

2021 HOUSE TRANSPORTATION

HB 1257

2021 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Room JW327E, State Capitol

HB 1257
1/28/2021

A bill relating to safety belt use, and to provide a penalty.

9:01 AM **Chairman Ruby** opened the hearing.

Attendance

Representatives	
Representative Dan Ruby	P
Representative Tom Kading	P
Representative Rick Becker	P
Representative Cole Christensen	P
Representative LaurieBeth Hager	P
Representative Jared C. Hagert	P
Representative Karla Rose Hanson	P
Representative Terry B. Jones	P
Representative Emily O'Brien	P
Representative Mark S. Owens	P
Representative Bob Paulson	P
Representative Gary Paur	P
Representative Robin Weisz	P
Representative Greg Westlind	P

Discussion Topics:

- Right to choose to wear a seat belt.
- Seat belt use statistics.
- Seat belt law elimination.

Representative Jeff Magrum introduction. Testimony # 4027.

Representative Becker spoke in support.

Karen Mongeon, Safety Division Director for ND Department of Transportation, oppositional testimony # 3988.

Sergeant Wade Kadrmas, Safety and Education Officer for ND Highway Patrol, oppositional testimony # 3924.

Dawn Mayer, ND Department of Health, Child Passenger Safety Program Director, oppositional testimony #3983.

Carma Hanson, Coordinator for Safe Kids in Grand Forks, oppositional testimony # 3946.

Karen Mogeon responded to questions.

10:05 Hearing closed.

11:22 Brought back.

Representative Paur moved a Do Pass.

Representative Christensen seconded.

Roll call vote.

Representatives	Vote
Representative Dan Ruby	Y
Representative Tom Kading	Y
Representative Rick Becker	Y
Representative Cole Christensen	Y
Representative LaurieBeth Hager	N
Representative Jared C. Hagert	N
Representative Karla Rose Hanson	N
Representative Terry B. Jones	Y
Representative Emily O'Brien	N
Representative Mark S. Owens	N
Representative Bob Paulson	Y
Representative Gary Paur	Y
Representative Robin Weisz	Y
Representative Greg Westlind	N

Motion Carried. 8-6-0 **Representative Becker** carrier.

Additional written testimony:

Ryan Gellner, ND Association of Counties	Oppose	#3947
Mary Waldo, ND state Trauma Coordinator for ND Dept. of Health	Oppose	#3934
Pat Ward for State Farm	Oppose	#3913
Don Larson, General Motors	Oppose	#3901
Matthew Gardner, ND Motor Carriers Association	Oppose	#3900
Tim Blasl, President ND Hospital Association	Oppose	#3880
Gene LaDoucer, AAA-Auto Club Group	Oppose	#3864

11:26 Adjourned.

Jeanette Cook, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1257: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO PASS** (8 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1257 was placed on the Eleventh order on the calendar.

NORTH DAKOTA HOUSE OF REPRESENTATIVES



STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Jeffery J. Magrum

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COMMITTEES:
Judiciary
Political Subdivisions

4027

01/28/2021

Good Morning Chairman Ruby and Transportation committee members.

For the record I am Jeff Magrum representing district 28 in the state House of Representatives.

I stand before you to introduce HB1257

The primary seatbelt law was voted down by the people in the 2014 election and since then a bill has been at our ND State Legislature each session including the 67th session. The one group that hasn't been represented through all of this is the people that want their freedom back to not have to wear a seatbelt without the heavy hand of government threatening us with fines. It seems like the liberty minded individuals are always playing defense and trying to stop the do gooders who want to save us from ourselves.

Yes, we can all agree that seatbelts are good but so is freedom. Is the proposed primary seatbelt law about safety or money. I am not willing to give up freedom for money and many others are not either. I am a 55-year-old grandpa, when a twenty something year old police officer stops me and write's me a ticket for twenty-five dollars, it is insulting. I have to give them my hard-earned money and for what? We have had a secondary seatbelt law since 1984 and people still don't wear a seatbelt all of the time. New Hampshire doesn't have a seatbelt law and they are getting along fine.

