Working on a current bill: Primary Seatbelt Law

Ryan Gellner
North Dakota Seat Belt Data

Traffic Fatalities in North Dakota 2012-2019
North Dakota Seat Belt Data

- Unbelted Motor Vehicle Fatalities

<table>
<thead>
<tr>
<th>Year</th>
<th>Fatalities *</th>
<th>No Seat belt Used</th>
<th>Percent Unbelted</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>110</td>
<td>76</td>
<td>69 %</td>
</tr>
<tr>
<td>2015</td>
<td>111</td>
<td>68</td>
<td>61 %</td>
</tr>
<tr>
<td>2016</td>
<td>87</td>
<td>51</td>
<td>59 %</td>
</tr>
<tr>
<td>2017</td>
<td>91</td>
<td>50</td>
<td>55 %</td>
</tr>
<tr>
<td>2018</td>
<td>77</td>
<td>37</td>
<td>48 %</td>
</tr>
<tr>
<td>2019 #</td>
<td>74</td>
<td>35</td>
<td>47%</td>
</tr>
</tbody>
</table>

*Includes fatalities where seat belts were available within the vehicle. Excludes where seat belts do not apply (pedestrian, motorcycle, bicycles, etc)

# Preliminary Data from 2019
Why Pursue Primary Seatbelts?

• Primary Seatbelt is an evidence-based strategy
  • Identified in the North Dakota Vision Zero Plan as a priority strategy for implementation because it will have immediate and significant impact on reducing motor vehicle crash deaths and serious injuries in North Dakota.

• The number one contributing factor in motor vehicle crash deaths in North Dakota is not wearing a seatbelt.

• Unbelted motor vehicle crash deaths are preventable. To prevent unbelted motor vehicle deaths, everybody needs to wear a seatbelt, every trip, every time.
All front seat occupants must wear a properly adjusted and fastened seatbelt. (Secondary Enforcement).

All occupants younger than 18 must be properly restrained regardless of the occupant's location in the vehicle (Primary Enforcement).
Proposed Primary Seatbelt Law

All occupants must wear a properly adjusted and fastened seatbelt. (Primary Enforcement).

All occupants younger than 18 must be properly restrained regardless of the occupant's location in the vehicle (Primary Enforcement).
Recent Legislative History

FAILED:

2003 – SB 2189 (Primary Enforcement) – Failed 16-30
2005 – SB 2380 (Primary Enforcement) – Failed 8-36
2007 – HB 1254 (Primary Enforcement) – Failed 40-52
2009 - HB 1197 (Primary Enforcement) - Failed 34-58
2013 - HB 1335 (Primary Enforcement) – Failed 40-52
2019 – SB 2060 (Primary Enforcement) – Passed 24-23
               - Failed 38-54
2018 Legislative Recap

What Happened in 2018:

SB 2060 (Making seatbelt violations a primary enforcement and provide a penalty.)

Result:
Senate Committee: No Recommendation (6-0)
Tied Senate (23-23)
Reconsidered in Senate
Amendment proposed on Floor, which failed
Passed Senate (24-23)

House Committee: Do Not Pass (9-4-1)
Failed House: 54-38
Recent Legislative History

• Why won’t the bill pass?
  • “Freedom of Choice” vs. “Government Creating Laws”
  • “It’s my decision if I die in a crash wearing my belt or not”
  • “Next, we’ll be asking people to paint their houses white”
  • “It’s good for business” (Legislator, Funeral Director)
  • “People in my district have not told me they want this law”
2013-2017
Unbelted Severe and Fatal Crashes
North Dakota Seat Belt Data

• Annual Seat belt Survey in 2018 shows 82.5% wear Seat belt.
  • National Average is 89.6 %
• Every 6 Days one unbelted vehicle occupant is ejected.
• Every 10 Days one unbelted vehicle occupant dies.

Statewide Survey
• 58 % Favor a Primary seatbelt law (NDDOT, 2018)
• 54 % Favor a Primary seatbelt law (NDACo, 2018)
Putting Plan into Motion

- What has worked? What has not worked?

- Forming a Committee
  - 39 members
- Finding Partners
- Following Elections
- Contacting Legislators
  - Finding Legislative Support
    - Bill Sponsors
    - Influencers
- Community Support

- Advocating to Update the Law
  - Phone Calls, Emails, Letters
  - Testimony
  - Talking to Legislators
Ryan Gellner
Vision Zero Outreach Program

North Dakota Association of Counties