which focus on occupant protection, air bags, seat belts, impaired driving, alcohol/drugs, drowsy driving, and speeding, are broadcast on 18 cable market outlets. In this way, 3-Flags advertising complements enforcement programs in local jurisdictions. The result of the 3-Flags Program is that Washington State achieved an 81.6 percent use rate in 2000, the highest rate among States with secondary laws.

Our analyses of 2000 seat belt use data for all States showed that 30 States were performing sSTEP mobilizations. We found that these States experienced increases in seat belt use rates when implementing sSTEP. These 30 States had an average use rate of 72.2 percent, which was higher than the 2000 national average of 71 percent.

Our review also found that the 19 States that did not perform sSTEP enforcement in 2000 had a combined seat belt use rate of 65 percent. This use rate was 6 percentage points below the 2000 national average of 71 percent. In addition, 6 of the 19 States had decreases in seat belt use from the previous year, ranging from 1.3 percentage points to 8.2 percentage points.

Our discussions with NHTSA and State officials identified various reasons that the 19 non-sSTEP States had not implemented sSTEP, including: the time it took to organize and develop strategies for an enforcement mobilization, the presence of State laws prohibiting checkpoints, and program officials who did not believe enforcement was the correct program for the State. In place of sSTEP mobilizations, States have provided education and information to the public on the use of seat belts. Strategies involving public service announcements on radio and television, billboards, community outreach through schools and the faith community, job fairs, payroll inserts, posters, pamphlets, and flyers are less intrusive. However, NHTSA has found that these programs reach only about 60 percent of the population, and are most effective in reaching part-time seat belt users (e.g., only use their seat belts on long trips or on major highways).

### ***NHTSA is Promoting the Click It or Ticket Theme for High Visibility Seat Belt Enforcement Campaigns***

One special Traffic Enforcement Program that has shown success in increasing seat belt use is the *Click It or Ticket* program. This high visibility seat belt enforcement campaign focuses its media message on the risks involved in not

wearing seat belts—the increased threat of a traffic ticket—since for many people, it is the threat of the ticket that spurs them to wear a seat belt. In *Click It or Ticket* programs, law enforcement agencies mobilize to focus on seat belt violations and publicize the effort through the news media and advertising.

NHTSA is encouraging States to adopt the *Click It or Ticket* program, and is supporting this effort with funding to purchase radio and television advertisements. In May 2002, 26 States and the District of Columbia launched the *Click It or Ticket* campaign, supported by radio and television advertisements to inform the public about enforcement efforts. During 2002, 13 States will spend \$8 million set aside by Congress to purchase broadcast and print advertisements to publicize the States' seat belt enforcement efforts. An additional \$2 million has been made available by Congress to evaluate this effort.

In its response to the draft report, NHTSA stated that the use of paid media and an unmistakable enforcement message were the major distinguishing factors in the successful pilot test of the *Click It or Ticket* model in NHTSA Region IV during May 2001. This successful campaign resulted in all 10 NHTSA Regional Offices making *Click It or Ticket* the centerpiece of their Strategic Plans for FY 2002. An evaluation of NHTSA's May 2002 mobilization efforts is underway, but NHTSA states that preliminary results clearly show the benefits of paid media in this high intensity, short duration enforcement program.

NHTSA plans to encourage the States to maintain the enforcement theme of this campaign over the next 18 months, using funds set aside for increasing seat belt use, and continue to encourage States to implement this successful campaign because of the dramatic and immediate increases in seat belt use. To assist States in purchasing advertisements to publicize the high visibility enforcement campaign, NHTSA developed a Buckle Up America Strategy Booklet that offers some quick advice about how to effectively purchase exposure on television, radio, print, and outdoor venues through a media buying or advertising agency.

NHTSA is assisting States in other areas as well, including public relations, advertising, and social marketing. NHTSA is also providing a variety of technical assistance to support the *Click It or Ticket* effort, including the development of a comprehensive planner, compilation of appropriate statistics, launching of a Buckle Up America website, and continued partnering with diverse national and community-based groups to create, implement, evaluate, and market culturally specific programs and materials to raise seat belt use.

### ***Both the Enforcement and Enactment of Seat Belt Use Laws Have Resulted in Significant Changes in States' Seat Belt Use Rates***

While the national seat belt use rate has increased an average of about 1 percentage point in each of the 8 years through 2001, changes in individual



States' seat belt use rates vary greatly. The most significant changes in individual State seat belt use rates were due to changes in the level of enforcement activities and the enactment of strong seat belt enforcement laws.

Our analysis of changes in States' annual seat belt use rates between 1996 and 2000 showed that 30 States had at least 1 significant annual change<sup>7</sup> of over 5 percentage points. Overall, there were 36 annual changes during this period that exceeded 5 percentage points. Our analysis also showed:

- Nine States increased seat belt use rates after a primary law was passed.
- Four States increased their seat belt use rates by strengthening their secondary laws, such as through increased fines.
- Seven States increased their seat belt use rates by conducting sTEP mobilizations.
- Five States increased their seat belt use rates through increased law enforcement participation in non-sTEP activities.
- Three States decreased their emphasis on seat belt programs, resulting in reduction in seat belt use by as much as 8.2 percentage points.

The significant changes in State seat belt use rates for the 30 States and the primary factors that caused these changes are detailed in Table 4.