Eighteen-year-old individuals can vote and go to war. Anyone 18 and older should be able to decide for themselves if they want to buckle up.

Mr. Chairman and Committee members lets give our people some freedom back and vote do pass on HB1257.

I would be happy to answer any questions



Summary of Primary and Secondary Seat Belt Laws

(see following table for more information)

Source: Governors Highway Safety Association

Seat belt laws are divided into two categories: *primary* and *secondary*. Primary seat belt laws allow law enforcement officers to ticket a driver or passenger for not wearing a seat belt, without any other traffic offense taking place. Secondary seat belt laws state that law enforcement officers may issue a ticket for not wearing a seat belt only when there is another citable traffic infraction.

- **35 states, the District of Columbia, Guam, the Northern Mariana Islands, Puerto Rico and the Virgin Islands** have primary seat belt laws for front seat occupants.
- **15 states** have secondary laws for adult front seat occupants.
- **39 states, D.C., and 2 territories** have laws enforcing rear seat belt use. Of these:
 - **20 states, D.C. and 2 territories** have primary enforcement for all occupants.
 - **5 states** have primary enforcement for youth.
 - **11 states** include rear seats as secondary enforcement. Three of these are states with primary seat belt laws for front seat occupants. Six are states with secondary laws for adult front seat occupants.
- **10 states** do not have laws enforcing rear seat belt use.
 - Of states with primary front seat belt use laws, **11 states and the Virgin Islands** do not include rear seats
 - Of states with secondary front seat belt use laws, **9 states** do not include rear seats.
- **New Hampshire** has enacted neither a primary nor a secondary seat belt law for adults in any seat, although the state does have a primary child passenger safety law that covers all drivers and passengers under 18.

NEWS

Study finds that half of cops don't wear seat belts

By Associated Press

December 12, 2013 | 3:51am



Shutterstock

LOS ANGELES — If you've ever been pulled over by a police officer for not wearing a seat belt, there's a good chance the officer wasn't buckled up, either.

While 86 percent of Americans now wear seat belts, an upcoming study estimates that roughly half of law-enforcement officers don't wear them.

State laws mandating seat-belt use often exclude police, but the LAPD and most other departments require them in almost all circumstances.

FILED UNDER **CAR SAFETY, POLICE, SEAT BELTS, 12/12/13**

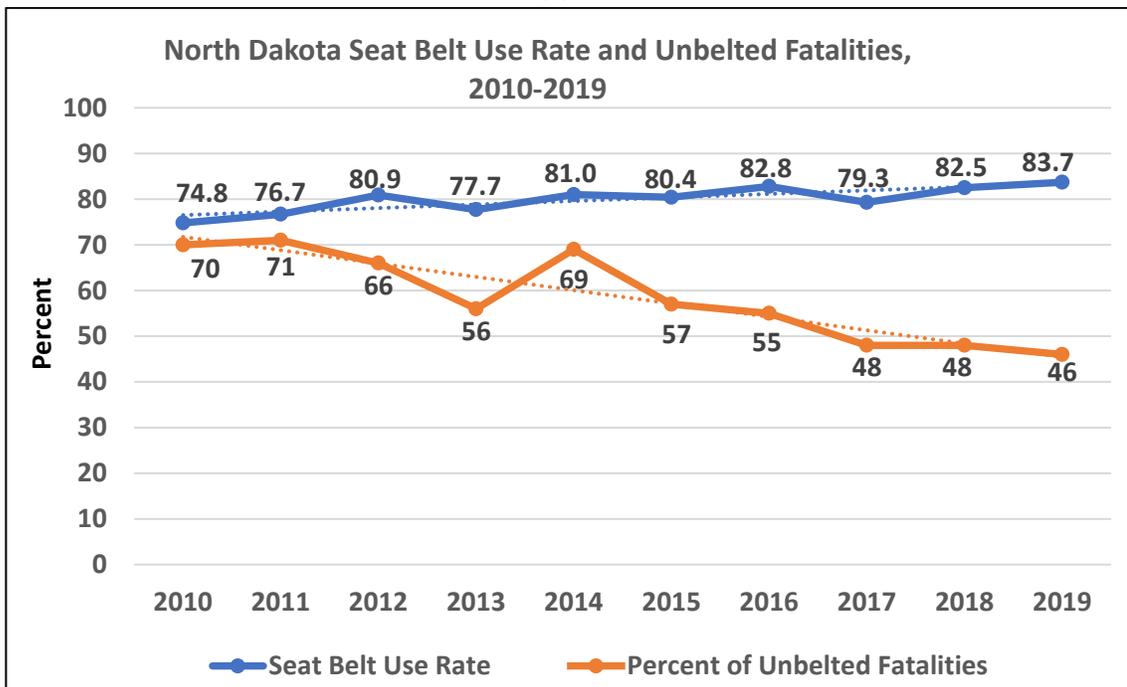
North Dakota Department of Transportation
Karin Mongeon, Safety Division Director
HB 1257

