

Testimony to the  
**House Transportation Committee**  
Prepared March 6, 2023  
by Ryan Gellner, North Dakota Association of Counties

## Regarding: SB 2362

My Name is Ryan Gellner, representing the North Dakota Association of Counties.

The North Dakota Association of Counties **supports SB 2362**

In North Dakota, there are over eleven-thousand miles of county roads that counties are responsible for. Counties throughout North Dakota have taken the Vision Zero initiative seriously and are supportive of updating North Dakota's seatbelt law to primary enforcement.

North Dakota is one of the remaining 15 states that lack primary enforcement authority for the use of seatbelts in motor vehicles. A primary seatbelt law will have an immediate and significant impact on reducing motor vehicle crash deaths and serious injuries in North Dakota.

Updating to a primary seatbelt law will increase seatbelt use among North Dakotans. Research from the National Highway Traffic Safety Administration (NHTSA) estimates that North Dakota will experience a 10-12 percent increase in observed seatbelt use and switching from a secondary law to a primary law will **save** an average of **at least 5 lives every year** in our state.

Unbelted motor vehicle occupants are a danger to others. In a crash, unbuckled passengers can become a projectile and increase the risk of hurting or killing others in the vehicle by 40 percent (NHTSA). Seatbelts are the number one contributing factor in motor vehicle crash deaths in North Dakota. More people die in motor vehicle crashes in North Dakota from being unbelted than any other common contributing crash factor.

Driving on public roads is a privilege and not a right... therefore it can and should be regulated. Requiring seatbelt use is no more an infringement on your rights than requiring liability insurance, being required to turn on your headlights, or stopping at stop signs. Upgrading North Dakota's seatbelt law from secondary enforcement to primary enforcement won't create a new law. It will simply allow law enforcement officers to enforce a seatbelt law just like they do any other traffic law.

You have the power. The North Dakota Association of Counties is asking you to keep us safe on our roadways. More people die in motor vehicle crashes in our state from being unbelted than any other contributing crash factor including drunk driving, distracted driving, or speeding (NDDOT).

Thank you, Transportation Committee members. Your work on protecting every North Dakota citizen riding in an automobile is greatly appreciated.

Ryan Gellner

NDACo

***"If North Dakota had a primary seat belt law, more people would wear seat belts and there wouldn't be so many families living the nightmare of having to bury their loved ones."***

Quote from Corey Nelson, brother of Kyle Nelson. Kyle was killed in a single-vehicle rollover in rural Geneseo, ND on November 13, 2014. He was not wearing a seatbelt, was ejected from, and pinned under the vehicle.