STATEMENT OF
Cathy Chase, President
Advocates for Highway and Auto Safety
On the Release of the
2019 Roadmap Report of State Highway Safety Laws
January 22, 2019

Good morning. I am Cathy Chase, President of Advocates for Highway and Auto Safety (Advocates). Thank you for joining us today here in Washington, DC and on the live webcast.

Advocates is proud to be celebrating our 30th anniversary this year. Our partnership of consumer, health, and safety groups and property-casualty insurance companies and agents has been successfully working together to advance state and federal laws and programs. Our mission is to prevent motor vehicle crashes, save lives, reduce injuries and contain associated costs.

Today we are releasing the 16th edition of our annual *Roadmap of State Highway Safety Laws*. This report evaluates where states stand in adopting 16 lifesaving traffic safety laws. Definitions of the optimal laws can be found starting on page 11 of the Report. The laws are organized under five issue areas including: occupant protection; child passenger safety; teen driving safeguards; impaired driving; and, distracted driving. This highway safety "report card" rates states on each of these areas and also gives an overall rating based on their total number of laws.

States are awarded a "green" overall rating if they are significantly advanced toward adopting the optimal laws defined in the Report. A state cannot achieve this highest ranking without a primary enforcement seat belt law covering front and rear seat occupants. Only six states and D.C. received a green rating. A "yellow" rating indicates a state needs improvement because of gaps in the optimal laws. Thirty-three states were given a yellow rating. And 11 states received a "red" rating because they fall dangerously behind in adoption of the recommended laws. More information about the overall ratings can be found starting on page 36 of the Report.

This year's Roadmap Report also reveals that 406 laws are still critically needed in all 50 states and DC. With more than 37,000 people killed on our roadways, millions more injured and each American paying an annual "crash tax" of $784, Advocates calls on elected officials to use the Roadmap Report to make necessary improvements in their laws this year. Right now we are mired in mediocrity when we could be boasting about bold leadership.

On a positive note, last year five states took a step forward by enacting an optimal law. Idaho and Iowa adopted ignition interlock requirements for all impaired driving offenders. This improvement resulted in their overall rating moving from red to yellow. Illinois, Nebraska and Virginia improved their child passenger safety laws to protect our youngest and smallest occupants. We call on all states to follow their lead. The potential for improvement is great. A dozen states could move from yellow to green by passing just *one* of the 16 laws.

The theme of this year's report is "until the day comes when driverless cars are proven to be safe, we can save countless lives by taking action now on verified technology and

comprehensive laws." Since Advocates' founding in 1989, we have been promoting vehicle safety technologies backed by evidence to reduce crashes and save lives. While we are optimistic that automated systems, or "driverless" vehicles, may have the potential to reduce, or even eliminate, crashes in the future, that utopic vision is still likely decades away. If we don't change the status quo until driverless cars are ubiquitous, motor vehicle crashes will kill hundreds of thousands of people, injure millions more and cost our society billions of dollars.

Advocates' report challenges the notion that driverless cars are the ultimate and imminent solution. It offers ready and reliable answers in a two-fold approach. First, all states should adopt the 16 laws outlined in the Roadmap. Second, technologies that are available now and shown by data to work must be fully utilized. For example, automatic emergency braking (known as "AEB") can reduce front-to-rear crashes with injuries by 56 percent. This dramatic reduction in crashes should be the proof needed to get this technology into every new car without delay, and not just sold as part of expensive luxury packages or in high end models. Other technologies like lane departure warning and blind spot detection also have resulted in major crash reductions. On the path to fully autonomous vehicles, these technologies could not only be saving lives – but they also could help instill consumer confidence that technology can deliver safety.

The question of how to eliminate motor vehicle crashes is not an unanswerable one. We know what to do. Enact strong laws and deploy *proven* technology. This combination will bring about meaningful change. It's time for state and federal lawmakers to prioritize safety. We stand ready to help them succeed and save lives.

I'd like to welcome and introduce our dynamic line up of speakers who represent public health experts, safety advocates, law enforcement, insurance interests and victims of motor vehicle crashes.