Good morning Chairman Ruby and members of the House Transportation Committee. My name is Karin Mongeon and I am the Safety Division Director for the North Dakota Department of Transportation (NDDOT). I am here this morning on behalf of the NDDOT in opposition of HB 1257.

HB 1257 would remove the requirement for anyone over the age of 18 to wear a seat belt.

Motor vehicle crashes are the leading cause of injury-related death in North Dakota. And, seat belt use has definitively reduced the percent of unbelted motor vehicle fatalities in North Dakota over the past 10 years as shown in Figure 1. As seat belt use has increased, the percent of unbelted crash fatalities has significantly decreased.

FIGURE 1



Further evidence of the effectiveness of seat belts is included as Attachment 1 which proves that states with higher seat belt use rates have lower unbelted motor vehicle crash fatalities. It also shows that New Jersey, the only state in the U.S. with no seat belt use requirement, has the highest percent of unbelted crash fatalities nationwide.

As you're aware, Vision Zero is North Dakota's initiative to reduce motor vehicle crash fatalities and serious injuries to zero. Vision Zero has the support and involvement of hundreds of stakeholders throughout North Dakota who work together to apply evidence-based strategies proven to prevent crash fatalities and serious injuries. Vision Zero stakeholders support strategies to advance seat belt use such as a Primary Seat Belt Law (PBL) which is among the evidence-based strategies identified in the North Dakota *Vision Zero* Plan as a priority strategy

for implementation. Vision Zero stakeholders support SB 2121 which proposes implementation of a PBL and would have immediate and significant impact. Research shows that states that transitioned to a PBL have experienced a 10-12 percent increase in their observed seat belt use (Source: National Highway Traffic Safety Administration).

Seat belts save lives. They are the single most effective traffic safety device to prevent death and injury in a motor vehicle crash. There is no doubt that removing the requirement for adults to wear a seat belt would result in an increase in motor vehicle crash deaths across North Dakota.

That concludes my testimony and I'll respond to any questions you may have.

