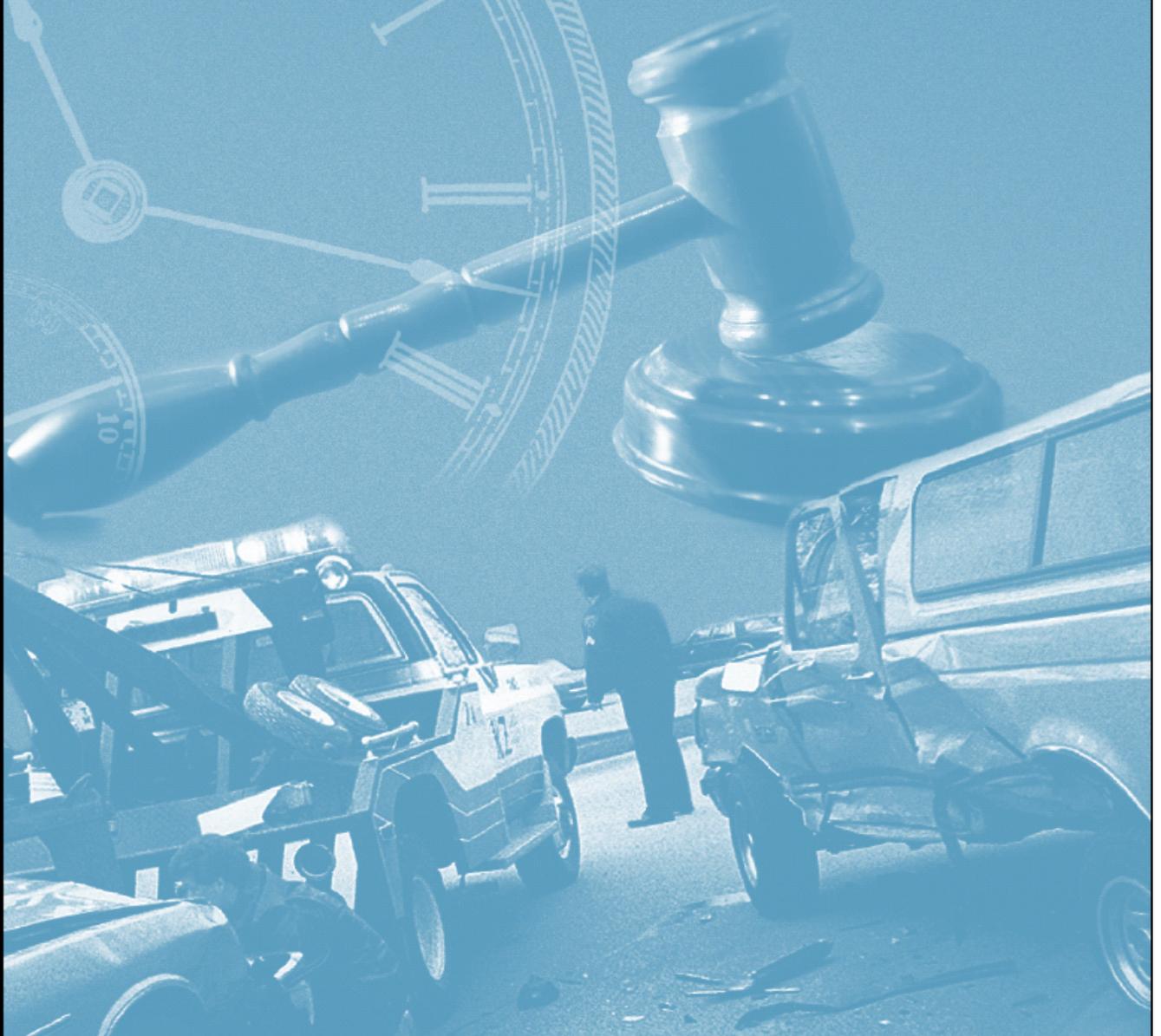


Primary Enforcement Saves Lives

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

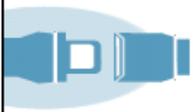
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Table of Contents

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



(CONTINUED)

Table of Contents

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



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.

Primarily 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.

