

Primary Belts Q & A

Q: Aren't secondary laws enough?

A: In 2003, the average safety belt usage was 8 percentage points higher in states with primary laws than in states without (83 percent to 75 percent)¹. In all states, the police can pull you over for a broken turn signal; why not then for primary seat belts, which are at least as important for public safety?

Q: Isn't this an attack on my right to choose to wear a seat belt?

A:

- Not wearing a seat belt is already against the law (except in New Hampshire).
- If you get involved in a crash, 85 percent of the costs of that crash will be borne by society.² Considering that costs for people involved in crashes who were not wearing safety belts were 55 percent higher than those who were³, society has a fiscal interest in making sure everyone buckles up.
- Seat belts are a matter of life and death. In our society, when it is a matter of life or death, we have chosen to restrict personal liberties slightly to preserve life.
- The choice to wear a seat belt also affects those too young to make a conscious choice. An unrestrained child in a 30-mile-per-hour crash is like a child dropped from a third story window. Yet adults who do not buckle up are sending a message to our children it is all right not to use seat belts—70 percent of the time children will not be buckled when their parents are not.⁴

Q: Doesn't public education work better than laws?

A: No. Education is not very effective even for those receiving the most education about safety belt usage: young people. Nationally, seat belt use declines consistently from age five to age 25. This is particularly dangerous for young drivers (16-25), who are the nation's highest risk driving age group. Stronger belt laws and enforcement work when education and fear of death fail.

¹ National Highway Traffic Safety Administration. "U.S. Transportation Secretary Mineta Announces Record-Level Safety Belt Use." Washington DC: National Highway Traffic Safety Administration, August 25, 2003. <http://www.nhtsa.dot.gov/nhtsa/announce/press/pressdisplay.cfm?year=2003&filename=pr39-03.html>

² National Highway Traffic Safety Administration. "Buckle Up America Legislative Fact Sheet." Washington DC: National Highway Traffic Safety Administration. <http://www.nhtsa.dot.gov/people/injury/airbags/buckleplan/buckleup/legfact.html>.

³ National Highway Traffic Safety Administration. Crash Outcome Data Evaluation System (CODES), 1996.

⁴ National Highway Traffic Safety Administration. "Buckle Up America Legislative Fact Sheet." Washington DC: National Highway Traffic Safety Administration. <http://www.nhtsa.dot.gov/people/injury/airbags/buckleplan/buckleup/legfact.html>.

Q: Don't police have better things to be doing?

A:

- If everyone wore safety belts in 2002, an additional 7,153 lives could have been saved.⁵ These crashes are one of the leading dangers to public health.
- Seat belt enforcement programs—when law enforcement officials are given the primary laws they need as a tool—often lead to the capture of more serious criminals. Police routinely recover stolen cars and apprehend drug traffickers and fugitives as a result of traffic stops. For example, Timothy McVeigh was not caught immediately for killing 185 in Oklahoma City; he was caught for speeding, not having a license plate, and not wearing his seat belt.

Q: Won't a primary belt law lead to police harassment of innocent people?

A: This is a serious concern. However, no state with a primary belt law has reported harassment as a result of that policy. In fact, many minority group legislators have testified publicly that they have not heard evidence of differential enforcement. Overall support for primary enforcement was higher for Hispanics (72 percent) and African-Americans (68 percent) than whites (59 percent). The National Organization of Black Law Enforcement Executives, Congressional Black Caucus, and ASPIRA⁶ have all expressed support for primary seat belt legislation.⁷ Additionally, studies of Maryland, Oklahoma, and the District of Columbia found that there was either no difference in non-white versus white ticketing or a greater increase in ticketing went to whites following the change to a primary enforcement law.⁸

⁵ National Highway Traffic Safety Administration. "Traffic Safety Facts 2002: Occupant Protection". DOT 809 610. Washington DC: National Highway Traffic Safety Administration, 2003. <http://www-nrd.nhtsa.dot.gov/pdf/nrd-30/NCSA/TSF2002/2002occfacts.pdf>.

⁶ A national nonprofit organization devoted solely to the education and leadership development of Puerto Rican and other Latino youth. ASPIRA takes its name from the Spanish verb *aspirar*, "aspire."

⁷ National Highway Traffic Safety Administration. "Traffic Safety Facts: Laws: Strengthening Safety Belt Use Laws – Increase Belt Use, Decrease Crash Fatalities and Injuries." Washington DC: National Highway Traffic Safety Administration, 2003. <http://www.nhtsa.dot.gov/people/injury/New-fact-sheet03/SeatBeltLaws.pdf>

⁸ Solomon, Mark G., David F. Preusser, and William J. Nissen. "Evaluation of Maryland, Oklahoma and the District of Columbia's Seat Belt Law Change to Primary Enforcement." Washington DC: National Highway Traffic Safety Administration, March 2001.