ATTACHMENT 1

Seat Belt Use Rates and Unbelted Fatalities								
United States, 2018								
State	Seat Belt Use Rates					Law Type	Fine Amount	2018 Percent Unrestrained Fatalities
	2014	2015	2016	2017	2018			
District of Columbia	93.2%	95.5%	94.1%	93.6%	95.1%	Primary	\$50	12.5%
Oregon	97.8%	95.5%	96.2%	96.8%	95.8%	Primary	\$130	26.3%
Michigan	93.3%	92.8%	94.5%	94.1%	93.4%	Primary	\$25	28.4%
California	97.1%	97.3%	96.5%	96.2%	95.9%	Primary	\$162	30.9%
Utah	83.4%	87.2%	87.9%	88.8%	89.0%	Primary	\$45	31.8%
New York	90.6%	92.2%	91.8%	93.4%	92.9%	Primary	\$50	32.6%
Washington	94.5%	94.6%	94.7%	94.8%	93.2%	Primary	\$124	32.6%
Minnesota	94.7%	94.0%	93.2%	92.0%	92.4%	Primary	\$100	33.1%
Iowa	92.8%	93.0%	93.8%	91.4%	93.9%	Primary	\$128	34.8%
Maryland	92.1%	92.9%	90.8%	92.1%	90.3%	Primary	\$83	35.6%
West Virginia	87.8%	89.0%	86.8%	89.7%	90.5%	Primary	\$25	36.2%
Illinois	94.1%	95.2%	93.0%	93.8%	94.6%	Primary	\$25	36.9%
Wisconsin	84.7%	85.8%	88.4%	89.4%	89.3%	Primary	\$10	37.5%
Indiana	90.2%	91.9%	92.4%	93.0%	93.4%	Primary	\$25	37.9%
Connecticut	85.1%	85.4%	89.4%	90.3%	92.1%	Primary	\$92	39.0%
Texas	90.7%	90.5%	91.6%	91.9%	91.3%	Primary	\$50	39.6%
North Carolina	90.6%	89.9%	91.7%	91.4%	91.3%	Primary	\$161	41.1%
Hawaii	93.5%	92.8%	94.5%	96.9%	97.8%	Primary	\$112	41.7%
New Jersey	87.6%	91.4%	93.4%	94.1%	94.5%	Primary	\$46	42.3%
Tennessee	87.7%	86.2%	88.9%	88.5%	90.9%	Primary	\$25	42.5%
Rhode Island	87.4%	86.7%	87.5%	88.3%	88.8%	Primary	\$40	43.3%
Florida	88.8%	89.4%	89.6%	90.2%	90.6%	Primary	\$30	44.2%
Georgia	97.3%	97.3%	97.2%	97.1%	96.3%	Primary	\$15	44.4%
Nevada	94.0%	92.1%	89.4%	90.6%	91.9%	Second	\$25	44.5%
Kansas	85.7%	82.1%	87.0%	82.0%	84.0%	Primary	\$10	45.1%
Ohio	85.0%	83.9%	83.8%	82.8%	84.9%	Second	\$30	45.6%
Oklahoma	86.3%	84.5%	86.6%	86.9%	85.6%	Primary	\$20	46.4%
Alaska	88.4%	89.3%	88.5%	90.1%	91.6%	Primary	\$15	46.8%
Arizona	87.2%	86.6%	88.0%	86.1%	85.9%	Second	\$10	46.9%
Louisiana	84.1%	85.9%	87.8%	87.1%	86.9%	Primary	\$25	47.3%
South Carolina	90.0%	91.6%	93.9%	92.3%	89.7%	Primary	\$25	48.6%
Massachusetts	76.6%	74.1%	78.2%	73.7%	81.6%	Second	\$25	49.0%
North Dakota	81.0%	80.4%	82.8%	79.3%	82.5%	Second	\$20	49.3%
Maine	85.0%	85.5%	85.8%	88.9%	88.5%	Primary	\$50	49.5%
Alabama	95.7%	93.3%	92.0%	92.9%	91.8%	Primary	\$25	49.7%
Arkansas	74.4%	77.7%	75.1%	81.0%	78.0%	Primary	\$25	50.6%
New Mexico	92.1%	93.3%	92.3%	91.5%	90.2%	Primary	\$25	50.7%
Pennsylvania	83.6%	82.7%	85.2%	85.6%	88.5%	Second	\$10	51.1%
Wyoming	79.2%	79.8%	80.5%	84.8%	86.3%	Second	\$25	51.8%
Delaware	91.9%	90.4%	91.4%	91.4%	92.4%	Primary	\$25	52.4%
Virginia	77.3%	80.9%	79.0%	85.3%	84.1%	Second	\$25	53.1%
Idaho	80.2%	81.1%	82.9%	81.2%	85.4%	Second	\$10	53.2%
Nebraska	79.0%	79.6%	83.3%	85.9%	85.5%	Second	\$25	53.3%
Colorado	82.4%	85.2%	84.0%	83.8%	86.3%	Second	\$71	53.6%
Kentucky	86.1%	86.7%	86.5%	86.8%	89.9%	Primary	\$25	54.4%
Vermont	84.1%	86.0%	80.0%	84.5%	89.8%	Second	\$25	56.9%
Mississippi	78.3%	79.6%	77.9%	78.8%	80.2%	Primary	\$25	56.9%
Missouri	78.8%	79.9%	81.4%	84.0%	87.1%	Second	\$50	58.0%
South Dakota	68.9%	73.6%	74.2%	74.8%	78.9%	Second	\$25	63.2%
Montana	74.0%	77.0%	76.0%	78.0%	86.6%	Second	\$20	64.4%
New Hampshire	70.4%	69.5%	70.2%	67.6%	76.4%	None	\$0	69.6%
Nationwide	86.7%	88.5%	90.1%	89.7%	89.6%			43.1%

