

SB2362  
House Transportation Committee  
March 9<sup>th</sup>, 2023

My name is Amy Kempfer- I am a writing to you today as an individual and constituent of District 16. I am a volunteer EMT, a volunteer Sheriff Reserve deputy, and a chiropractor.

I am asking you for a "YES" on SB2362 surrounding primary seatbelt legislation.

I would be lying if I said I didn't fear that this is one of those bills where our elected officials are going to land where they land based on personal opinion regardless of facts, data, objective information, pleas from those who have been affected by this personally or the experts in their field that work with it day in and day out. The Senate committee meeting had 25 people testify in favor and no testimony in opposition. Your constituents want Primary Seatbelt Legislation- roughly 60% of North Dakotans polled want this legislation in place.

The most common argument seems to be one of infringing on personal freedoms. Quite frankly, as a taxpayer, from my perspective- you are imposing on *my rights by not requiring* this. After all, society is the one who ultimately absorbs much of the cost of an unbelted crash victim. In the US, those who are not directly involved in the crash pay for nearly three quarters of all crash costs. Costs to ND hospitals related to unbelted motor vehicle crash injuries were more than \$206.6 million over the three-year period from 2019-2021.

Consider the rest of the people involved in a motor vehicle crash- *what about their rights?* There is an undeniable negative impact that a traffic fatality death has on the passengers involved in any vehicle crash- even if they weren't at fault. *What about the rights of our first responders, many of which are volunteers in rural communities?* Seeing ejected passengers causes an immense amount of secondary trauma for everyone involved. No one wants to search for an ejected passenger in the ditch. No one wants to do death notifications. The reality is, we are in a time where we cannot staff our volunteer ambulances, our jails, our hospitals, or county and city law enforcement patrol and investigative divisions that we rely on. For many, the stress and trauma of the job has just gotten to be too much, and they have left. From my perspective, we have a responsibility to them to do everything we can to support them.

We have entire chapters of NDCC dedicated to limiting "personal freedoms" to maintain safety on the roadway. I am unsure how Primary Seatbelt Legislation imposes on personal freedoms on the road in ways that are different from speed limits, DUI laws, distracted driving laws, turn signal requirements, headlight requirements, etc.

There are immeasurable cost savings for the system as a whole. For example, consider someone pulled over for DUI only versus DUI plus vehicular manslaughter due to an ejected passenger (which, is a frequent situation in these incidents)- what would the cost of even 1-2 cases a year be on not housing an inmate for that upgraded charge? I believe the cost in our county is about \$85 a day per inmate. How about the person who survives a crash without a seatbelt but is severely disabled and requires assistance financially via Social Security or Medicaid? How expensive is it per child if a parent has passed?

The reality is that 80MPH will likely pass this session- those 5MPH have the potential to create more traffic safety deaths at an exponential rate. Passing Primary Seatbelt Legislation is a good faith buffer. I think it also insulates our state from potential future federal funding losses for not having this legislation in place.

As a chiropractor, I work often with people who survived crashes that they shouldn't have simply because they wore their seatbelt. I understand there is always the rouge story of someone who would have died if their seatbelt would have been on, and if that is factually true, it would most certainly be the extremely rare exception and not the rule. I often think of the impact these people make in our communities every day- and the immeasurable loss our community would absorb if they hadn't worn their seatbelt and weren't here.

This is one of those rare bills that has the promise of being extraordinarily impactful and cost effective. When I say cost effective, let me emphasize, it is free. SB2362 will save lives. There is a mountain of data to prove it. A Primary Belt Law is an evidence-based strategy to move North Dakota toward the established goals of zero motor vehicle crash deaths as not wearing a seatbelt is the number one contributing factor in motor vehicle crash deaths in North Dakota.

I will leave you with one of my favorite quotes:

*"A fact is information minus emotion. An opinion is information plus experience. Ignorance is opinion lacking information."*

I implore you to base your decisions on the objective facts and the informed opinions of those who work with this day in and day out. After all, this is the most promising way to avoid ignorance.

Thank you so much for your time and service to ND,  
Amy Kempfer