

## Testimony

### Senate Bill 2121

#### House Transportation Committee

Thursday – March 18, 2021

#### Safe Kids Grand Forks / Carma Hanson

Mr. Chairman, members of the Committee, my name is Carma Hanson. I am the Coordinator of Safe Kids Grand Forks, an injury prevention coalition that covers northeast North Dakota and northwest Minnesota. I am also a certified child passenger safety technician (car seat expert) and have spent much of my career implementing effective strategies that prevent unintentional injuries and deaths, particularly in children.

Over the years, I have been a part of the statewide group of experts that create the North Dakota Vision Zero Plan. This plan is required by the Federal Highway Administration (FHWA) and is spearheaded by the North Dakota Department of Transportation. It includes members from several state agencies who are charged with making our North Dakota roadways safer and reducing traffic injuries and fatalities and reducing costs to taxpayers. In the past, experts have come together from areas such as law enforcement, traffic engineers, metropolitan planning organizations, county agencies, child passenger safety, emergency medical providers and others to create a strategy for making our North Dakota roadways safer. When our team gathers, we create a plan hoping to mirror the evidence-based outcomes proven successful in other states – **things that we know work.**

From results seen in other states that have implemented a primary belt law (currently there are 34 other states that have them) we know that this is a proven effective strategy in reducing traffic injuries and fatalities and decreasing costs to state agencies and funding sources such as Medicaid and Workforce Safety & Insurance. In fact, enacting a primary seat belt bill has been a part of our Vision Zero plan for many years and we need the help of our North Dakota legislature to carry out that strategy, one that will have significant impact on lives saved and economic cost reductions. At a time in our state when we need to evaluate cost savings from all angles, this is an area in **which we can see a cost savings with NO cost to implement and no services being cut.**

As a member of the state's Vision Zero team, we have laid out a state plan that will keep our roadways functioning to move goods and services in our state, but also reduce the number of fatalities. **The things outlined in this plan are not things we THINK will work, but interventions we KNOW will work.**

- We know that **education** works for some and our team will continue to raise awareness about the effectiveness of seat belts.

- We know that **engineering** changes can assist and the DOT will continue to enhance and modify our roadways to make them safer and more efficient.
- We also know that **enactment and enforcement** will help and this is where we need your assistance. . . . we need the North Dakota legislature to enact laws that are meaningful and effective. Our secondary law sends a message that “seatbelt use is not that important because law enforcement officers can’t even stop you for not wearing one”. You will hear/have heard testimony from law enforcement officers about this bill in a very passionate way. They are not looking to pass this law just to have another reason to stop people or to give them one more thing to do; they are asking for it because **they know it sends a message that seatbelts are important and it WILL CHANGE BEHAVIOR**. Much has changed in the automotive industry since this bill became a secondary offense law in the 1990’s. At that time, there were only lap belts in many vehicles and so an officer was not able to see if a seatbelt was in use until they were at the car door. Now we have lap-shoulder belts that allow officers to see seatbelt usage ahead of that.

**In 2020, our seat belt usage rate was a mere 83.6% in ND, placing us 7<sup>th</sup> lowest in the country** and well below the national average. This is not a statistic to be proud of. That seat belt usage rate leaves 122,000 citizens unprotected in their vehicles and **this 16% of our population is contributing to over half of the deaths seen on our roadways each year. In 2020, there were 97 deaths on our roadways and 64% of them were unbelted.** . . . . the number one cause of death in those crashes. While seatbelts will not save people in every crash, it will save lives each year and prevent many injuries. Currently, motor vehicle crashes are the leading cause of death of people under age 35. For us to NOT address this as a public health issue with policy reform would be missing an area of responsibility.

In other states that have turned their law to a primary one, they have seen a 10-12% increase in their seat belt usage. This would take us up into the 90% range which would be more in line with the national average. This will save lives and injuries. It will also save dollars that the state pays for medical and disability claims on those injured in car crashes. **It is estimated that each tax paying citizen in ND pays about \$1049 in costs due to unbelted drivers.** This also does NOT account for the costs paid out by insurance companies due to these crashes, injuries and deaths or many of the other costs borne by the law enforcement agencies that Sheriff Schneider will/has referenced.

Many who oppose this law do so because of “personal liberty”. Law enforcement officers that have testified debunk the idea that “me not wearing my seatbelt only impacts me” as they talked about the agony they and fellow first responders are exposed to when they come upon a crash with dead bodies strewn about the ditch, fields or roadways and then have to go to the door of their loved ones and say that their family member is not coming home from what could have been a survivable crash had they had a seatbelt on. As a nurse, I one time had a patient on my unit that was a 5 year old who was properly harnessed into his car seat. Unfortunately, he came in with a skull fracture because his unbelted, 280# dad flew into him during the crash and injured him severely. To those traveling on roadways that witness rollover crashes where a

body comes flying into their on-coming lane, they will never “unsee” that. This decision DOES impact others and in ways that can be significant.

Our stakeholders group is not asking for laws that are crazy or absurd. We are not asking for help on things that are not a problem in our state. **Lack of seatbelt use and people dying of that cause IS an issue – THE #1 CAUSE OF DEATH FOR PEOPLE UNDER AGE 35 in our state.** Our state legislators have enacted many laws for things that could be potential safety issues. Let me give you a few examples: those that waterski, jet ski or tube behind a boat are required to wear a lifejacket so they don’t drown. If they don’t have one on, the Game and Fish can issue a ticket with no other reason than that. And, people follow that rule. Those that deer hunt are required to wear a blaze orange hat and some type of covering on their front and back of the same color. If they are not wearing their blaze orange, they can be fined with no other reason needed to stop them and both of those citations are more costly than our state’s seat belt fine. These are just two examples of safety laws that are in place that are sound policy decisions that were made by our legislature to protect the citizens of our state from potential dangers, not unlike those found in unbelted motor vehicle crashes. While I believe that the primary enforcement law for lifejackets and blaze orange are important, I take you back to my comment in which I stated that motor vehicle crashes/unbelted occupants are the leading cause of death for people under age 35. I would then ask, “why are we not making sound policy decisions and laws around these risk areas?”. That is the very reason that our stakeholder’s team is coming to the North Dakota legislature to ask for your help and your support of this legislation. We alone cannot carry out the strategies of the Vision Zero Plan without the legislature’s assistance.

Lastly, I would also note that from past surveys conducted annually in our state, **61% of North Dakotans favor this bill.** While it is not 100%, most people will not agree on everything. But, to get elected, it only takes 51% of the vote. While 49% of the folks may not like who was elected, the majority should lead the way. . . . just as those asking for this legislation should have their voices heard and be represented with this legislation.

Driving a motor vehicle is a privilege, not a right and with that privilege comes some expectations. Just as we are expected to use a turn signal when we change lanes or turn a corner, we stop at a red light or we register our cars with the DOT, using a seatbelt is already a law. Our law enforcement officers should be given the ability to enforce that law just as any other one. While they are not looking for a reason to “write tickets”, they are advocating for and using strategies that will prevent injuries and deaths on our roadways, a task assigned to them by our state.

I thank you for allowing me to testify today in support of SB 2121 and I would entertain any questions you may have.

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