House Bill 1257
House Transportation Committee
Representative Dan Ruby, Chairman
January 28, 2021

Chairman Ruby and members of the House Transportation Committee, my name is Sergeant Wade Kadrmaz, and I am the Safety and Education Officer for the North Dakota Highway Patrol. I am here today on behalf of my agency to testify in opposition to House Bill 1257.

On January 15, 2021 the Highway Patrol provided testimony in support of Senate Bill 2121, which would require all occupants of a motor vehicle to wear a seat belt and make it a primary offense. Senate Bill 2121 passed the Senate with a vote of 28-18 and will therefore be considered by the House. House Bill 1257 removes the requirement of anyone over the age of 18 to wear a seat belt and contradicts the intent of Senate Bill 2121 which enhances safety on our roadways.

Seat belts are the first line of defense against irresponsible driving behaviors. Law enforcement officers across the state issue thousands of citations each year to drivers for various crash causing violations such as speed, distracted driving, and impaired driving. These behaviors have persisted since the highway patrol was established in 1935 and, sadly, there is no indication that these crash causing behaviors will stop or even be drastically reduced which will continue to put the lives of everyone using our roads at risk. Until every motorist chooses to make safe driving decisions every time they drive, it is imperative to take steps to reinforce the use of seatbelts for all occupants in the vehicle.

Enhancing North Dakota's seatbelt law is a decisive step in saving lives and preventing serious injury on our roadways. House Bill 1257 weakens current seat belt laws and negates the effectiveness of the crucial role seat belts play in saving lives.

Chairman Ruby that concludes my testimony and I can answer any questions the committee may have.

Good morning Chairman Ruby and members of the House Transportation Committee. My name is Dawn Mayer and I am the Child Passenger Safety Program Director for the North Dakota Department of Health. I am here to provide testimony in opposition to House Bill 1257, relating to seat belt use.

As part of my job, I coordinate child passenger safety training statewide for professionals. A critical part of this training is teaching the values of occupant restraint systems for everyone, including those 18 years of age or older.

According to the National Safety Council, seat belts are the single most effective traffic safety device to prevent death and injury in a motor vehicle crash. Seat belts are effective in saving lives by:

- Keeping you in the vehicle. This is important, as you are 25 times more likely to be killed if you're thrown from a vehicle during a crash.
- Keeping you in control of your vehicle if forced to swerve or brake suddenly.
- Spreading the force of impact over a large surface area and the strongest parts of the body - your bones.
- Allowing your body to slow down gradually, lessening the impact on internal organs.
- Preventing impact with the interior of the vehicle, such as the steering wheel, dash or windshield, which increases your chance of remaining conscious after a crash.
- Preventing trauma to the brain and spinal cord caused by the sudden change in motion.
- Preventing collision with other occupants of the vehicle. If you don't wear a seat belt and are involved in a crash, other occupants in the vehicle are at risk of injury from you crashing into them.

In summary, motor vehicle crash deaths are preventable. Seat belt laws are evidence-based strategies for saving lives.

This concludes my testimony. I am happy to answer any questions you may have.

Testimony - House Bill 1257

House Transportation Committee

Thursday – January 28, 2021 at 9:00 a.m.

