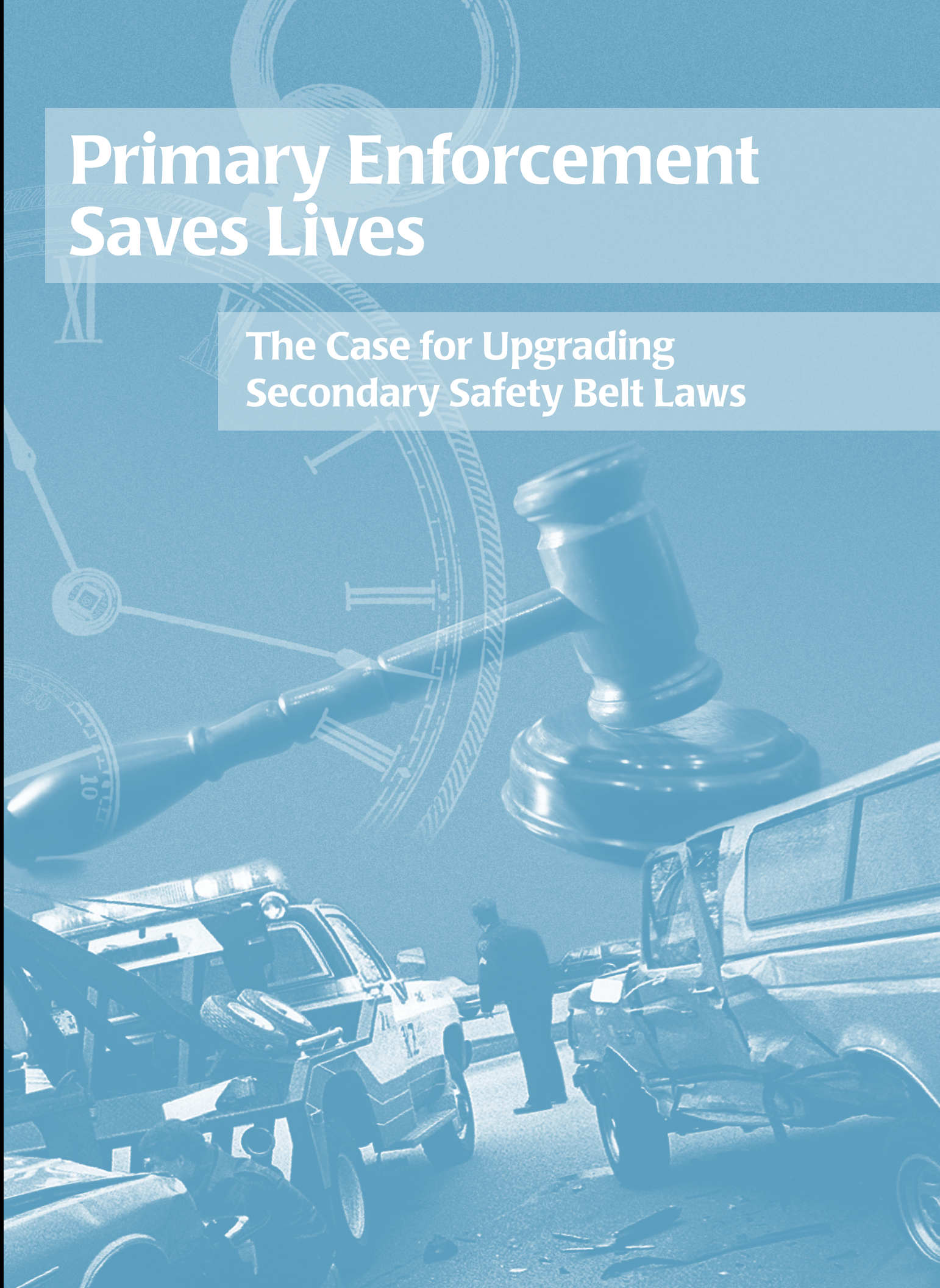
Primary Enforcement Saves Lives

The Case for Upgrading Secondary Safety Belt Laws



• S A V E L I V E S •

Primary Enforcement Saves Lives

The Case for Strong Safety Belt Laws

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BUCKLE UP AMERICA

Every Trip. Every Time

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Introduction

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

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

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

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

Primary safety belt laws allow a citation to be issued if a law enforcement officer simply observes an unbelted driver or passenger. Secondary safety belt laws require an officer to stop or cite a violator for another infraction before being able to issue a citation for not buckling up.