- Dr. Elda Ramirez, Director of the Emergency/Trauma Nurse Practitioner Program at the University of Texas, Founder of the American Academy of Emergency Nurse Practitioners, Emergency Nurses Association member and Fellow of the Academy of Emergency Nursing.
- Janette Fennell, Founder and President of KidsAndCars.org and Consumer Co-Chair of Advocates' Board.
- Colonel James J. Mendonca, Chief of Police at the Central Falls Police Department in Rhode Island.
- Helen Witty, National President of Mothers Against Drunk Driving (MADD).
- Matt Gannon, Head of Federal Affairs at Farmers Insurance Group and Board Member of Advocates.

After each speaker has given their remarks, we will open up for questions from the media. If you are joining us on the webcast, there are instructions below the video viewer on how to submit a question. All of the materials, including the speaker statements, handouts and a recording of the webcast will be available on our website www.SafeRoads.org.

Lastly, I would like to express my sincere gratitude to Advocates' staff who have spent countless hours compiling this report. A special thank you to Allison Kennedy who led the Roadmap project, as well as to Cathy Barzey, Lisa Drew, Tara Gill, Shaun Kildare, Peter Kurdock, Bill Bronrott and Kim Levinson. Thanks also to Jamie Douglas of Daylight for creating the Report cover and Laurel Sims of the Insurance Institute for Highway Safety. This Report is truly a team effort that requires reviewing nearly a thousand state laws and legislation, government data and numerous research reports to develop this comprehensive analysis. We hope it sends an urgency for action as lives are literally at stake.

STATEMENT OF
Elda G. Ramirez, PhD, RN, FNP-BC, ENP-C, FAANP, FAEN, FAAN
Professor of Nursing - Clinical
Director Emergency/Trauma Nurse Practitioner Program, University of Texas, Houston
Founder American Academy of Emergency Nurse Practitioners
Member, Emergency Nurses Association
Fellow, Academy of Emergency Nursing
On the Release of the
2019 Roadmap of State Highway Safety Laws Report
Reserve Officers Association, Washington, D.C.
January 22, 2019

Good morning. I am very pleased to join the Advocates today for the release their Roadmap of State Highway Safety Laws Report and to represent the perspective and concerns of the public health community regarding the preventable epidemic of traffic crashes, fatalities and injuries.

The American Academy of Emergency Nurse Practitioners and our members work to promote high quality, evidence based practice for nurse practitioners providing emergency care for patients of all ages and acuities in collaboration with an interdisciplinary team. We use our expertise in research, curricular development, nursing regulation, and clinical practice to offer patients the highest quality care at all levels.

Across the nation, emergency nurses are on the front lines responding to the pain and suffering caused by motor vehicle crashes. We use every tool at hand, knowledge from our education and training, and lessons learned from experience to save crash victims. We are dedicated to our patients and deeply committed to their survival and ability to recover function. This level of care requires an emotional investment, and the loss of a patient or a permanent disabling injury is felt strongly by nurses. Caring comes at a high cost.

Sadly, no matter how hard we work, sometimes it's not enough to save a life or prevent a lifelong injury. We have seen far too many people suffer and spoken with far too many families whose loved ones did not survive a crash. These injuries and losses are devastating for the individual, their family, friends, communities, and the medical care team. It is especially heartbreaking when the loss of life or function is entirely preventable, as is the case with traffic crashes.

Texas is my home state and it receives a yellow rating, or "needs improvement", having enacted nine of the Advocates' sixteen optimal laws. While we have work to do, the good news is that when our state legislature last convened in 2017, they enacted an all-driver texting ban. This was a great step forward to address the deadly epidemic of distracted driving.

This year, Texas is returning to the issue with a proposed hand-held cell phone ban. I urge the state elected officials of Texas, and a number of other states that will be considering a hand-held ban this session, to proceed carefully. Ensure that these efforts do not negate strong and clear all-driver texting bans and teen driver cell phone bans. Assure loopholes are not created that permit distracting uses in hands-free mode such as streaming video or video chatting. And, seize the opportunity to extend

texting ban language to include the proliferation of distracting wireless communication options that have become available as the technology has expanded from cell phones to smart phones.

I also urge legislatures to reject efforts to repeal the use of automated enforcement programs such as speed and red light cameras. These programs are critical to supporting traditional enforcement efforts and deterring dangerous behaviors.