**TABLE 4: Annual Changes in State Seat Belt Use of 5 Percentage Points or More<sup>8</sup> 1996 through 2000**

State	1996 - 1997	1997 - 1998	1998 - 1999	1999 - 2000	Explanation
Alabama			5.9%	12.7%	Enacted primary law effective December 1999; included 6-month "education" period prior to enforcement.
Arizona	7.3%		9.6%		1997 Presidential Seat Belt Initiative required seat belt use on Federal land (75% of Arizona is Federal land). Expanded program using seat belt grants in 1999.
Colorado		6.4%			Developed corporate and public partnerships and outreach.
Connecticut		10.3%			sTEP enforcement campaign started 1997.
Dist. of Columbia	8.7%	17.7%			Primary law enacted October 1997.
Florida				5.8%	Law enforcement participation in sTEP.
Georgia	7.0%	8.6%			Primary law enacted 07/01/96. High visibility enforcement program established in 1998.
Indiana		8.6%			Primary law enacted 07/01/98.
Louisiana	8.0%				Primary law enacted 09/01/95; not enforced until 1996.
Maine	11.0%				Secondary law upgraded in 1997 to eliminate requirement for driver to be fined for primary violation before receiving seat belt penalty.
Maryland		11.6%			Primary law enacted 10/01/97.

<sup>7</sup> Excluding changes due to revisions in methodologies used to calculate seat belt use rates.

<sup>8</sup> Does not include changes in seat belt use rates due to 1997 revised method for calculating seat belt use.

State	1996 - 1997	1997 - 1998	1998 - 1999	1999 - 2000	Explanation
Michigan				13.4%	Primary law enacted 03/10/00.
Minnesota			7.3%		Began enforcement campaign for alcohol and seat belts.
Mississippi		12.2%			Increased law enforcement participation.
Missouri				6.9%	Increased outreach efforts.
Nevada		6.8%			Increased law enforcement participation.
New Jersey				10.9%	Primary law enacted 05/01/00.
New Mexico			5.8%		Began high visibility traffic enforcement programs and added two driver's license points for seat belt violations.
North Carolina		(-5.3%)			Decreased level of enforcement.
North Dakota			6.8%		Increased law enforcement participation. Incorporated Traffic Occupant Protection Strategies training into Law Enforcement Academy curriculum.
Oklahoma				6.8%	Primary law enacted 11/01/97 with 1-year education campaign and moratorium on enforcement.
Puerto Rico		11.3%		9.2%	Enforcement (sTEP) increased in 1998 and again in 2000. Fine increased from \$10 to \$50.
Rhode Island			8.7%		Seat belt law changed to include penalty (previously no penalty).
South Carolina				8.7%	Enforcement (sTEP) increased in 1999 and 2000.
South Dakota				14.8%	Increased law enforcement participation.
Utah				8.3%	Secondary law amended in May 2000 to include all occupants and established minimum \$45 fine. Also includes primary enforcement for passengers under 19.
Vermont			7.1%	(-8.2%)	Increased enforcement in 1999. Lost momentum in applying for seat belt grants in 2000.
Virginia		6.5%			Increased funding for use on seat belt programs.
West Virginia			(-5.8%)		Decreased emphasis on seat belt program.
Wyoming				21.1%	Secondary law upgraded to include penalty; advertising campaign informed public of changes to the law.

Specific examples of significant changes in State seat belt use follow.

- North Carolina changed its procedures in 1998 to deemphasize enforcement and saw a decline in seat belt use. North Carolina tried a media campaign without enforcement, and found it did not work, as the seat belt use rate decreased 5.3 percentage points to 76.7 percent. In 1999, North Carolina again began to emphasize enforcement, and the seat belt use rate increased 1.4 percentage points. In 2000, North Carolina increased the number of checkpoints to over 6,000 (a 122 percent increase over 1999), and increased its seat belt use rate to 80.5 percent. North Carolina continued its enforcement campaign in 2001, and preliminary results indicate that its seat belt use rate will increase a minimum of 2 percentage points.
- Wyoming strengthened the enforcement provisions within its secondary seat belt enforcement law effective July 2000 and saw a significant increase in seat belt use. The Wyoming Legislature approved a measure that increased the incentive to wear seat belts, while for the first time it provided penalties for not wearing them. Specifically, any driver cited for a moving violation receives a \$10 reduction in the fine if the driver is buckled up.

However, any driver not wearing a seat belt receives a second citation that carries an additional \$25 fine. Combined with the improved law, Wyoming implemented an advertising campaign to educate the public about the change in the law. As a result, Wyoming increased its seat belt use rate by 21.1 percentage points in 1 year.

- Maine strengthened its occupant protection laws in 1997 and saw an increase in seat belt use. Before 1997, Maine’s secondary seat belt enforcement law required that a driver receive a fine for the primary violation in order to be subject to a penalty for the seat belt (secondary) violation. In 1997, the law was changed so a driver stopped for a primary traffic violation (e.g., speeding or an unrestrained child) could be fined for not wearing a seat belt even if they were not fined for any other law infraction. As a result of this change, the seat belt use rate increased 11 percentage points in 1997.
- In May 1999, Alabama passed a primary enforcement seat belt law which became effective in December 1999. As part of the law, Alabama was required to have a 6-month education campaign prior to the effective date. As a result, Alabama had 2 consecutive years with significant seat belt use rate increases: 5.9 percentage points during the education phase and 12.7 percentage points during the general enforcement of the primary law.
- In 1999, New Mexico implemented two sTEP programs, “Operation Buckle Down” and “Operation DWI.” Both campaigns were high visibility traffic enforcement programs and covered all aspects of traffic laws, including seat belt use. As a result, New Mexico posted a 5.8 percentage point increase in 1999, raising the seat belt use rate to 88 percent.

