



## **North Dakota: One Traffic Safety Upgrade/One Traffic Safety Degrade**

**Upgrade:** SB 2060: All-Occupant, Primary Enforcement Seat Belt Requirement

**Degrade:** HB 1264: Raises Speed Limit to 80 mph

### **URGENT ACTION NEEDED**

#### **Bills Status:**

**SB 2060:** On January 22, the North Dakota Senate advanced Senate Bill (SB) 2060 by a vote of 24 to 23. This bill would enact a primary enforcement seat belt requirement for all occupants. North Dakota's current seat belt law only requires seat belt use in the front seat and it is secondary enforcement, which means the driver would have to violate another law (i.e., speeding) before a police officer could cite someone for not buckling up.

The House is expected take up SB 2060 in the next couple of weeks.

**HB 1264:** On January 25, the House Transportation Committee voted (8-4-2) to advance the bill. It is now pending in the House Appropriations Committee. This bill would increase the speed limit on multilane highways from 75 to 80 mph. It is expected that the bill will pass the Appropriations Committee in the next couple of weeks.

The House is expected to schedule the bill for vote soon after it passes Appropriations. HB 1254 may come up on the House floor sooner than the seat belt upgrade (SB 2060).

#### **Your Help is Urgently Needed: Ensure SB 2060 Passes the House and HB 1254 Does Not:**

- The seat belt upgrade bill, SB 2060, narrowly passed the Senate. Local advocates have noted that support in the House is not as strong.
- Local advocates have also shared that the bill to increase speed, HB 1264, has support in both the House and the Senate.

#### **Action Needed Now:**

Please contact your Representative and House Leadership **ASAP** and urge them to vote for the safety of all North Dakota families:

**YES** on SB 2060

**NO** on HB 1264

#### **Members of the House of Representatives and Contact Information Can be Found [HERE](#)**

#### **Majority House Leadership:**

**Speaker:** Lawrence R. Klemin (R-47): [lklemin@nd.gov](mailto:lklemin@nd.gov)

**Majority Leader:** Chet Pollert (R-29): [cpollert@nd.gov](mailto:cpollert@nd.gov)

**Assistant Majority Leader:** Scott Louser (R-5): [sclouser@nd.gov](mailto:sclouser@nd.gov)

#### **Minority House Leadership:**

**Minority Leader:** Josh Boschee (D-44): [jboschee@nd.gov](mailto:jboschee@nd.gov)

**Assistant Minority Leader:** Karla Rose Hanson (D-44): [krhanson@nd.gov](mailto:krhanson@nd.gov)

**Minority Caucus Leader:** Gretchen Dobervich (D-11): [gdobervich@nd.gov](mailto:gdobervich@nd.gov)

#### **Talking Points:**

Please feel free to use the below talking points when you contact Representatives. If you have a personal connection with an unrestrained or speed related crash, please also convey your story.

#### **ND Traffic Safety Information:**

- 115 people were killed on North Dakota roads in 2017 (National Highway Traffic Safety Administration (NHTSA)).

- 55 percent of passenger vehicle occupants (44) killed in North Dakota in 2017 were not buckled up when restraint use was known (NHTSA).
- Speed was a contributing factor in nearly a quarter (24 percent) of all crashes in 2017 (NHTSA).
- Motor vehicle crashes cost North Dakota nearly \$706 million annually (NHTSA).
- Traffic crash costs essentially result in a “crash tax” of \$784 for every person living in the U.S.

### **Supporting Seat Belt Laws:**

- North Dakota’s seat belt use rate was 79 percent in 2017, far below the national average of 90.
- Seat belts not only save lives and prevent lifelong debilitating injuries, they also save taxpayer dollars.
- Child restraint use drops by 40 percent when parents don’t use their seat belts (NHTSA).
- Air bags are designed to work with seat belts, not replace them. If you don’t wear your seat belt, you could be thrown into a rapidly opening frontal air bag. Such force could injure or even kill you (NHTSA).
- 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 (NHTSA).
- Unbelted occupants are costly to businesses. Nationally, in 2013, injuries to people who were not wearing their safety belts cost employers \$4.9 billion (NETS, Cost of Crashes Report 2015).
- In fatal crashes 83 percent of passenger vehicle occupants who were totally ejected from the vehicle were killed (NHTSA). Only one percent of the occupants reported to have been using restraints were totally ejected, compared with 30 percent of unrestrained occupants (NHTSA).
- Nearly half (46 percent) of unrestrained passenger vehicle occupants killed were seated in the front seat. And, 56 percent of unrestrained passenger vehicle occupants killed were seated in the rear seat (NHTSA). Therefore, it’s essential that a seat belt law covers both front and rear seat passengers.
- Unbelted rear seat passengers pose a serious threat to the driver and other vehicle occupants.
- The odds of death for a belted driver more than doubles when they are seated directly in front of an unrestrained passenger in a serious head-on crash than if seated in front of a restrained passenger.<sup>1</sup>
- Seat belt use in the rear seat is especially critical as the safety infrastructure built into the vehicle is not as developed in the rear seat as it is in the front seat.<sup>2</sup>

### **Opposing Speed Increases:**

- Excess speed can contribute to both the frequency and severity of motor vehicle crashes.
- At higher speeds, additional time is required to stop a vehicle and more distance is traveled before corrective maneuvers can be implemented.
- Speeding reduces a driver’s ability to react to emergencies created by driver inattention, unsafe maneuvers of other vehicles, roadway hazards, vehicle issues (such as tire blowouts), or hazardous weather conditions.
- Nearly half (46 percent) of drivers admit they have driven 15 mph over the speed limit on a freeway in the past month, and nearly one in four say it is acceptable to do so.<sup>3</sup>
- Half (50 percent) of speeding passenger vehicle drivers were unbuckled at the time of the crash, compared to 21 percent of non-speeding passenger vehicle drivers.<sup>4</sup>
- According to the Insurance Institute for Highway Safety (IIHS), “research shows that when speed limits are raised, speeds go up, as do fatal crashes.”<sup>5</sup>
- Speed-related crashes cause \$52 billion in economic costs and \$203 billion in comprehensive costs each year based on 2010 data.<sup>6</sup>

Thanks so much for your assistance in advancing SB 2060 and halting HB 1264.

<sup>1</sup> Mayrose, James, *Influence of the Unbelted Rear-seat Passenger on Driver Mortality: “The Backseat Bullet”*, Academic Emergency Medicine, Volume 12, Issue 2. Article first published online: 28 June 2008.

<sup>2</sup> Sahraei at al. *Reduced Protection for Belted Occupants in Rear Seats Relative to Front Seats of New Model Year Vehicles*, Proc AAAM, 2010.

<sup>3</sup> 2016 Traffic Safety Culture Index, AAA, Feb 2017,

<sup>4</sup> Traffic Safety Facts: 2016 Crash Data: Speeding, NHTSA, January 2018, DOT HS 812 480.

<sup>5</sup> IIHS, Topic Overview *Speed*. Available here: <https://www.iihs.org/iihs/topics/t/speed/topicoverview>

<sup>6</sup> The Economic and Societal Impact Of Motor Vehicle Crashes, 2010 (Revised), NHTSA, May 2015.