I am pleased to share that this year the Texas legislature will be considering a primary enforcement all-rider motorcycle helmet bill and a requirement to keep children in a rear facing safety seat through age two or longer. I urge our elected officials to also take action on five provisions to improve novice teen driver safety. These laws will help to protect all road users in Texas which is tied with Oklahoma for the eleventh highest fatality rate in the Nation.

With more than 37,000 deaths and millions of injuries annually on our roads, elected officials throughout the country must move forward with the preventative countermeasures in Advocates' Roadmap Report. Failure to do so will result in more traffic crash victims in emergency rooms -- an outcome no emergency nurse wants to experience.

Thank you.

STATEMENT OF
Janette E. Fennell, President and Founder
KidsAndCars.org
Consumer Co-Chair, Advocates for Highway and Auto Safety
On the Release of the
2019 Roadmap of State Highway Safety Laws
January 22, 2019

Good Morning. I am Janette Fennell, President and Founder of KidsAndCars.org. I also serve as the Consumer Co-Chair of Advocates for Highway and Auto Safety.

I am pleased to join all of you, and the distinguished panel of speakers, for the release of the 2019 *Roadmap of State Highway Safety Laws*. This annual report released by Advocates is a vital tool for lawmakers kicking off legislative sessions in state capitals across the country. With motor vehicle crash deaths and injuries unacceptably high, the time for action on the sound and sensible policies outlined in the Roadmap Report is <u>now</u>.

Lately there has been a great deal of focus on the flashy driverless cars of the future to remedy the issues plaguing our roadways, such as impaired and distracted driving and excessive speeding. However, the realization of that potential is a long way off. And, when we reach the time when driverless cars are on the roads with traditional cars, tried and true protections like seat belts, motorcycle helmets and child safety seats will remain incredibly important. This is why it is imperative that states take action <u>now</u> on implementing these basic safeguards.

Strong child safety seat laws are especially important to ensure our youngest passengers are properly protected. Each day on average, three children under age 14 are killed in motor vehicle crashes. This is especially devastating given that the use of proper restraints – be it a rear facing seat, a forward facing 5-point harness and tether seat, a booster seat, or a seat belt – have been proven by research and experience to reduce the likelihood of a child being injured or killed in a crash.

I congratulate Illinois, Nebraska and Virginia for enacting optimal laws requiring children be placed in a rear facing seat through age two in 2018. This positioning ensures that a child's head, neck and spine are supported in a crash. Extending the rear facing seat position until the age of two is relatively new and already eight states passed a law in the last two years, making the total 12 states with this law.

Once children graduate out of a forward-facing child safety seat, the next step is to be buckled up in a booster seat. Seat belts are made to properly fit a 170-lb man, so it's vitally important to keep children in booster seats for as long as possible. Right now, only 15 states have an optimal law which covers children up to age eight and 57 inches in height. Unfortunately, only five states have both of these crucial child safety seat laws. So it's time for lawmakers in nearly *every* state to prioritize the safety of our precious child passengers.

I also call on our federal leaders to do their part. A rule is languishing at the U.S. Department of Transportation that would require rear seat belt reminders to help ensure back seat passengers are properly buckled. And, cars should also be equipped with an alert system to prevent the horrific situations in which a child is unknowingly left behind in the back seat by parents and other caregivers. Last year, 49 children died in hot car deaths -- tying for the worst year in U.S. history for child vehicular heatstroke fatalities. These solvable problems continue to persist despite the availability of proven technological fixes. We can and _must_ do better.

To wrap up my remarks, I will announce this year's "best and worst" states. The best states are those that have received a green rating in the 2019 Roadmap Report, representing that the state is significantly advanced toward adopting all of Advocates' recommended optimal laws. These states are Rhode Island, Delaware, Oregon, Washington, California, Louisiana and the District of Columbia. We congratulate these states on achieving this important distinction. However, no state has enacted all of the 16 recommended laws.

Now for the worst states. These states received a red rating because they fall dangerously behind in the adoption of Advocates' recommended laws – South Dakota, Wyoming, Arizona, Missouri, Montana, Florida, Ohio, Nebraska, New Hampshire, Vermont and Virginia. Despite this unfavorable rating, these states have a clear opportunity to improve. In fact, just this year both Idaho and Iowa moved off of the worst list because they enacted one of the laws recommended in the report.