### **NHTSA Can Influence States to Adopt Successful Strategies Through Its Technical Assistance Program**

NHTSA has the opportunity to review the States’ work programs for the upcoming year, and can suggest changes in how money is spent. Therefore, NHTSA can influence States to use available funding to pursue proven strategies for increasing seat belt use. While NHTSA cannot require States to implement specific strategies to increase seat belt use, it can create a cooperative environment through its technical assistance program where it exports effective strategies and best practices to States.

Since each of NHTSA’s 10 Regional Offices has discretion on the types of technical assistance it provides to the States in the region, the strategies in the Regional Strategic Plans for the Buckle Up America Campaign vary from region to region. Some regions are more effective than others in encouraging States to implement proven strategies. For example, a high level of participation by State

and local law enforcement agencies in enforcement activities usually results in increased seat belt use. However, NHTSA regions are not consistently pursuing State implementation of successful programs.

As another example, NHTSA Region V conducts annual State reviews (which are not required by NHTSA) to ensure that established measures are indeed measurable, and that goals are reasonable and can influence seat belt use rates. Also, Regions II, III, IV, V, and VII have found that some States respond favorably to occupant protection assessments, which are NHTSA-sponsored evaluations of a State's strengths and challenges within its entire occupant protection program.

We also found that not all States have participated in all of NHTSA's initiatives, despite NHTSA's encouragement, especially in implementing successful strategies like highly visible enforcement efforts. States had not implemented these enforcement strategies for a variety of reasons, including the time it takes to organize and develop strategies for an enforcement mobilization, State laws prohibiting checkpoints, and a belief that enforcement was not the correct program for the State. As stated previously, despite NHTSA's efforts to encourage States to implement highly visible enforcement efforts, only 30 States performed sTEP mobilizations in 2000. Likewise, only 20 States have adopted primary enforcement laws to date, again despite NHTSA's encouragement and support.

One way NHTSA has influenced States to participate and created a cooperative environment is through the law enforcement liaison program. The LELs, usually current, former, or retired law enforcement officers, assist States in their efforts to partner with State Highway Patrol or State Police, County Sheriff Offices, and local Police Departments. The LELs, employed or contracted by both NHTSA Regional Offices and the States, obtain State and local law enforcement participation and commitment in enforcing seat belt laws. The LEL interacts with fellow law enforcement officials to improve and increase communication between the State Highway Safety Office and the law enforcement community. Currently, about half of the States have LELs.

Depending on the strategy being implemented, the efforts of NHTSA and State LELs can be critical to success because of the peer relationship they enjoy with State and local law enforcement organizations. The full cooperation of these law enforcement personnel is essential to the success of strategies involving enforcement of seat belt laws.

For example, in part because of the role played by LELs in obtaining the cooperation of the law enforcement community, NHTSA Region IV obtained 100 percent law enforcement participation in its 2001 Memorial Day mobilization efforts. Because of the full participation in this sTEP campaign, the eight States in the region—Alabama, Georgia, Florida, Kentucky, Mississippi, North Carolina,

South Carolina, and Tennessee—increased seat belt use an average of 9 percentage points following the May 7 through June 3 media and enforcement campaign. Four States had double-digit increases, ranging from 10 percentage points in Kentucky and Georgia to 20 percentage points in Tennessee.

NHTSA needs to expand these successful tactics to a much broader scale throughout the country, and create a successful environment in each of its regions where every State fully implements effective strategies for increasing seat belt use.

### **Funding Is Available to States to Implement Proven Strategies for Increasing Seat Belt Use**

NHTSA provides funding for occupant protection programs, either through general highway safety formula grants, or through grants dedicated to occupant protection programs. Prior to the passage of TEA-21 in 1998, occupant protection programs competed with other highway safety programs within the States for funds provided by a formula based on population and road mileage. Decisions on how to spend the money were left almost exclusively to the discretion of the State. With the passage of TEA-21, Congress set aside grant funds specifically for occupant protection programs, both as incentives to improve seat belt use rates, and to promote innovation in seat belt programs. With the recent influx of dedicated occupant protection funding, States have the capability to implement strategies for increasing seat belt use.

About \$1.5 billion in Federal funding has been made available to State safety agencies for highway safety programs, including occupant protection programs, during the 10-year period ending 2001. Funds provided through formula highway safety grants could be used for many highway safety programs, including motorcycle safety; alcohol-related projects; and multi-objective programs such as enforcement activities that concurrently target alcohol use, speeding, and occupant protection issues.

With the passage of TEA-21, Congress set aside funds specifically for occupant protection programs. In the last 3 years, \$114 million has been designated exclusively for occupant protection programs, including \$68 million dedicated specifically for seat belt programs. In 2001, Congress set aside about \$62 million for the States to use for occupant protection/seat belt grants. Most of the remaining \$194 million in highway safety funds for 2001 was also available for occupant protection/seat belt programs. Table 5 shows the sources of funding that were available for seat belt programs in FY 2001, and the restrictions placed on these funds either through administrative or congressional direction.