SECTION I

Safety Belts Save Lives

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

Motor Vehicle Crashes – A Leading Cause of Death and Injury

Despite recent advances—safer highway design, new auto safety devices, reductions in impaired driving, and improved safety belt use rates—traffic crashes are still the leading cause of unintentional death in the United States. In fact, motor vehicle crashes are the leading cause of death for the age group 4 through 34 years old.[3] Each year, approximately 42,000 Americans die in traffic crashes and another three million are injured. Sadly, many of these deaths and injuries could have been prevented if the victims had been wearing safety belts or were properly restrained in child safety seats.

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

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

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

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

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

How Motor Vehicle Crash Figures Compare with Crime

CRIME

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

MOTOR VEHICLE CRASHES

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

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

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

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

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

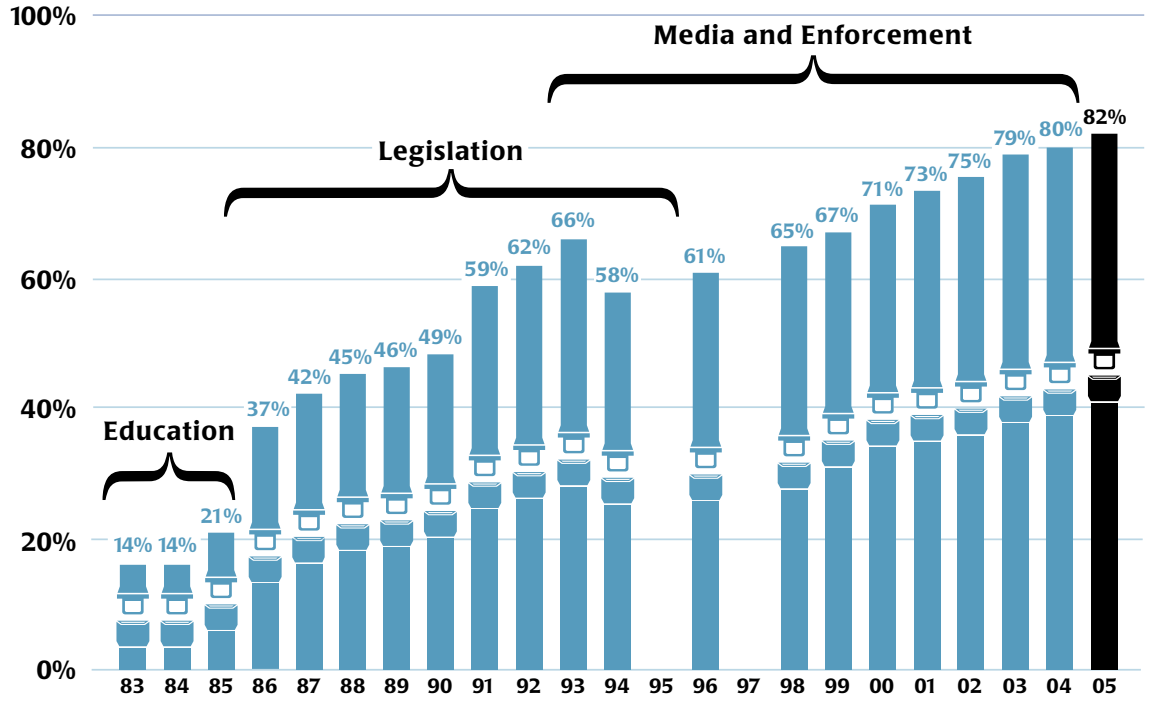
Despite the fact that there are motor vehicle crashes in which a person cannot survive, thousands of lives are saved each year by safety belts. Among passenger vehicle occupants over 4 years old, safety belts saved an estimated 15,434 lives in 2004. If all passenger vehicle occupants over age 4 wore safety belts, 21,273 lives (that is, an additional 5,839) could have been saved in that same year.[5] When lap/shoulder safety belts are used properly, they reduce the risk of fatal injury to front-seat occupants riding in passenger vehicles by 45 percent and the risk of moderate-to-critical injury by 50 percent. For light-truck front-seat occupants, safety belts reduce the risk of fatal injury by 60 percent and the risk of moderate-to-critical injury by 65 percent. (Light trucks, weighing less than 10,000 lbs., include sport utility vehicles, vans, pick up trucks and truck-based station wagons.)[6]