We encourage every state lawmaker to look at Advocates' Roadmap and commit to championing safety improvements. By doing so, you will save lives.

Thank you.

STATEMENT OF
Colonel James J. Mendonca, Chief of Police
Central Falls, Rhode Island
Past President, Rhode Island Police Chiefs' Association
On the Release of the
2019 Roadmap of State Highway Safety Laws Report
Reserve Officers Association, Washington, D.C.
January 22, 2019

Good morning. As a police officer and a Chief of Police, I have dedicated my career to making people safe in my home state of Rhode Island. Through proper enforcement of traffic safety laws, we help curb dangerous driving behavior and reduce the number of crashes. I am a staunch advocate for improving traffic safety by adopting the lifesaving laws featured in the *2019 Roadmap of State Highway Safety Laws*. I am especially proud to note that Rhode Island has enacted thirteen of the Report's optimal traffic safety laws and holds the distinction of the highest ranked state in the nation for having done so.

Traffic safety affects each and every one of us - no matter where we are from, what language we speak, or what political beliefs we hold. Whether we are pedestrians, cyclists, drivers or passengers – traffic safety is a common thread, and its absence a common threat.

Recklessness is a frequent factor; be it speed, lack of seat belt and motorcycle helmet use, and impaired or distracted driving. These are some of the repeated, yet entirely preventable, factors leading to motor vehicle crashes on our nation's highways and byways.

One of the most difficult parts of being a law enforcement officer is delivering the news that a loved one has been killed in a motor vehicle crash. That complete devastation is one of the major motivations for my participation in this event today. Passage of comprehensive laws enables officers to work toward curtailing these fatalities and making the roads safer for all.

Yet, please know that the police do not want to pull you over. Not one of us does. In fact, when we do pull a driver over, we are putting ourselves at enhanced risk by being exposed on the shoulder of the road to other vehicles. We greatly prefer compliance over enforcement, and deterrence over detention.

Traffic safety data shows that Advocates' recommended basic and critical traffic safety laws are urgently needed. Nearly half of passenger vehicle occupants killed in 2017 were not buckled up. Yet, 16 states are still missing a primary enforcement front seat belt requirement. As our society embraces technology that permits easy access to ride share options resulting in more rear seat passengers, rear seat belt use is vital. Unfortunately our traffic safety laws are not keeping pace with technology. 31 states are still missing a primary enforcement rear seat belt requirement.

Motorcyclists are about 28 times more likely than passenger car occupants to die in a motor vehicle traffic crash. But by using a helmet, the chance of fatal injury drops significantly, by around 40 percent. The most effective way to get riders to wear helmets is passing an all-rider motorcycle helmet law. Unfortunately, 31 states are missing this critical law, including Rhode Island. It's a deadly gap in our admirable record that needs to be remedied.

The latest danger on our roadways is distraction. Our need to be constantly connected through wireless communication technology has been compared to an addiction. There is concern that the tech is developed in a way that actually promotes an addictive response.   Just last year, Rhode Island, which has already passed both of Advocates' optimal distracted driving laws, took additional steps to curb the prevalence of distracted drivers. We enacted a hand-held cell phone ban to help further reduce manual distraction and to amplify distracted driving deterrence and enforcement. In my position as president of the Rhode Island Police Chiefs' Association last year, I led the initiative to educate the public through public service announcements which were aired regularly on the radio. As technology evolves, so must our laws and educational efforts.

The hard work of law enforcement and our federal, state and private partnerships has led to a decrease of twenty-three percent in traffic fatalities on Rhode Island's roadways from 2017 to 2018. But, we're not done. I would like Rhode Island to become the first state in the nation to have all 16 laws in the Roadmap Report – we only have three to go. These actions are critical because one fatality on our roads is one too many.

Thank you.

STATEMENT OF
Helen Witty, National President
Mothers Against Drunk Driving
On the Release of the
2019 Roadmap of State Highway Safety Laws
Washington D.C.
January 22, 2019

Good morning. I want to thank Cathy Chase and Advocates for Highway and Auto Safety for inviting me here today. MADD and Advocates have a long history of working together and one that I'm pleased to continue.

My name is Helen Witty, and I am National President of Mothers Against Drunk Driving. I am also among the nearly 1 million victims and survivors MADD has served. I come here today to represent them – to put a face on this violent, 100 percent preventable crime that is still the leading cause of death on our nation's roads.

