



Testimony to the
Senate Transportation Committee
Prepared January 12, 2021
by Ryan Gellner, North Dakota Association of Counties

Regarding: SB 2121

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

The North Dakota Association of Counties Support SB 2121.

In North Dakota there are over eleven-thousand miles of county roads that counties are ultimately 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 is will have an immediate and significant impact on reducing motor vehicle crash deaths and serious injuries in North Dakota.

SB 2121 does not cost anything but will clearly save money. Unbelted crash victims have medical bills 50-percent higher than belted crash victims (NHTSA), costing ND taxpayers millions of dollars. Wearing a seatbelt reduces the risk of dying in a car crash by 45% according to a 2015 study.

Driving on public roads is a privilege, and not a right... therefor it can and should be regulated. Requiring seatbelt use is no more an infringement on your rights than requiring liability insurance, or being required to turn on your headlights, or stop at stop signs. Upgrading North Dakotas 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.

The Illinois Supreme Court ruled in the case People vs. Kohrig (1986) that seatbelt laws are constitutional. The court said, "A law whose aim is to reduce the private and public costs resulting from injuries and deaths caused by motor vehicle accidents is within the police power of the state."

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, Chairman Clemens and all the Transportation Committee members. Your work on protecting every North Dakota citizen riding in an automobile is greatly appreciated.

"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.