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

Efforts to Increase Safety Belt Use

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

Safety Belt Use Rates 1983-2005



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

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

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

Point 1 - Enact strong legislation.

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

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

The goal of increasing safety belt use is too big for any one group or agency to accomplish alone. But working together, the Nation can achieve higher use through stronger laws, visible enforcement, and public education and information. Partnerships or coalitions can set the tone in a community, workplace, or organization, and the media can help spread the message that the proper use of safety belts and child safety seats are imperative for maintaining the health and well being of families and other community members. There are many successful coalitions and partnerships throughout the country; the agencies and organizations listed as resources in Appendix D can help you locate them.

Point 3 - Conduct active, high-visibility enforcement.

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

Point 4 - Expand effective public education.

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

SECTION II

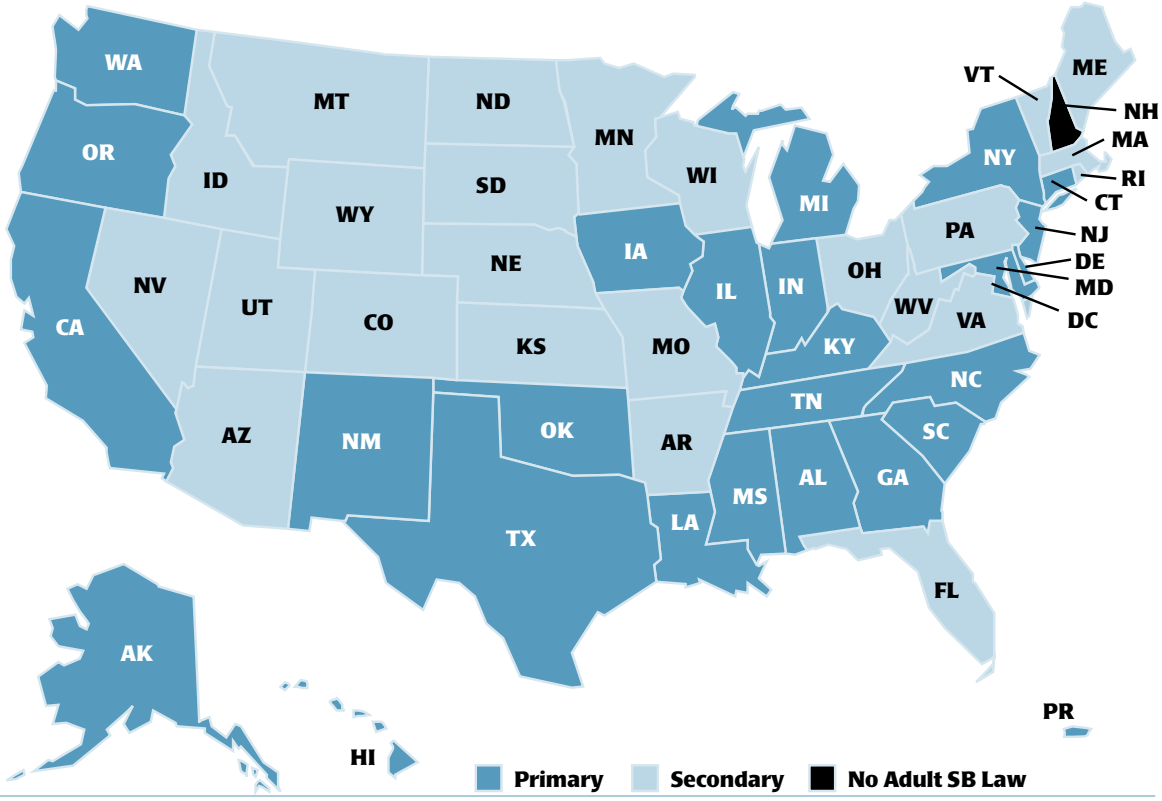
The Case for Primary Enforcement

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

When States upgrade their laws from secondary to primary, significant increases in safety belt use are often observed. For example, when Delaware and Illinois upgraded their secondary safety belt laws to primary laws in 2003, the safety belt use rate in Delaware rose from 71 percent in 2002 to 75 percent in 2003 and the safety belt use rate in Illinois rose from 74 percent in 2002 to 80 percent in 2003.[8]

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

State Safety Belt Use Laws (as of September 2006)



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

Increasing Compliance with Safety Belt Use Laws

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

Heightened Public Perception of the Importance of Safety Belt Use

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

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

Increased Law Enforcement Support for Enforcing Safety Belt Laws

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

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

Educating the Public about Primary Enforcement

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

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

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

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

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

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

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

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

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