Until a June day 18 years ago, my life was everything I'd dreamed of. My husband John and I lived in the Miami house my father built. We lived with our two children, a boy and a girl. We had John and John and Helen and Helen Marie – Helen Marie because I did not want to be known as Big Helen or Old Helen.

Helen Marie came first, and she put me through my mom paces. What fun we had! When John arrived three years later, Helen Marie was thrilled, until she learned he was there to stay. But she learned to love him, deeply. They were not perfect children, but they were well-adjusted, and this is all my husband and I had prayed for.

Our dream ended on June 1, 2000. Helen Marie, who'd just turned 16, was nervous. She planned to direct a play the next day at our local high school. She wanted to go rollerblading to work off her stress. A few miles away, another teen was working off her stress in a much different way: with tequila shots and marijuana.

Their lives collided on a bike path just a few blocks from home, when the driver lost control of her car and veered off the road. Helen Marie's life ended, instantly, a fact I later took solace in.

She saw the car coming. But she did not suffer.

At home that afternoon, I took notice of the sirens I heard from my porch just long enough to be grateful Helen Marie was not in a car.

But as the afternoon sun faded, I began to worry. Helen Marie had promised to be right back. When a strange car pulled into our driveway, I think I already knew.

I cannot fully describe to you the days and months that followed. Making funeral arrangements for our 16-year-old daughter. Answering a call about organ donation. Boxing up the things that still seemed to hold the essence of her, knowing she was gone forever. Standing in a criminal courtroom – a place utterly foreign.

MADD gave me information. MADD showed me I wouldn't die from my grief. MADD gave me a platform. But the pain of her loss – of the senselessness of this crime that continues to kill nearly 11,000 people a year – never goes away.

That's why this Advocates Roadmap is so important. MADD is grateful to work with the Advocates to encourage and advocate before federal and state legislators to stop tragedies on our roadways. We know that alcohol, followed by speed and not wearing seatbelts are the largest killers, year after year.

Our Campaign to Eliminate Drunk Driving is the blueprint for creating a nation of **No More Victims** of this crime.

The Campaign includes four major initiatives:

The first is supporting high-visibility law enforcement such as sobriety checkpoints. Sobriety checkpoints reduce drunk driving deaths by 20 percent, according to the Centers for Disease Control and Prevention. MADD couldn't be more proud to stand with our law enforcement partners and thank them for keeping our roads safe. We call on agencies to advertise and conduct more sobriety checkpoints, which deter people from making the deadly choice to drive impaired. This lifesaving tool is underutilized.

The second is passing laws in every state that require ignition interlocks for every drunk driving offender. MADD is proud to work with Rep. Deborah Dingell of Michigan, who introduced tough new legislation expanding the use of these life-saving devices in response to the horrific Jan. 6 crash in Kentucky that killed a Michigan family of five.

MADD now counts 32 states along with Washington D.C. as all-offender ignition interlock states. That means offenders must use an ignition interlock if they want to drive. Fifty to 75 percent of convicted drunk drivers will continue to drive on a suspended license, so license suspension alone is no longer an effective way to stop drunk drivers.

We are still working on those 18 other states — and MADD will not stop working with legislators and partners like Advocates until all 50 states require these lifesaving devices for all drunk drivers.

The third element of MADD's Campaign to Eliminate Drunk Driving is the development of advanced vehicle technology, such as fully autonomous vehicles and the Driver Alcohol Detection System for Safety, or DADSS, which will passively detect if the driver is impaired. MADD believes this technology will be such a popular safety option that it will become a standard feature, the same way anti-lock brakes and air bags have evolved.

The fourth initiative of MADD's Campaign is public support. With the grassroots efforts of our MADD volunteers and our many partners — including Advocates — we can say we have reduced drunk driving fatalities by half since 1980. We can say it's no longer acceptable for anyone to drink and drive. And we can say we have so many options for a safe and sober ride home.

Finally, I want to talk about laws to protect the most vulnerable on our highways — our children.