**TABLE 5: Sources of Funding for Occupant Protection Programs in FY 2001**

Program	Basis for Distribution by NHTSA	Funds To Be Used For	FY 2001 Allocation	
			Any highway safety program	Occupant Protection Only
<b>Section 402</b> State and Community Highway Safety Grants	Formula based on population and road mileage.	Any highway safety program.	\$146.9M	
<b>Section 157(a)</b> Safety Incentive Grants	1. Seat belt use above national average or 2. Seat belt use exceeds State's highest rate since 1996.	Any highway safety or highway construction program.	\$47.3M	
<b>Section 157(b)</b> Innovative Seat Belt Project Grants	Competitively selected by NHTSA based on State's plan for innovative projects to increase seat belt use.	Increase seat belt use. NHTSA requires focus on law enforcement.		\$42.1M
<b>Section 405</b> Occupant Protection Incentive Grants	Meets 4 of 6 criteria, such as seat belt and child passenger protection laws.	Seat belts or child passenger safety.		\$12.3M
<b>Section 2003b</b> Child Passenger Protection Education Grants	Competitively selected by NHTSA based on grant application describing child passenger protection education activities.	Child passenger safety programs.		\$7.5M
<b>TOTAL--FY 2001</b>			<b>\$194.2M</b>	<b>\$61.9M</b>

According to data the States reported to NHTSA, States spent the majority (80 percent) of FY 2000 seat belt funding (the latest year for which a breakdown was available) on enforcement activities. Approximately 14 percent of funding was spent on public information and education. This percentage is expected to increase in FY 2002, with \$8 million being dedicated to paid advertising for the 2002 *Click It or Ticket* campaigns. The remaining funding was for partnerships (5 percent) and legislation (1 percent).

Enforcement activities included mobilizations (both overtime and equipment), training, law enforcement liaisons, reward and recognition, leadership summits, pre- and post-mobilization surveys, and equipment used in enforcement campaigns. Public information and education expenditures included mobilization press events, developing public service announcements, paid media to support enforcement campaigns, programmable signs on police vehicles, media consultants, and other promotional activities. Partnership funding included safe community workshops and conferences, partnership summits, and training for community outreach. Legislative activities included informational materials prepared upon request, area briefings, technical assistance to seat belt coalitions, and minority outreach.

Per capita spending on seat belt programs varied widely among the States. The annual spending ranged from over \$1,000 per 1,000 residents to less than \$100. Seat belt use rates also varied for these States, as the States that spent the most per capita were not always the States with the highest seat belt use rate; likewise, the lowest per capita spending States had some of the highest seat belt use rates. This indicates that it is not solely the amount spent on seat belt programs that will increase seat belt use, but the need to spend the funding on successful strategies.

### **NHTSA Has Revised Its 2003 National Seat Belt Use Rate Target Downward to a More Realistic Target**

NHTSA's national seat belt use goals of 85 percent by 2000 and 90 percent by 2005 were established in 1997 as part of NHTSA's Buckle Up America Campaign to support the Administration's Seat Belt Initiative. NHTSA's goals were based in part on occupant protection programs in countries that had reached and sustained seat belt use rates of 90 percent or greater, such as Canada, Australia, and Sweden. However, our review indicates that there was no basis, given data available at the time the goals were established, to suggest that increases of this magnitude could be achieved in the United States.

NHTSA has recognized these goals as being unrealistic for the United States. As a result, in February 2002, NHTSA reduced its seat belt use target for 2003 from 88 percent to 78 percent, supported by two analytical methodologies. According to the NHTSA Administrator, the new goal was set after "NHTSA reviewed the individual State seat belt use goals for 2003 and the results of the analyses led the agency to determine that the appropriate target for 2003 is 78 percent." A second methodology, based on the percentage of non-seat-belt users converted to users each year, also resulted in a projection of 78 percent for 2003. Therefore, the Administrator concluded, "This goal is reasonable and challenging."

To meet this reduced national seat belt use target, NHTSA will need to increase the national seat belt use rate by 5 percentage points over a 2-year period (2002 and 2003). However, in the absence of additional States enacting and enforcing primary laws, which are the most effective means of increasing seat belt use, we see no credible basis to forecast increases in seat belt use in excess of the current trend of 1 percentage point per year. In addition, each percentage point gain in the seat belt use rate will become increasingly more difficult to attain.

***The seat belt use rate cannot be used alone as an indicator of overall highway safety performance.*** Attaining the national seat belt use goal was significant for the Department, since NHTSA had established the percentage of front-seat passengers wearing seat belts as the indicator of success for the seat belt program. This goal was included in the Department's GPRA performance plan as contributing to the strategic outcomes of reduced highway fatality rates.

However, concurrent with the change in NHTSA's FY 2003 seat belt use performance goal from 88 percent to 78 percent, the Department also determined that fatality rates are better indicators of overall highway safety performance than seat belt use. Beginning with the FY 2003 DOT GPRA Performance Plan, the Department will use fatality rates as the measure of the effectiveness of highway safety performance. The seat belt use rate will become a supplementary measure to be monitored by NHTSA. We agree that using fatality rates as measures of performance would be a better indicator of the overall effectiveness of the highway safety program.