Adjudication – Appropriate Penalties for Non-use

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

Community Support for Primary Safety Belt Use Laws

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

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

Safety Belt Performance Grants

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

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

Other Key Provisions Every State Safety Belt Law Needs

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

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

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

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

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

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

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

*States with Primary Safety Belt Use Law before 12/31/02-(Max. grant per State = 2 times FY 2003 Section 402 Formula Grant.)
** States that Enact Primary Safety Belt Use Law after 12/31/02 (Max. grant per state = 4.75 times FY 2003 Section 402 Formula Grant.)
SOURCE: U.S.DOT

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

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

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

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

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

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

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

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

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

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

Among the 18 study States, approximately 250,000 safety belt citations were reported during the enforcement period. As Table 4 indicates, the rate of ticketing per resident ranged widely in all three study groups: 9 to 40 per 10,000 residents in Full Implementation States; 5 to 19 per 10,000 residents in Other Implementation States; and 10 to 36 in per 10,000 residents in Comparison States. *Generally, the States with primary safety belt use laws (AL, IA IN, MI, NY, OR, TX) issued tickets at a greater per-resident rate (see Table 3).* Highest ticketing rates included Alabama (31), Indiana (40), and Texas (40) among the Full Implementation States; in Comparison States, New York (36) had the highest ticketing rate.

Table 3
sTEP Wave Enforcement Summary (2002)

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

The trend for primary States to issue tickets at a greater per-resident rate has continued. In the evaluation of the May 2004 *Click or Ticket* campaign,[19] researchers found that in States with a primary law, law officers issued 488,287 citations, which is approximately 30 citations per 10,000 residents. In States with a secondary law, 169,018 citations were issued, which is approximately 15 citations per 10,000 residents. This trend clearly suggests that primary law States will continue to maintain higher safety belt use rates due to the increased public perception that the safety belt law is being enforced, which is a key factor in safety belt use.

