

JUNE/JULY 2006

VOL. 14, No. 28

Safety Belts

By Melissa Savage

Traffic-related deaths and injuries have declined due to increased safety belt use.

The National Highway Traffic Safety Administration (NHTSA) reports that motor vehicle crashes are the leading cause of death for all Americans between the ages of 3 and 33. During the last few decades, traffic-related deaths and injuries have declined due to a substantial increase in safety belt use. Between 1983 and 2005, safety belt use in the United States rose from 14 percent to 82 percent of occupants, an increase that has been attributed to the passage of safety belt laws. Safety belts have saved an estimated 195,000 lives since 1975.

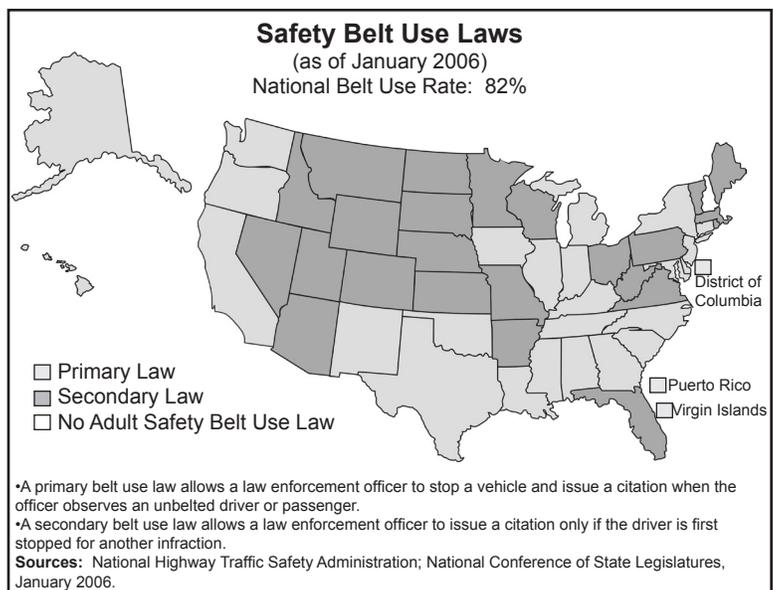
Although this is good news, more than 42,000 people continue to die each year, and nearly 3 million are injured in motor vehicle crashes, amounting to \$230 billion in economic costs annually. Numerous studies have shown that strong safety belt laws have a positive effect on safety belt use and, therefore, lead to a reduction in injuries and deaths. In 2004, an estimated 55 percent of passengers killed in traffic crashes were not buckled up.

Every state except New Hampshire has a safety belt law.

Every state except New Hampshire has a safety belt law. These laws are categorized as either primary or secondary. Primary laws allow police to stop vehicles solely for safety belt violations, similar to other traffic violations. In contrast, secondary enforcement laws—currently in place in 24 states—require officers to stop a vehicle for other reasons before they can cite a driver or passenger for failure to use their safety belts.

Seat belt use has increased significantly in states with primary enforcement laws.

The remaining 25 states, the District of Columbia and Puerto Rico have primary enforcement laws, and all have witnessed a significant increase in safety belt use. In California—where primary enforcement has been in effect since 1993—safety belt use has risen to 92.5 percent. Delaware saw an increase in safety belt use from 71.2 percent in 2002 to 83.8 percent in 2005 after passage of a primary law.



Some opponents of primary enforcement voice concern that these laws could lead to an increase in harassment for drivers by creating a new justification for officers to stop drivers who act suspiciously. Despite the potential for what some might see as harassment, research has shown that safety belt use effectively reduces traffic-related deaths and injuries. According to NHTSA, by simply buckling up, the risk of fatal injury is reduced by 45 percent, and the risk of moderate-to-critical injury is cut in half.

Buckling up reduces the risk of fatal injury by 45 percent.

Instead of a primary law, some states use high visibility enforcement of their secondary laws to increase seat belt use rates. In 2004, Arizona (secondary law) achieved a 95.3 percent seat belt use rate. The increase was attributed to grant-funded television and radio advertisements and increased law enforcement. “Click It or Ticket” programs have successfully raised seat belt use rates in several states. Such campaigns are used in an effort to increase safety belt use during holidays and during the busy summer travel season.

Many of the 24 states with secondary safety belt laws have considered legislation to allow primary enforcement. Often, these bills die early in the legislative session due to perceived government intrusion and possible racial profiling. Many minority groups are disproportionately injured and killed in motor vehicle crashes, and many do not wear safety belts. The National Urban League, Meharry Medical College, the National Organization of Black Law Enforcement Executives, the National Black Caucus of State Legislators and the National Conference of Black Mayors have examined the issue and support primary enforcement laws. The Congressional Black Caucus has stated that increasing safety belt use among African Americans is an “urgent national health priority.”

Primary enforcement laws have been considered in many states with secondary safety belt laws.

Studies have shown that the public favors such laws. According to a public survey conducted in 2003 by NHTSA, 88 percent of the public would support laws that require drivers and front seat passengers to wear safety belts, 64 percent favor primary enforcement, and 65 percent favor fines for drivers who do not wear safety belts. The study indicates support for primary safety belt laws was greatest among Hispanics (74 percent), compared to African-Americans (67 percent) and whites (62 percent), according to NHTSA.

Federal Action

On Aug. 10, 2005, President Bush signed into law the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), which authorizes \$286.4 billion in funding for highways, traffic safety and transit. It also authorizes new core programs and various incentive grants, providing states with flexibility as they tackle traffic safety issues by using the tools and resources that work best for them. SAFETEA-LU authorizes nearly \$500 million for one-time safety belt performance grants during fiscal years 2006 through 2009 to states that enact and enforce primary safety belt use laws within certain time periods or achieve 85 percent or higher safety belt use for two consecutive years without a primary safety belt use law.

Federal law provides incentives for states that enact and enforce primary safety belt laws.

Contact for More Information

Melissa Savage
NCSL—Denver
(303) 364-7700, ext. 1527
melissa.savage@ncsl.org