## RECOMMENDATIONS

Maintaining even the modest gains of the last 8 years will depend heavily on how aggressively and consistently NHTSA, its regions, and the States implement high-profile law enforcement activities, such as the *Click It or Ticket* program. To ensure that progress continues toward the Departmental goal of decreasing the number of transportation-related deaths and injuries, we recommend that the NHTSA Administrator:

1. Promote greater consistency among NHTSA Regional Offices by directing NHTSA regional staff to develop a detailed and time-phased plan encouraging each State to implement successful seat belt use strategies. These plans should reflect where NHTSA has already successfully:
  - Identified, developed, and distributed best practices and implementation prototypes for strategies that have proven effective in increasing seat belt use;
  - Emphasized and encouraged the States to allocate available funding to strategies such as highly visible enforcement mobilizations that have proven effective in increasing seat belt use; and
  - Created and enhanced a cooperative environment between NHTSA Regional Offices and the States to assist States in implementing strategies such as the law enforcement liaison program that have successfully increased seat belt participation elsewhere.
2. Continue to emphasize high-profile law enforcement programs, such as *Click It or Ticket*, in order to maintain recent gains in seat belt use. This program, when implemented consistently among the States, correlates with success factors we have identified in this report.



## MANAGEMENT RESPONSE

A draft of this report was provided to NHTSA on July 16, 2002. OIG staff subsequently met with the National Highway Traffic Safety Administrator to discuss the draft report findings and recommendations, and these comments are reflected in his August 13, 2002 written response to the draft report. In the response, the Administrator concurred with the report's recommendations, and identified corrective actions that NHTSA has already begun in earnest to implement. The Administrator's memorandum is included as the Appendix to this report.

The Administrator also stated that the report did not adequately discuss NHTSA's restricted capability for effecting legislative change. NHTSA believes the report should note the absence of any sanction for States that fail to pass primary laws. NHTSA provided as an example sanctions regarding States' passage of 0.08 percent Blood Alcohol Concentration laws, and requested that the history of those sanctions be included in the report, along with a reasonable inference that sanctions could work as well to promote primary laws.

NHTSA requested that the report show that even a 1 percentage point gain in seat belt use represents an additional 2.8 million people buckling up, and produces an average savings of approximately 270 lives, 4,400 serious injuries, and \$800 million in economic costs.

NHTSA believes that the report should focus more attention on the paid media component of the *Click It or Ticket* Program, a successful special Traffic Enforcement Program. Paid media and an unmistakable enforcement message were the major distinguishing factors in the successful May 2001 *Click It or Ticket* campaign in NHTSA Region IV. NHTSA also presented preliminary data from its ongoing evaluation of its May 2002 mobilization efforts, which show the benefits of paid media in a high intensity, short duration enforcement program.

## AUDIT COMMENTS

We acknowledge NHTSA's progress in implementing the report's recommendations. We also note that it will require a sustained level of effort in implementing these recommendations for NHTSA to meet or exceed its FY 2003 national seat belt use target of 78 percent.

Regarding NHTSA's comments on restricted capability for effecting legislative change, benefits of incremental gains in seat belt use, importance of paid media, and preliminary results from the May 2002 mobilization efforts, we have noted these comments and made appropriate changes to the report.

**ACTION REQUIRED**

We request that, within 30 days, NHTSA provide an estimated date for completing each recommended action.

We appreciate the courtesies and cooperation of the NHTSA representatives during this audit. If you have any questions concerning this report, please call me at (202) 366-1992 or Ronald H. Hoogenboom, Program Director, at (312) 353-0104.

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## ***Exhibit A. Objectives, Scope, and Methodology***

### ***Objectives***

The objectives of this audit were to: (1) assess NHTSA's efforts to increase seat belt use rates; (2) evaluate NHTSA's processes for establishing performance goals and measures; (3) determine how NHTSA allocates Occupant Protection Program funds and grants to States and other partnerships; and (4) identify and evaluate the technical assistance NHTSA provides to State and local governments to improve seat belt use rates.

### ***Scope and Methodology***

This audit was initiated at the request of the Senate Committee on Appropriations, as cited in the Department of Transportation and Related Agencies Appropriations Report for FY 2001. The Committee was concerned that national seat belt use rates had remained relatively constant, and that NHTSA might not achieve DOT's goal of 85 percent seat belt use by the year 2000 and 90 percent by 2005.

The audit was conducted at NHTSA Headquarters offices of the Associate Administrator for Traffic Safety Programs and the Associate Administrator for State and Community Services. We also visited all 10 NHTSA Regional Offices and 9 States selected to provide a cross section of demographics, usage levels, program achievements, and type of State seat belt law being enforced. The audit was conducted in accordance with Government Auditing Standards prescribed by the Comptroller General of the United States.

We reviewed actions taken or planned by NHTSA to increase use rates. We analyzed NHTSA Regional Buckle Up America Strategic Plans for FYs 1999 through 2001. We analyzed DOT's and NHTSA's Strategic Plans through FY 2005 and Performance Plans and Reports to identify NHTSA's processes for meeting its seat belt use goals. We evaluated whether NHTSA changed its strategy as performance goals were not met and outyear goals appeared unattainable. We analyzed NHTSA's reports related to seat belt use, such as Reports to Congress for the Buckle Up America Initiative, and reviewed pertinent laws, policies, and regulations addressing occupant protection issues.

We reviewed seat belt use rates for the period FY 1996 through FY 2001 and seat belt laws for all 52 States<sup>9</sup> to identify trends. We selected nine States to analyze: (1) seat belt programs, (2) Highway Safety Plans for FY 1999 and FY 2000,

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<sup>9</sup> "States" are defined as all 50 States, the District of Columbia, and Puerto Rico.

(3) Annual Reports for FY 2000, and (4) Section 157 Innovative Grant Applications and Quarterly Evaluations for FY 2000.