SECTION III

The Long-Term Benefits of Upgrading to a Primary Law

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

Lower Fatality Rates

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

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

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

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

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

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

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

Table 4

Effects Of Strengthening Belt Laws:

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

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

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

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

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

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

Economic Savings

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

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

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

SECTION IV

Examples of The Effectiveness of Primary Laws

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

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

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

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

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

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

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

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

Successes in Other Countries

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

SECTION V

Public Support For Safety Belt Use Laws

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

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

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

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

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

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

Awareness of Primary/Secondary Enforcement Provisions in their State

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

Ninety-five percent of the public agreed with the statement "If I were in an accident, I would want to have my seat belt on."[28]

A recent Institute (Insurance Institute for Highway Safety) survey of California drivers found 90 percent favor the state's belt use law, which allows for primary enforcement. Even though police enforce this law more aggressively than in most other States, only 22 percent of the Californians surveyed thought the law was being very strictly enforced. Fifty-nine percent thought it should be very strictly enforced, and 46 percent thought the penalty should be higher than the $20 fine that's currently imposed.[29] "So there's plenty of public support and no reason at all for legislators to shy away from enacting primary laws or for police to scale back enforcement efforts," noted Susan Ferguson, Institute senior vice president for research.

"The Governors' Highway Safety Association strongly encourages all States to adopt and enforce primary safety belt use laws that apply to all occupants in all seating positions."[30]

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

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

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

Support for Primary Enforcement

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

Perceived Risk of Personally Being Ticketed

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

Preferred Level of Enforcement Activity

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

Increasing Acceptance of Primary Enforcement

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

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

SECTION VI

Responding to Objections to a Primary Safety Belt Use Law

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

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

Personal Choice and Individual Rights

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

The legitimacy of most traffic laws (for example, driving on the right side of the highway, driving with lights on, signaling prior to turns) is often accepted because it is quite apparent that failure to obey such laws could result in serious harm to oneself and to others. Opponents of safety belt use laws frequently claim that a person has the "right" not to use a safety belt because the only one who is likely to be injured as a result is oneself; however, this is not true.

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

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

Concern About Harassment

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

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

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

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

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

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

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

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

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

APPENDIX A

The Facts: It's Time to Buckle Up[38]

Safety Belts Make a Difference

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

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

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

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

Motor Vehicle Crashes – Who's at Risk?

Motor vehicle crashes are the leading cause of death for the age group 4 through 34 years old.[39]

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

Motor vehicle crashes are the leading cause of death for Hispanics from 1-44 years of age, and are the third leading cause of death for Hispanics of all ages.[41]

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

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

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

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

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

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

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

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

The Facts: The Economic Cost of Non-Belt Use

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

- The cost of motor vehicle crashes that occurred in 2000 totaled $230.6 billion. This is equal to approximately $820 for every person living in the United States and 2.3 percent of the U.S. Gross Domestic Product.
- The lifetime economic cost to society for each fatality is over $977,000. Over 80 percent of this amount is attributable to lost workplace and household productivity.
- Each critically injured survivor cost an average of $1.1 million. Medical costs and lost productivity accounted for 84 percent of the cost for this most serious level of non-fatal injury.
- Lost workplace productivity costs totaled $61 billion, which equaled 26 percent of the total costs. Lost household productivity totaled $20.2 billion, representing 9 percent of the total costs.
- Total property damage costs for all crash types (fatal, injury, and property damage only) totaled $59 billion and accounted for 26 percent of all costs.
- Property damage only crashes (in which vehicles were damaged but nobody was injured) were the most costly type of crash, due to their very high rate of occurrence. Their costs totaled $59.8 billion and accounted for 26 percent of total motor vehicle crash costs.
- Present and future medical costs due to injuries occurring in 2000 were $32.6 billion, representing 14 percent of the total costs. Medical costs accounted for 26 percent of costs from non-fatal injuries.
- Travel delay cost $25.6 billion or 11 percent of total crash costs.
- Approximately 9 percent of all motor vehicle crash costs are paid from public revenues. Federal revenues accounted for 6 percent and States and localities paid for approximately 3 percent. Private insurers pay approximately 50 percent of all costs. Individual crash victims pay approximately 26 percent while third parties such as uninvolved motorists delayed in traffic, charities, and health care providers pay about 14 percent. Overall, those not directly involved in crashes pay for nearly three quarters of all crash costs, primarily through insurance premiums, taxes and travel delay. In 2000 these costs, borne by society rather than by crash victims, totaled over $170 billion.