Safe Kids Grand Forks / Carma Hanson

Mr. Chairman, members of the Committee, my name is Carma Hanson. I am the Coordinator of Safe Kids Grand Forks. I am also a certified child passenger safety technician and have spent much of my career implementing effective strategies that prevent unintentional injuries and deaths, particularly in children.

Over the years, I have been a part of the statewide group of experts that gather routinely to create the North Dakota Vision Zero Plan. This plan is required by the Federal Highway Administration (FHWA) and is spearheaded by the North Dakota Department of Transportation. It includes members from several state agencies who are charged with making our North Dakota roadways safer and reducing traffic injuries and fatalities and reducing costs to taxpayers. In the past, experts have come together from areas such as law enforcement, traffic engineers, metropolitan planning organizations, county agencies, child passenger safety, emergency medical providers and others to create a strategy for making our North Dakota roadways safer. When our team gathers, we create a plan hoping to mirror the evidence-based outcomes proven successful in other states – **things that we know work**.

This bill is in direct opposition of any strategy that we know works and is effective. To be honest, it is nothing more than a retaliation of the bill that our stakeholders team has introduced that would make seat belt use a primary violation as opposed to a secondary one (Senate Bill 2121). You see, our team of people working to carry out the strategies of the North Dakota Strategic Highway Safety Plan, now called Vision Zero have carefully selected strategies that we know work as they have been implemented in other states with success.

While we did introduce that bill in the 2019 session (and it passed in the Senate and failed in the House), we know that the legislature has changed and that people are open to changing their mind as they see the progress that we are making in our death rates each year. In fact, the primary belt bill passed 24-23 in the Senate last time. This year, that vote changed to 28-18 (with one yes vote missing) with people moving from the red to the green column. While you can oppose that bill when it comes to the House chamber, thus keeping our seat belt law the same, it seems reckless as the House Transportation Committee to vote in support of a bill that would set our state back years in the progress we have made in saving lives.

The North Dakota's Department of Transportation, the Department in which you should be working with hand-in-hand, has on their home page the following mission: to **safely**

move people and goods across the state. There is nothing safe about removing a seatbelt requirement in our state.

Our stakeholders team, made up of many entities from across the state, were told that “if we introduced a primary bill again this session, that a group of legislators would introduce one to repeal seatbelts all together”. The fact that people would play politics with the lives of our ND citizens is sad. While you may not support that bill that will come before you after crossover, introducing a bill such as this is a reckless tactic and a slap in the face to those of us that have been tasked with making our roadways safer, saving money and saving lives in our state.

I thank you for allowing me to testify today in strong opposition of HB 1257.

Contact information:

Carma Hanson, MS, RN
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Testimony to the
House Transportation Committee
Prepared January 27, 2021
by Ryan Gellner, North Dakota Association of Counties

3947

Regarding: HB-1257

The North Dakota Association of Counties is a strong believer in North Dakota's primary traffic safety initiative, Vision Zero and therefore opposes HB 1257.

Vision Zero's goal is to continually work toward zero motor vehicle fatalities and serious injuries on North Dakota roads. North Dakota Counties have taken a role in both educating the public and implementing protocols and procedures in respect to traffic safety.

Seatbelts are a proven way to save lives and reduce serious crash-related injuries. The CDC reports seatbelts saved nearly 15,000 lives in 2017. The goal of Vision Zero is to save lives, and this bill is a direct conflict to that.

The North Dakota Association of Counties opposes HB 1257.

Thank you, Chairman Ruby, and all the Transportation Committee members. Your work to protect every North Dakota citizen riding in an automobile is greatly appreciated.

Hello Chairman Ruby and members of the House Transportation Committee. My name is Mary Waldo and I am the North Dakota State Trauma Systems Coordinator for the North Dakota Department of Health (NDDoH).

Prior to my current role as the State Trauma Systems Coordinator, I served the public for eight years as a Registered Nurse (RN) in one of North Dakota's busiest emergency and trauma centers. Prior to that, I spent several years volunteering on a rural North Dakota ambulance service as an Emergency Medical Technician (EMT). I don't remember all of the patients I've lost over the years, but I do remember those whose lives ended because they did not wear a seatbelt.