We analyzed NHTSA appropriations from FY 1992 through FY 2001, specifically focusing on the Occupant Protection Program funds. We evaluated NHTSA's monitoring and oversight procedures for ensuring that grantees used funds for increasing seat belt use rates. We analyzed States' funding contributions to occupant protection programs and their impact on overall funding provided to States' occupant protection programs.

We interviewed State officials to: (1) determine how often and why NHTSA technical services were used, (2) identify the types of technical assistance provided, (3) identify the advantages or disadvantages of NHTSA's technical assistance, and (4) determine whether NHTSA was responsive to the States' specific needs. We assessed the quality and effectiveness of the technical assistance NHTSA provided to the States.

We contacted highway safety experts at the National Transportation Safety Board and the Centers for Disease Control and Prevention. We also evaluated studies completed by these two organizations and determined if NHTSA had addressed concerns documented in those studies. We did not review the benefits and acceptability of technologies that may enhance seat belt usage in passenger vehicles since NHTSA, at the request of Congress, is contracting with the National Academy of Sciences to conduct such a study.

Our review also included discussions with highway safety advocate groups. These groups included Advocates for Highway and Auto Safety, the Air Bag and Seat Belt Safety Campaign, the Automotive Coalition for Traffic Safety, the Insurance Institute for Highway Safety, the National Association of Governors' Highway Safety Representatives, and the National Safety Council. We contacted the British Columbia (Delta Police Department) seat belt law enforcement coordinator to determine the actions that the Province of British Columbia used to enforce seat belt laws in Canada. We also attended the 2001 Seat Belt Summit in Orlando, Florida, where we held discussions with a variety of seat belt safety experts.

### *Prior Audit Reports*

The Office of Inspector General has not issued any audit reports concerning occupant protection programs. However, the General Accounting Office (GAO) has issued six reports since 1992 on occupant protection programs, of which only one addressed opportunities to increase seat belt use.

GAO issued its report, "Motor Vehicle Safety—Comprehensive State Programs Offer Best Opportunity for Increasing Use of Safety Belts" (Report Number GAO/RCED-96-24) in January 1996. The Chairman and Ranking Minority

Member, Subcommittee on Transportation and Related Agencies, House Committee on Appropriations, asked GAO to determine: (1) the Nation's progress in achieving goals for the use of safety belts, (2) the strategies used most successfully by some States to increase the use of safety belts, and (3) Federal strategies that could help increase this use.

GAO reported that four States—California, Hawaii, North Carolina, and Washington—had achieved seat belt use rates of over 80 percent. These States had comprehensive programs, including strong laws on the mandatory use of safety belts; visible and aggressive enforcement of these laws; and vigorous programs to inform and educate the public. Most of the successful States have primary enforcement of seat belt laws. California reported an increase in seat belt use of 13 percentage points within 1 year after upgrading to a primary enforcement law.

GAO concluded that an effective Federal strategy to increase seat belt use would be to encourage States to have comprehensive programs that included all the elements that work together to increase safety belt use. These elements included primary enforcement laws with aggressive enforcement; requirements that all vehicle occupants use seat belts; fines that discourage noncompliance; and public education.

## ***Exhibit B. Major Contributors to This Report***

**THE FOLLOWING INDIVIDUALS CONTRIBUTED TO THIS REPORT.**

<b><u>Name</u></b>	<b><u>Title</u></b>
Ronald H. Hoogenboom	Program Director
Michael M. Siviyy	Project Manager
Janice Alger	Senior Auditor
Gary Stivers	Auditor

## Appendix. Management Response




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

# Memorandum

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Subject: NHTSA Comments on DOT/IG Draft Report, Project No. 00M3013M00, "Progress in Implementing Strategies to Increase the Use of Seat Belts" Date: August 13, 2002

From: Jeffrey W. Runge, M.D.  Administrator Reply to Attn. of:

To: Alexis M. Stefani  
Assistant Inspector General for Auditing

On Tuesday, July 16, 2002, we received a copy of the draft report on the National Highway Traffic Safety Administration's (NHTSA) progress in implementing strategies to increase the use of seat belts, with a request for NHTSA's review and comment. This memorandum responds to that request.

### Recommendations

We appreciate the efforts of the OIG to examine carefully what the DOT is doing in this area, which is the most important countermeasure against the leading cause of death among Americans under 35 years of age. The report makes two recommendations: (1) promote greater consistency among NHTSA Regional Offices by developing detailed and time-phased plans encouraging each State to implement successful seat belt strategies, and (2) continue to emphasize high-profile law enforcement programs, such as Click It or Ticket. We concur with both recommendations, and have already begun in earnest to implement them. Following the highly successful pilot test of the Click It or Ticket model in Region IV in May 2001, all 10 Regions made Click It or Ticket the centerpiece of their Strategic Plans for FY 2002. Our headquarters program offices provided substantial technical assistance to the States for designing, publicizing and evaluating this high visibility enforcement strategy. In large part because of NHTSA's leadership, 38 States implemented that strategy for the May 2002 Operation Always Buckle Up Children Mobilization.

### Accountability and Capability

While the report accurately documents the importance of States' passage of primary seat belt laws, we believe it does not adequately discuss NHTSA's restricted capability for

effecting legislative change. The report should note the absence of any sanction for States that fail to pass primary laws. Our experience with States' passage of .08 percent Blood Alcohol Concentration illegal per se laws shows the effectiveness of sanctions. Prior to passage of Transportation Equity Act (TEA)-21 in June 1998, 16 States had set their illegal limits for driving at .08 percent. TEA-21 offered significant financial incentives to States that adopted .08 percent. But from June 1998 until October 2000 only three States, the District of Columbia and Puerto Rico did so. After Congress enacted sanctions, in October 2000, 15 more States adopted the lower limit. We believe this history should be included in the report, along with the reasonable inference that sanctions could work as well to promote primary laws.