The Cost to Employers[43]

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

Safety Belt Use Can Reduce These Costs

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Myths and Facts Regarding Safety Belt Use

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

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

Myth: **"I don't need to wear a safety belt. My car has an air bag."**

Fact: *Air bags are supplemental restraints and are designed to be used with safety belts. They help protect adults in a frontal crash, but they don't provide protection in side or rear impact crashes or in rollovers. Safety belts are needed for protection in all types of crashes and work well with air bags to provide optimum safety. In fact, safety belts help prevent air bag injuries by keeping occupants the proper distance away from deploying air bags.*

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

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

APPENDIX B

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

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

Knowledge of the Legislative Process

Consider the following insights gleaned from a study of six States that passed primary laws.[44]

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

A Strong, Well-Written Safety Belt Law

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

National Partnerships

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

APPENDIX C

Model Law

Standard (Primary) Safety Belt Model Law
National Committee on Uniform Traffic Laws and Ordinances
June 16, 1997
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Purpose: The purpose of this legislation is to reduce injuries and fatalities on the streets, roads and highways by requiring all drivers and all passengers to wear safety belts meeting applicable federal motor vehicle safety standards while riding in motor vehicles and by authorizing primary enforcement.

Section 1: Title

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

Section 2: Definitions

As used in this act:

(a) "Motor vehicle" means any motor vehicle having a gross vehicle weight of 10,000 pounds or less that is required to be equipped with safety belts by Federal Motor Vehicle Safety Primary No. 208. Passenger cars are required to have belts if built after December 31, 1967. Light trucks and multi-purpose vehicles are required to have safety belts if built after December 31, 1971.

(b) "Driver" means a person who drives or is in actual physical control of a motor vehicle.

(c) "Safety belt" means any strap, webbing, or similar device designed to secure a person in a motor vehicle including all necessary buckles and other fasteners, and all hardware designed for installing such safety belt assembly in a motor vehicle.

Section 3: Application

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

Section 4: Operation of motor vehicles with safety belts.

(a) Each driver of a motor vehicle in this State shall have a safety belt meeting applicable federal motor vehicle safety standards properly fastened about his or her body at all times when operating a motor vehicle.

[(b) Alternate 1 - The driver of a motor vehicle in this State shall not operate a motor vehicle unless the driver secures or causes to be secured in a properly adjusted and fastened safety belt or child restraint system meeting applicable federal motor vehicle safety standards all passengers and secures any passenger 12 or younger in the rear seat, unless all available rear seats are in use by other passengers 12 or younger.]

[(b) Alternate 2 - The driver of a motor vehicle in this State shall not operate a motor vehicle unless every occupant is secured in a properly adjusted and fastened safety belt or child restraint system meeting applicable federal motor vehicle safety standards and consistent with the [State's] child restraint use law.]

(c) Every occupant of a motor vehicle in this State shall have a safety belt meeting applicable federal motor vehicle safety

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

Section 5: Exemptions

(a) The provisions of sections (4) (c) shall not apply to children covered by [cite to the State's child restraint use act or law].

(b) The provisions of section (4) shall not apply to persons with a physically disabling condition whose physical disability would prevent appropriate restraint in safety belts, provided, however, such condition is duly certified by a physician who shall state the nature of the condition, as well as the reason such restraint is inappropriate.

(c) The provisions of this law shall not apply to passenger cars built prior to December 31, 1967 and possessing no safety belts.

(d) The provisions of this law shall not apply to passenger vehicles which are not required to be equipped with safety belts under federal law.