For those of us who work in emergency medicine, whether pre-hospital or in an emergency department, the overwhelming sense of loss that comes with a preventable death lingers, sometimes for years. This emotional toll weighs heavily on the minds of emergency workers throughout the state, many of them volunteers in their rural communities, and it is often the reason that a great nurse or paramedic ultimately burns out and chooses a different career.

In North Dakota, every 11 days an unbelted vehicle passenger dies. Further, in 2020, nearly 70% of all motor vehicle fatalities were from unbelted occupants. Many of these are preventable deaths.

Seatbelts are an evidence based strategy that reduces motor vehicle deaths but need to be worn by every occupant, every time.

Thank you for your time.

Testimony of Pat Ward in Opposition to HB 1257

Good morning Chairman Ruby and members of the House Transportation Committee.

My name is Pat Ward, and I am an attorney with the Zuger Kirmis & Smith law firm here in Bismarck. I am here today representing State Farm.

State Farm opposes HB 1257. HB 1257 exempts individuals over eighteen years of age from the requirement that they must wear safety belts when driving or occupying a motor vehicle.

State Farm encourages the use of seat belts for drivers and occupants of motor vehicles. This is because the proven data shows that seat belts save lives. According to the National Highway Traffic Safety Administration, seat belt usage among drivers and front-seat passengers reduces the risk of death and serious injury by approximately 50%.

For these reasons, we urge a “**do not pass**” recommendation on HB 1257.

Thank you Chairman Ruby and committee members.

GM Testimony North Dakota's Seat Belt Law

Mr. Chairman and members of the committee. Good morning, my name is Don Larson, and I am submitting this testimony on behalf of General Motors. I would like to offer this testimony in opposition to HB 1257, relating to seat belt usage.

General Motors has a strong commitment to safety that reaches all parts of the company, impacting everything from the development of our vehicles to the work behaviors of our employees. Ultimately, the safety of our customers and employees takes precedence over everything else.

GM's CEO, Mary Barra, has outlined the company's vision of a world with zero crashes, zero emissions and zero congestion. We are working on the technologies that will create this future, blending global insights with local market expertise as the automotive industry transforms from traditional manufacturing to transportation services. Safety, however, remains at the core of this vision.

It is for this reason that we oppose efforts remove requirements for use of seat belts. The seat belt is the primary safety device in a motor vehicle. It protects both the driver and passengers in the event of a collision. While we continue to develop advanced driver assist technologies to keep our customers safe, the seat belt remains the most effective tool in preventing injuries and saving lives in the event of an accident.

Overall, we believe there is too much at stake to not recognize the importance of using the primary safety device installed in each vehicle.

Mr. Chairman and members of the committee, thank you for your time and consideration.



January 28, 2021

**House Transportation Committee
House Bill 1257**

Chairman Ruby members of the House Transportation Committee my name is Matt Gardner and I am here representing the North Dakota Motor Carriers Association (NDMCA). NDMCA opposes HB 1257.

The trucking industry is critical in transporting freight nationally and internationally. North Dakota trucking companies transport over 37,000 tons of freight per day.

NDMCA mission statement is *"To Promote Highway Safety, Deliver Services and Provide Representation for Our Members"*.

Currently, the Federal Motor Carrier Safety Regulations require commercial motor vehicle drivers to wear safety belts. It is estimated that there is 86% compliance for drivers wearing their safety belts. This expanded to their passengers in 2016. Although this bill would not directly affect the trucking industry, safety of all users on our roads is a top priority for NDMCA.

NDMCA's Board of Directors approved policy statements include support of a primary safety belt law. This law would go in the wrong direction of safety on our roadways. NDMCA asks for a do not pass recommendation from the House Transportation Committee.



2021 HB 1257
House Transportation Committee
Representative Dan Ruby, Chairman
January 28, 2021

Chairman Ruby and members of the House Transportation Committee, I am Tim Blasl, President of the North Dakota Hospital Association (NDHA). I testify in opposition to House Bill 1257. I ask that you give this bill a **Do Not Pass** recommendation.

