

To: North Dakota Senate – Transportation Committee
From: Travis F. Bateman
Date: February 1, 2023
RE: Testimony IN FAVOR of SB 2362

Good morning, Chairman Clemens and Members of the Senate Transportation Committee,

My name is Travis Bateman and I am submitting this testimony in favor of Senate Bill 2362.

I am speaking to this issue with the sincerest wish that we will finally stop seeing this subject come before our legislators over and over again when it is such a downright common-sense topic that it is sickening to know how many times it has had to come up in bill form and fail to pass.

This isn't about freedom. Not one bit. This is about saving lives and making the decision for those that otherwise would choose not to fasten their seat belt for a myriad of reasons. I served my country overseas in Iraq twice. I can speak to freedom and how vital it is to us as Americans and North Dakotans. But there is a fine line that needs to be drawn on the issue of people continuously being ever so ignorant as to not take the 3-5 seconds it takes to buckle up.

I served in North Dakota law enforcement for ten years. In those ten years, during the height of the latest oil boom for our state, myself and fellow peace officers, firefighters, EMS members, and 911 dispatchers handled more than our fair share of vehicle crashes. Those images, smells, sounds, scenes, locations, and the aftermaths stick with every one of us. They stick with me. It is a cumulative trauma that collects in our minds. And while people will argue that "you signed up for that" I must strongly disagree. We sign up to help our fellow human beings, we sign up to be that source of aid and assistance. We do not sign up to view the poor choices over and over, and over, and relive those scenes.

I have worked crashes where one to three people killed, in part to not wearing their seatbelts. Two triple fatalities in the span of 3 months. The second crash had the passengers been wearing seatbelts, one would not have contacted the driver with such velocity to end his life and the third would not have been violently removed from the vehicle when the doors were sheered off upon impact. And still others, where it is so blatantly obvious given the still structurally intact passenger compartment of a vehicle that a crash was entirely survivable but for the occupant's total disregard to buckle up, resulting in their ejection. And most everyone can understand that it isn't the crash that kills. It's that sudden stop.

This issue is one of the greatest tragic issues in my opinion from my experiences in public safety. To be even having to have this issue still exist in 2023 does not make sense. The statistics are there for everyone to see from the North Dakota Highway Patrol and Vision Zero that we still have far too many motorists on North Dakota roadways that are not applying the simplest life preserving tool. People are also thinking that airbags will save them or keep them inside a vehicle. That is incorrect. Neither of those two devices will work as designed without the other employed. They work in tandem, not individually.

What I can tell you from my experiences is that I was more comfortable arriving to a crash scene with someone screaming in pain or yelling for help than I ever was to pull up to a scene where nothing was moving, vehicles destroyed, debris covering the roadway, and the deafening and haunting silence of a scene where there is no longer someone alive. Or the single vehicle crash in the dark and arriving to a vehicle in the ditch or wherever it came to final rest with nobody in it, and the dreadful scan from my flashlight beam that eventually illuminated a motionless person in a field or crushed under the vehicle having only done so because they left the otherwise safer location inside it because they failed to wear that belt.

There is the argument that people have also died from wearing a seatbelt. Sure. That may be true. Each crash is different and there are certain crashes where there is absolutely nothing that is going to save someone, and it was the day God chose to call them home. But those are extremely rare, and

data shows that people restrained in a vehicle by way of a properly worn seat belt are afforded a much higher chance of survival and less severity of injury.

This issue is also not about law enforcement and issuing citations to garner fines to fill the state's general fund. I know I gave more than my fair share of verbal warnings and educational speeches on the side of the road to people than I ever did to issue a measly twenty dollar fine. Traffic enforcement is first and foremost about traffic safety. It is second or thirdly about criminal interdiction. I can speak for those that I know in law enforcement still that they more so are seeking to stop a vehicle and driver to make contact, check for impairment or indicators of criminal activity than to spend 15-20 minutes on the side of a road just to issue citations.

It is greatly overdue that North Dakota update this traffic law and make mandatory the use of seatbelts by ALL occupants within a motor vehicle and make it a primary offense for law enforcement to make that enforcement contact when they observe that somebody is not properly restrained in a vehicle. Plain and simple.

We must work to reduce the exposure to the traumas of witnessing and working these scenes that are cast upon those of us in public safety. The mental toll is something that I can wholeheartedly tell you doesn't diminish from crash to crash or scene to scene. It is totally cumulative and builds off of the scene before it and before that.

For everyone, from the other motorist that witnesses a crash and instantaneous carnage before their own eyes, to the 911 dispatchers that have to answer that often frantic and chaotic caller that just witnessed or came upon that scene. To the peace officers, firefighters, and emergency medical teams that drop everything to get to that call, only to arrive and it be all in vain, and work that scene and then those that have to go and make that death notification to a family member or next of kin, this bill is a step in the right direction to reduce the number of this sequence of events and the negative impacts to so many individuals.

This is no longer, and in my opinion, has never been about personal freedoms. If this is about personal freedoms, then let's lift all the other traffic laws and just let natural selection take over. Take down all the traffic regulation signs and just let mayhem and chaos ensue.

In conclusion, I speak to you today and ask that this committee recommend a DO PASS for Senate Bill 2362. It is beyond time for this to happen in North Dakota. Please do so for those in our communities that just simply can't get there in their minds for whatever reason they need to have that seatbelt on. Help ensure that they are the vehicle pulling into the driveway when their family is awaiting their arrival and not a police vehicle with a law enforcement officer stepping out to deliver a message that activates heart wrenching agony and mourning.

I thank you for your time, your desire to serve the citizens of North Dakota, and I stand for any questions that you may have of me.

Thank you,

Travis F. Bateman

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