Driving drunk with a child passenger is a crime and a form of child abuse. It is also one of the leading causes of death among our nation's children. Weeks before Christmas, police charged a South Carolina driver, who had a history of traffic offenses, in the deaths of his four child passengers, all siblings. The oldest was just 8. The youngest was only 2. In an instant, a mother lost all four of her children to this senseless, inexcusable crime.

Children don't have a voice or a choice when riding with an adult, and they should never be in danger from drunk driving. Forty-seven states and Washington, DC now have laws imposing additional sanctions for those who drive drunk with a child passenger in a vehicle. The biggest success story relating to child endangerment laws is Leandra's Law in New York, which imposes an additional period on an ignition interlock and makes the offense a felony. Later this year, Leandra's Law turns ten years old. MADD calls on all states to enact similar lifesaving measures. Every child deserves a designated sober driver. Lawmakers must make the punishment fit this heinous crime.

Despite all of our work, we still have so much to do. After decades of decline, drunk driving deaths have risen in recent years, a fact that surprises many people with options like Uber making it easier than ever to get a safe ride home.

MADD won't stop – I won't stop – until the day there are no more victims. Until there are no more stories like Helen Marie's.

Thank you again to Advocates for your roadmap highlighting what states can do to protect families from these tragedies.   It will take all of us.

STATEMENT OF
Matt Gannon, Head of Federal Affairs, Farmers Insurance
Board Member, Advocates for Highway and Auto Safety
On the Release of the
2019 Roadmap of State Highway Safety Laws
Reserve Officers Association, Washington, D.C.
January 22, 2019

Good Morning. I am Matt Gannon, Head of Federal Affairs for Farmers Insurance. I am pleased to join Advocates for Highway and Auto Safety today as they release the 16th annual edition of the Roadmap of State Highway Safety Laws. This year, Advocates will celebrate its 30th anniversary. This unique organization brings together insurers and safety, consumer and public health organizations in pursuance of safer roads, safer cars, and safer drivers and passengers. Farmers is proud to be a member of Advocates' Board of Directors and shares their strong commitment to improving safety for all road users.

As one of the largest insurers in the country, we've seen devastating effects of motor vehicle crashes. Each day on average, more than 100 people are killed and 8,500 more are injured on our Nation's roads. This unacceptable and preventable toll also comes at a tremendous cost to society of over $800 billion each year. At Farmers, we are committed to working with our safety partners to address this significant problem and keep families across the country safe.

Countermeasures are successful at reducing crashes, saving lives and preventing injuries. The policies recommended in Advocates' 2019 Roadmap Report have been demonstrated to be effective, and we urge state lawmakers to take action on them right away. The problems being experienced on our roads are clear – too many people continue to be unbuckled as well as drive impaired or distracted. However, the solutions are also clear. Here in Advocates' report states will find the roadmap to improving safety now.

Research shows that seat belts, when used properly, reduce the risk of death for front seat occupants by 45 percent. Motorcycle helmets similarly reduce the chance of fatal injury by approximately 40 percent. The proper use of child safety seats decreases fatal injury by over 70 percent for infants and over 50 percent for toddlers in passenger vehicles. Comprehensive graduated drivers licensing (or "GDL") laws can result in overall crash reductions of ten to 30 percent among teen drivers. Ignition interlock devices have been shown to reduce alcohol-involved crash deaths by 15 percent. And, all-driver text messaging restrictions and teen driver cell phone bans help prevent dangerous distracted driving.

Yet, despite clear and compelling evidence that these measures save lives, over 400 gaps still exist in state laws nationwide. Not one state has all 16 recommended laws in the Roadmap Report. If every state enacted just one of these laws this year, it would be great progress and lives would be saved.

It is a tragedy that motor vehicle crashes remain the number one killer of American teens. In 2017, nearly 5,000 people were killed in crashes involving drivers aged 15 to 20. Nearly 2,000

of these fatalities were the young driver themselves. GDL programs, which help teens gain valuable experience by phasing in driving privileges, are backed by research and data. However, no state has all the optimal components of a GDL law. Teen drivers also represent the largest age group who were reported as distracted in fatal crashes.   Still, 20 states and DC have not passed teen cell phone bans to curb this major safety issue.

Farmers Insurance urges every state to use this Roadmap Report as a catalyst for change. When coupled with the full deployment of proven safety technologies, meaningful reductions in crash deaths, injuries and costs can be achieved.

Thank you.