Hospitals are opposed to this bill because we know that increasing seat belt use is critical to reducing injury and saving lives. This bill would be a step backward because no one who is 18 years of age or older would be required to wear a seat belt.

Our country recently achieved an important milestone in road safety: an all-time record seat belt use rate of 90 percent¹. Seat belt usage was about 10 percent lower in 2004. North Dakota has only about an 84% seat belt usage². This is fortunately up from only 48% usage 20 years ago, but it is still one of the lowest seat belt usage rates in the country. That is progress, but we need to do more to encourage people to take the lifesaving step of buckling up. According to data from the Centers for Disease Control and Prevention (CDC), most drivers and passengers killed in vehicle crashes are unrestrained. Here are some other important points:

- Among drivers and front-seat passengers, seat belts reduce the risk of death by 45%, and cut the risk of serious injury by 50%.
- Seat belts prevent drivers and passengers from being ejected during a crash. People not wearing a seat belt are 30 times more likely to be ejected from a vehicle during a crash. More than three out of four people who are ejected during a crash die from their injuries.

¹National Highway Traffic Safety Administration, <https://www.nhtsa.gov/seat-belts/seat-belts-save-lives>

² *Id.*

- Seat belts save thousands of lives each year. Seat belts saved almost 13,000 lives in 2009. If all drivers and passengers had worn seat belts that year, almost 4,000 more people would be alive today.
- Of the 37,133 people killed in motor vehicle crashes in 2017, 47% were not wearing seat belts.

This legislative body approved the current seat belt law in 1993. It was then referred to a statewide vote where the people of North Dakota upheld that law. When opponents tried to repeal the law via initiated measure in 1993, the petition drive failed to secure enough signatures. The legislature has not changed the law since. The people of North Dakota know that seat belts reduce injury and save thousands of lives each year and more of them are choosing to buckle up than ever before. We should be passing laws that continue to increase seat belt use, rather than taking a step backward.

For these important reasons, I urge you to give this bill a Do Not Pass recommendation. Thank you.

Respectfully Submitted,

Tim Blasl, President,
North Dakota Hospital Association



AAA-The Auto Club Group
4950 13th Ave. S., Ste. 15
Fargo, ND 58103-7268

January 28, 2021

(701) 893-3759
eladoucer@acg.aaa.com

Representative Dan Ruby
State Capitol
600 E. Boulevard Ave.
Bismarck, ND 58505

Chairman Ruby and Members of the House Transportation Committee,

On behalf of AAA-The Auto Club Group with nearly 70,000 members in North Dakota, I respectfully ask you to oppose HB 1257. This legislation, removes the requirement for seat belt use by adults, sends the wrong message to vehicle occupants, runs counter to the state's Vision Zero Plan, and will ultimately lead to an unnecessary loss of life.

As a matter of policy, AAA supports use of safety belts by all motor vehicle occupants including:

- Enforcement of the safety belt use requirements as a primary rather than secondary traffic offense.
- There should be a reasonable fine established, certainly no higher than that imposed for the ordinary traffic infraction.
- Exemption should be made for certain persons who cannot or should not use safety belts.
- Exemption should be made for in-use vehicles that, at the time of manufacture, did not contain safety belt systems.

AAA also recognizes that compliance with all occupant protection laws requires ongoing enforcement and support of the public and lawmakers. In order to keep unnecessary traffic deaths to a minimum and to keep North Dakota on a trend toward zero roadway deaths, I ask you to give HB 1257 a "Do Not Pass" recommendation.

Regards,

A handwritten signature in black ink that reads "Gene LaDoucer".

Gene LaDoucer
Public Affairs Director

AAA-The Auto Club Group (ACG) is a membership based, non-profit corporation operating in fourteen states and two US Territories. It is one of the largest American Automobile Association (AAA) clubs in the United States with approximately 14 million members. ACG provides travel, insurance, automotive, and financial services to its members. In North Dakota, AAA – The Auto Club Group serves more than 69,000 members and works to represent the interests of members and the traveling public in the state legislature.