



ADVOCATES
FOR HIGHWAY
& AUTO SAFETY



March 8, 2023

The Honorable Dan Ruby, Chair
The Honorable Jim Grueneich, Vice Chair
House Transportation Committee
North Dakota Legislative Assembly
600 East Boulevard Avenue
Bismarck, North Dakota 58505

Dear Chair Ruby and Vice Chair Grueneich:

As representatives of leading public health and safety organizations working to pass highway and auto safety laws that prevent deaths and injuries and contain crash costs we urge you to support Senate Bill (SB) 2362, to establish a primary enforcement all-occupant seat belt law in North Dakota. This upgrade to the state's current seat belt requirement is a timely improvement, supported by research and experience to be a proven lifesaver.

In the first nine months of 2022 alone, there were 80 motor vehicle crash-related fatalities in North Dakota.ⁱ Data from the National Highway Traffic Safety Administration (NHTSA) reveal that in 2020, more than 69 percent of people killed in passenger vehicle crashes in North Dakota, when restraint use was known, were not restrained at the time of the crash.ⁱⁱ The financial impact of these crashes is significant as well. In 2019, the total cost of motor vehicle crashes in North Dakota was \$735 million or \$965 per resident.ⁱⁱⁱ Enacting a primary enforcement all-occupant seat belt law is a crucial step towards decreasing crash-related deaths and associated costs in the state.

The benefits of wearing a seat belt are well documented. From 1975 to 2017, use of seat belts saved more than 374,000 lives^{iv} and upwards of \$1 trillion in economic costs.^v In frontal crashes, wearing a lap and shoulder belt reduces the risk of occupant death by 50 percent.^{vi} In fatal crashes in 2020, 82 percent of passenger vehicle occupants who were totally ejected from a vehicle were killed. Wearing a seat belt substantially reduces the risk of ejection. In 2020, only one percent of occupants reported to have been using restraints were totally ejected from a vehicle.^{vii} Seat belt use also curbs medical care costs. Unbelted crash victims have medical bills that are 55 percent higher than belted victims, and society bears a majority of the cost through increased insurance premiums, taxes and health care costs.^{viii}

It is imperative that all occupants in a motor vehicle – not just front seat passengers – wear a properly fitting seat belt. Rear seat passengers are more than twice as likely to die in a crash if they are unbelted, and unbelted rear seat passengers pose serious threats to drivers and other vehicle occupants.^{ix} When rear seat passengers are not restrained, they can be thrust at high speeds into the driver or other passengers, resulting in loss of control of a vehicle. The chance of death for a belted driver seated directly in front of an unrestrained passenger in a serious head-on crash is more than double than if seated in front of a restrained passenger.^x

Upgrading North Dakota's law to primary enforcement simplifies enforcement by allowing law enforcement officers to enforce the seat belt law without first needing to observe an additional violation. Seat belt use is higher in states with primary enforcement laws compared to those with secondary enforcement laws or no seat belt use law. Some states have experienced a 10 to 15 percent increase in seat belt use rates when primary laws were enacted.^{xi} Currently, only 83.7 percent of front seat

passengers in North Dakota use restraints during the day, significantly lower than the national average of 97 percent.^{xii} A study conducted by the Insurance Institute for Highway Safety (IIHS) found that when states strengthen their laws from secondary to primary enforcement, driver death rates decline by an estimated seven percent.^{xiii}

A comprehensive seat belt law is vital to overcome the public health epidemic of traffic fatalities and injuries and to ensure the health and safety of North Dakota families and visitors who travel on state roads. Advancing SB 2362 will help to meet this goal.

Sincerely,

Chuck Clairmont, Executive Director
North Dakota Safety Council

Lorraine Martin, CEO
National Safety Council

Catherine Chase, President
Advocates for Highway and Auto Safety

Stephen Hargarten, MD, MPH, Founding
President
Society for the Advancement of Violence and
Injury Research

Janette Fennell, Founder and President
Kids and Car Safety

ⁱ Early Estimate of Motor Vehicle Traffic Fatalities for the First 9 Months (January–September) of 2022, National Highway Traffic Safety Coalition (NHTSA), available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813406>

ⁱⁱ Traffic Safety Facts North Dakota 2016-2020, NHTSA, available at <https://cdan.nhtsa.gov/stsi.htm#>

ⁱⁱⁱ The Economic and Societal Impact of Motor Vehicle Crashes, 2019, NHTSA, Dec. 2022, DOT HS 813 403, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403>

^{iv} Traffic Safety Facts 2020: A Compilation of Motor Vehicle Crash Data, NHTSA, Oct. 2022, DOT HS 813 375, available at https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813375_10

^v The Economic and Societal Impact of Motor Vehicle Crashes, 2010 (Revised), NHTSA, May 2015 (Revised), DOT HS 812 013.

^{vi} Lives Saved by Vehicle Safety Technologies and Associated Federal Motor Vehicle Safety Standards, 1960 to 2012, Passenger Cars and LTVs, With Reviews of FMVSS and the Effectiveness Of Their Associated Safety Technologies in Reducing Fatalities, Injuries, and Crashes, NHTSA, Jan. 2015, DOT HS 812 069, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812069.pdf>

^{vii} Traffic Safety Facts: 2020 Data, Occupant Protection in Passenger Vehicles, NHTSA, Oct. 2022, DOT HS 813 326, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813326>

^{viii} Crash Outcome Data Evaluation System (CODES) Project Seat Belt and Helmet Analysis, Research Note (Revised), National Center for Statistics and Analysis, NHTSA, Feb. 1996

^{ix} Rear Seat Belt Use: Little Change in Four years, Much More to Do, Governors Highway Safety Association, Nov. 2019, available at <https://www.ghsa.org/resources/RearBeltReport>

^x Mayrose, James, Influence of the Unbelted Rear-seat Passenger on Driver Mortality: “The Backseat Bullet,” June 2008, available at <https://onlinelibrary.wiley.com/doi/10.1111/j.1553-2712.2005.tb00850.x>.

^{xi} The Economic and Societal Impact of Motor Vehicle Crashes, 2010 (Revised), NHTSA, May 2015 (Revised), DOT HS 812 013.

^{xii} Traffic Safety Facts North Dakota 2016-2020, NHTSA, available at <https://cdan.nhtsa.gov/stsi.htm#>

^{xiii} Farmer, Charles and Williams, Allen, Effect on Fatality Risk of Changing from Secondary to Primary Seat Belt Enforcement, Insurance Institute for Highway Safety (IIHS), 2005, available at <https://www.iihs.org/topics/bibliography/ref/1807>