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

“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



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,

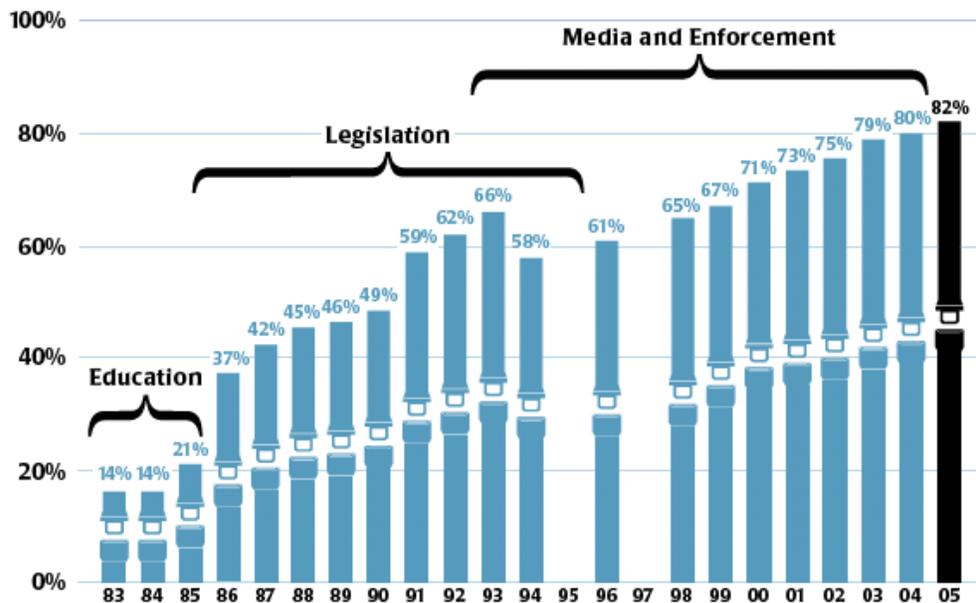
weighing less than 10,000 lbs., include sport utility vehicles, vans, pick up trucks and truck-based station wagons.)⁶

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

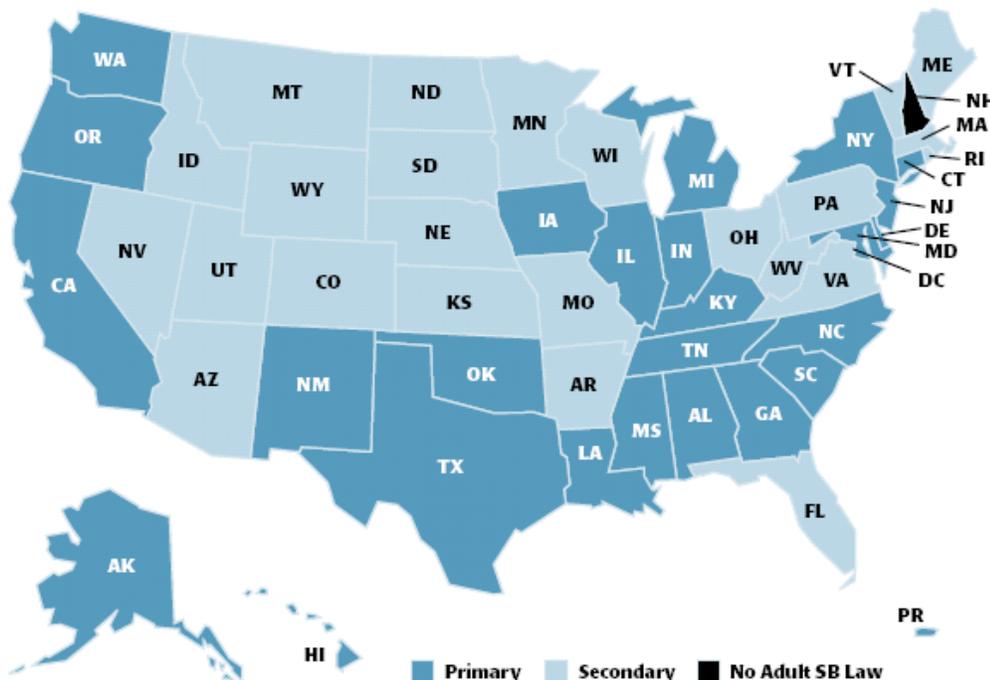
When States upgrade their laws from secondary to primary, significant increases in safety belt use are often observed. For example, when Delaware and Illinois upgraded their secondary safety belt laws to primary laws in 2003, the safety belt use rate in Delaware rose from 71 percent in 2002 to

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 following⁹:

- 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

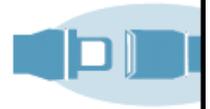
Virtually all traffic safety laws—and other laws, for that matter—are primary, except secondary enforcement safety belt use laws. In attitude surveys, officers consistently preferred primary laws and report that a secondary enforcement law is a major deterrent to issuing citations.¹⁰

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 paper¹³ 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.

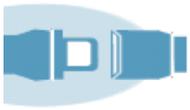
As the Washington State example shows, to realize the full benefits of a primary law, enforcement must be highly visible and combined with extensive public education. Whenever possible, public education messages should call attention to the law and ongoing enforcement activities. However, other complementary 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. Marltanas	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 model¹⁸ 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
sSTEP 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

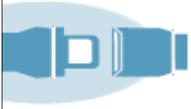
NHTSA researchers compared the percentage of unrestrained passenger vehicle occupant fatalities and fatality rates between those States that had and those that did not have primary safety belt use laws from 2000 to 2004. Results not only showed a smaller percentage of unrestrained passenger vehicle occupant 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 study²¹ 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.

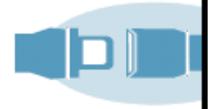


Table 4
Effects Of Strengthening Belt Laws:

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