#### Incremental Gains in Seat Belt Use

The report correctly notes that annual increases in the Nation's seat belt use rate have been on the order of 1 or 2 percentage points over the past few years. We believe the report should note the fact that even a 1 percentage point gain has value, in that it produces an average savings of approximately 270 lives, 4,400 serious injuries and \$800 million in economic costs. A 1 percentage point gain also represents an additional 2.8 million people buckling up.

#### Importance of Paid Media

The report makes specific mention of Click It or Ticket as a Special Traffic Enforcement Program (STEP) that has shown success. We believe that the report should focus more attention on the paid media component of that program. Data that the agency shared with the OIG authors in the course of their audit show that paid media and an unmistakable enforcement message were the major factors that distinguished the Region IV Click It or Ticket campaign in May 2001 from previous STEP efforts. Congress supported this conclusion by directing NHTSA to ensure that at least \$8 million of the FY 2002 Section 157 Innovative funds be spent by the States to publicize their enforcement programs, using paid media.

#### Promising Early Results

NHTSA is conducting an evaluation of the May 2002 mobilization. Part of this evaluation compares the effectiveness of State mobilization efforts based on the extent to which a State implemented the full Click It or Ticket program including paid media. Preliminary results indicate that, in the States included in the evaluation, those that fully implemented Click It or Ticket had a 9 percent increase in seat belt use, those States that only partially followed the Click It or Ticket program had a 4 percent increase, and those that used some other form of high visibility enforcement program had a 0.5 percent points increase. These preliminary data clearly show the benefits of a high intensity short duration enforcement program with paid media highlighting the enforcement.





**Note: the following pages were not included in the original report, but has been included with this file for compliance with Section 508 laws.**

**Report on Progress in Implementing Strategies  
to Increase the Use of Seat Belts**

**Chart 1: National Seat Belt Use 1984 to 2001.**

<b>Year</b>	<b>Seat Belt Use</b>
1984	14 percent
1985	21 percent
1986	37 percent
1987	42 percent
1988	45 percent
1989	46 percent
1990	49 percent
1991	59 percent
1992	62 percent
1993	66 percent
1994	67 percent
1995	68 percent
1996	68 percent
1997	69 percent
1998	70 percent
1999	67 percent
2000	71 percent
2001	73 percent

**Chart 2: National Seat Belt Use 1984 to 2001**

<b>Year</b>	<b>Seat Belt Use</b>
1984	14 percent
1985	21 percent
1986	37 percent
1987	42 percent
1988	45 percent
1989	46 percent
1990	49 percent
1991	59 percent
1992	62 percent
1993	66 percent
1994	67 percent
1995	68 percent
1996	68 percent
1997	69 percent
1998	70 percent
1999	67 percent
2000	71 percent
2001	73 percent

**Chart 3: National Seat Belt Use 1992 to 2001 and National Seat Belt Goal 1999 to 2005.**

<b>Year</b>	<b>Seat Belt Use</b>	<b>Goal</b>
1984	14 percent	N/A
1985	21 percent	N/A
1986	37 percent	N/A
1987	42 percent	N/A
1988	45 percent	N/A
1989	46 percent	N/A
1990	49 percent	N/A
1991	59 percent	N/A
1992	62 percent	N/A
1993	66 percent	N/A
1994	67 percent	N/A
1995	68 percent	N/A
1996	68 percent	N/A
1997	69 percent	N/A
1998	70 percent	N/A
1999	67 percent	80 percent
2000	71 percent	85 percent
2001	73 percent	86 percent
2002	N/A	87 percent
2003	N/A	88 percent
2004	N/A	89 percent
2005	N/A	90 percent

N/A = not applicable

**TABLE 2: Increase in Seat Belt Rates with Passage of  
Primary Seat Belt Law Since 1996**

<b>State</b>	<b>Primary Law Enacted</b>	<b>Seat Belt Use Prior to Primary Law Enactment</b>	<b>Seat Belt Use After Primary Law Enactment</b>	<b>Increase in Seat Belt Use</b>
District of Columbia	10/01/1997	64.1%	81.8%	17.7%
Michigan	03/10/2000	70.1%	83.5%	13.4%
Alabama	12/09/1999	57.9%	70.6%	12.7%
Maryland	10/01/1997	71.0%	82.6%	11.6%
New Jersey	05/01/2000	63.3%	74.2%	10.9%
Indiana*	07/01/1998	53.2%	61.8%	8.6%
Oklahoma*	11/01/1997	56.0%	60.7%	4.7%
<b>Average</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>11.4%</b>

\* Indiana and Oklahoma both passed primary laws after 1996; however, active enforcement was delayed.