Section 6: Penalties

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

Drafters' Notes:

On the Purpose:

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

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

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

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

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

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

On Section 4(b)

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

On Section 5

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

On Section 6:

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

For States with point systems:

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

For States that do not have point systems:

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

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

APPENDIX D

Resources

Federal Resources

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

NHTSA Regional Offices

New England
(CT, ME, MA, NH, RI, VT)
Regional Administrator, NHTSA
Volpe National Transportation Systems Center
55 Broadway-Kendall Square, Code 903
Cambridge, MA 02142
Phone: 617-494-3427
Fax: 617-494-3646

Eastern
(NY, NJ, PR, VI)
Regional Administrator, NHTSA
222 Mamaroneck Avenue, Suite 204
White Plains, NY 10605
Phone: 914-682-6162
Fax: 914-682-6239

Mid Atlantic
(DE, DC, MD, PA, VA, WV)
Regional Administrator, NHTSA
10 South Howard Street, Suite 4000
Baltimore, MD 21201
Phone: 410-962-0090
Fax: 410-962-2770

Southeast
(AL, FL, GA, KY, MS, NC, SC, TN)
Regional Administrator, NHTSA
Atlanta Federal Center
61 Forsyth Street, SW, Suite 17T30
Atlanta, GA 30303
Phone: 404-562-3739
Fax: 404-347-3763

Great Lakes
(IL, IN, MI, MN, OH, WI)
Regional Administrator, NHTSA
19900 Governors Drive, Suite 201
Olympia Fields, IL 60461
Phone: 708-503-8822
Fax: 708-503-8991

South Central
(AR, LA, NM, OK, TX, Indian Nations)
Regional Administrator, NHTSA
819 Taylor Street, Room 8A38
Fort Worth, TX 76102-6177
Phone: 817-978-3653
Fax: 817-978-8339

Central
(IA, KS, MO, NE)
Regional Administrator, NHTSA
901 Locust Street, Room 466
Kansas City, MO 64106
Phone: 816-329-3900
Fax: 816-329-3910

Rocky Mountain
(CO, MT, ND, SD, UT, WY)
Regional Administrator, NHTSA
12300 West Dakota Avenue, Suite 140
Lakewood, CO 80228-2583
Phone: 720-963-3100
Fax: 720-963-3108

Western
(AZ, CA, HI, NV, American Samoa, Guam, Northern Mariana Islands)
Regional Administrator, NHTSA
201 Mission Street, Suite 2230
San Francisco, CA 94105
Phone: 415-744-3089
Fax: 415-744-2532

Pacific Northwest
(AK, ID, OR, WA)
Regional Administrator, NHTSA
3140 Jackson Federal Building
915 Second Avenue
Seattle, WA 98174
Phone: 206-220-7640
Fax: 206-220-7651

State Resources

Highway Safety Coordinators and Governor's Representatives

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

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

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

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

California
Coordinator
Office of Traffic Safety
7000 Franklin Blvd., Suite 440
Sacramento, CA 95823
Phone: 916-262-0997
Fax: 916-262-2960
www.ots.ca.gov

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

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

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

District of Columbia
Coordinator
Transportation Safety Division
Frank D. Reeves Center, 7th Floor
2000 14th Street, N.W.
Washington, D.C. 20009
Phone: 202-671-0492
Fax: 202-671-0617
www.publicworks.ci.washington.dc.us

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

New York
Coordinator
Governor's Traffic Safety Committee
Swan Street Building Empire Plaza
Albany, NY 12228
Phone: 518-474-5111
Fax: 518-473-6946
www.safeny.com

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

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

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

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

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

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

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

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

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

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

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

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

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

Vermont
Coordinator
Governor's Highway Safety Program
5 Park Row
Waterbury, VT 05671-2101
Phone: 802-241-5501
Fax: 802-241-5558
www.dps.state.vt.us

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

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

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

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

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

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

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

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

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

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

APPENDIX E

Potential Supporters of Primary Enforcement and Other State Traffic Safety Laws

Potential Supporters of Primary Enforcement

State Government officials

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

Local Government officials

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

Education officials, including:

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

Business leaders

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

Medical and safety community

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

APPENDIX F

State Safety Belt Laws

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

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

*The primary safety belt law HAD NOT taken effect in these States when the safety belt usage survey was conducted.
** Kentucky's law carries a 6 month warning period. The law will be enforced beginning January 1, 2007.

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