N/A = not applicable

**Table 3: Citations and Arrests Made During North Carolina's  
Fall 2000 Click It or Ticket Mobilization**

<b>Citations</b>
Over 12,000 seat belt violations
Over 21,000 speeding violations
Over 16,800 other traffic violations
Over 1,100 child passenger safety seat violations

<b>Arrests</b>
Over 3,400 driving under the influence
147 felony drug arrests
47 stolen vehicles arrests
16 fugitive arrests
Over 2,100 other criminal arrests

**TABLE 4: Annual Changes in State Seat Belt Use of 5 Percentage Points or More<sup>1</sup>  
1996 through 2000**

State	1996 - 1997	1997 - 1998	1998 - 1999	1999 - 2000	Explanation
Alabama	N/A	N/A	5.9%	12.7%	Enacted primary law effective December 1999; included 6-month "education" period prior to enforcement.
Arizona	7.3%	N/A	9.6%	N/A	1997 Presidential Seat Belt Initiative required seat belt use on Federal land (75% of Arizona is Federal land). Expanded program using seat belt grants in 1999.
Colorado	N/A	6.4%	N/A	N/A	Developed corporate and public partnerships and outreach.
Connecticut	N/A	10.3%	N/A	N/A	sSTEP enforcement campaign started 1997.
Dist. of Columbia	8.7%	17.7%	N/A	N/A	Primary law enacted October 1997.
Florida	N/A	N/A	N/A	5.8%	Law enforcement participation in sSTEP.
Georgia	7.0%	8.6%	N/A	N/A	Primary law enacted 07/01/96. High visibility enforcement program established in 1998.
Indiana	N/A	8.6%	N/A	N/A	Primary law enacted 07/01/98.
Louisiana	8.0%	N/A	N/A	N/A	Primary law enacted 09/01/95; not enforced until 1996.
Maine	11.0%	N/A	N/A	N/A	Secondary law upgraded in 1997 to eliminate requirement for driver to be fined for primary violation before receiving seat belt penalty.
Maryland	N/A	11.6%	N/A	N/A	Primary law enacted 10/01/97.
Michigan	N/A	N/A	N/A	13.4%	Primary law enacted 03/10/00.
Minnesota	N/A	N/A	7.3%	N/A	Began enforcement campaign for alcohol and seat belts.
Mississippi	N/A	12.2%	N/A	N/A	Increased law enforcement participation.
Missouri	N/A	N/A	N/A	6.9%	Increased outreach efforts.
Nevada	N/A	6.8%	N/A	N/A	Increased law enforcement participation.
New Jersey	N/A	N/A	N/A	10.9%	Primary law enacted 05/01/00.
New Mexico	N/A	N/A	5.8%	N/A	Began high visibility traffic enforcement programs and added two driver's license points for seat belt violations.
North Carolina	N/A	(-5.3%)	N/A	N/A	Decreased level of enforcement.
North Dakota	N/A	N/A	6.8%	N/A	Increased law enforcement participation. Incorporated Traffic Occupant Protection Strategies training into Law Enforcement Academy curriculum.
Oklahoma	N/A	N/A	N/A	6.8%	Primary law enacted 11/01/97 with 1-year education campaign and moratorium on enforcement.
Puerto Rico	N/A	11.3%	N/A	9.2%	Enforcement (sSTEP) increased in 1998 and again in 2000. Fine increased from \$10 to \$50.
Rhode Island	N/A	N/A	8.7%	N/A	Seat belt law changed to include penalty (previously no penalty).
South Carolina	N/A	N/A	N/A	8.7%	Enforcement (sSTEP) increased in 1999 and 2000.
South Dakota	N/A	N/A	N/A	14.8%	Increased law enforcement participation.
Utah	N/A	N/A	N/A	8.3%	Secondary law amended in May 2000 to include all occupants and established minimum \$45 fine. Also includes primary enforcement for passengers under 19.
Vermont	N/A	N/A	7.1%	(-8.2%)	Increased enforcement in 1999. Lost momentum in applying for seat belt grants in 2000.
Virginia	N/A	6.5%	N/A	N/A	Increased funding for use on seat belt programs.
West Virginia	N/A	N/A	(-5.8%)	N/A	Decreased emphasis on seat belt program.
Wyoming	N/A	N/A	N/A	21.1%	Secondary law upgraded to include penalty; advertising campaign informed public of changes to the law.

N/A = not applicable

<sup>1</sup> Does not include changes in seat belt use rates due to 1997 revised method for calculating seat belt use.

**TABLE 5: Sources of Funding for Occupant Protection Programs in FY 2001**

<b>Program</b>	<b>Basis for Distribution by NHTSA</b>	<b>Funds To Be Used For</b>	<b>FY 2001 Allocation - Any Highway Safety Program</b>	<b>FY 2001 Allocation - Occupant Protection Only</b>
<b>Section 402</b> State and Community Highway Safety Grants	Formula based on population and road mileage.	Any highway safety program.	\$146.9M	N/A
<b>Section 157(a)</b> Safety Incentive Grants	1. Seat belt use above national average or 2. Seat belt use exceeds State's highest rate since 1996.	Any highway safety or highway construction program.	\$47.3M	N/A
<b>Section 157(b)</b> Innovative Seat Belt Project Grants	Competitively selected by NHTSA based on State's plan for innovative projects to increase seat belt use.	Increase seat belt use. NHTSA requires focus on law enforcement.	N/A	\$42.1M
<b>Section 405</b> Occupant Protection Incentive Grants	Meets 4 of 6 criteria, such as seat belt and child passenger protection laws.	Seat belts or child passenger safety.	N/A	\$12.3M
<b>Section 2003b</b> Child Passenger Protection Education Grants	Competitively selected by NHTSA based on grant application describing child passenger protection education activities.	Child passenger safety programs.	N/A	\$7.5M
<b>TOTAL--FY 2001</b>	N/A	N/A	<b>\$194.2M</b>	<b>\$61.9M</b>

N/A = not applicable