

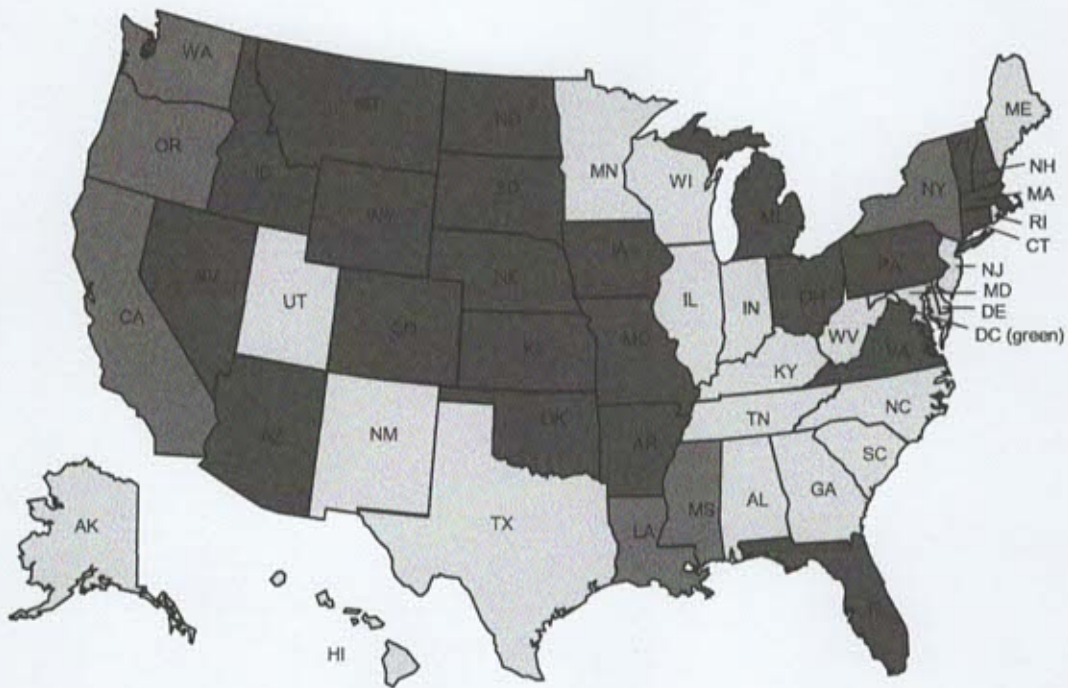



OCCUPANT PROTECTION


Primary Enforcement Front Seat Belt Law


Primary Enforcement Rear Seat Belt Law

All-Rider Motorcycle Helmet Law



 State has all 3 laws, a primary enforcement front seat belt law, primary enforcement rear seat belt law and an all-rider motorcycle helmet law. (6 states and DC)

 State has 2 of the 3 laws. (21 states)

 State has 1 or none of the 3 laws. (23 states)

Note: No credit is given for laws that are subject to secondary enforcement. Please refer to page 13 for law definitions. See "States at a Glance", beginning on page 41 to determine which laws states lack.

PRIMARY ENFORCEMENT SEAT BELT LAWS



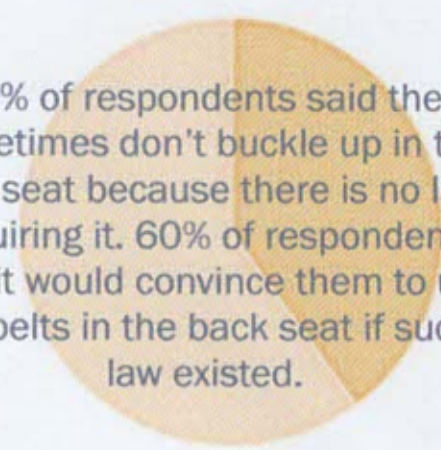
**Letter to the Editor from Cathy Chase, President, Advocates for Highway and Auto Safety:
On seat belt laws, math trumps common sense, November 14, 2021**

"Considering that seat belt use rates increase by 10% to 15% when primary laws are passed, it's an ideal time for the state to upgrade to a primary enforcement seat belt law and get more people to buckle up so they are better protected in all types of crashes, including those involving distraction, fatigue, impairment and speeding."

Rear Seat Safety

Rear seat passengers are more than twice as likely to die in a crash if they are unbelted.

- Front seat safety improvements in recent model vehicles have closed the gap that formerly made rear seats safer than the front, while advances in technology have lagged in the rear seat.
- In 2019, the proportion of unrestrained passenger vehicle occupants killed that were seated in the front seat was 41%, compared to 53% of unrestrained passenger vehicle occupants killed that were seated in the rear seat.
- Adults are not buckling up in the rear seat as much as in the front seat, with rear belt use 10-15% percent lower than in the front seat.
- In 2018, more than 800 unbelted rear seat passenger vehicle occupants age 8 and older died in traffic crashes in the U.S., according to a study by GHSA. Over 400 of these passengers would have survived if they had worn their seat belts.
- Unbelted rear seat passengers pose a serious threat to the driver and other vehicle occupants, as well as themselves, as they can be thrust at high rates of speed into the driver resulting in loss of control of the vehicle and into other occupants causing fatalities and serious injuries.



40% of respondents said they sometimes don't buckle up in the rear seat because there is no law requiring it. 60% of respondents said it would convince them to use seat belts in the back seat if such a law existed.

Personal Choice and Individual Rights

Opponents often assert that highway safety laws violate personal choice and individual rights, overlooking the impact on society. In response, the U.S. District Court of Massachusetts stated in a 1972 decision, affirmed by the U.S. Supreme Court, that "from the moment of injury, society picks the person up off the highway; delivers him to a municipal hospital and municipal doctors; provides him with unemployment compensation if, after recovery, he cannot replace his lost job; and, if the injury causes disability, may assume the responsibility for his and his family's continued subsistence."

Addressing Racial Profiling Concerns

While numerous studies report that primary enforcement seat belt laws do not result in increased ticketing of people of color, the potential for bias in enforcement is an ongoing concern that is not limited to, nor created by, these laws. A NHTSA study of the relationship between primary enforcement belt laws and ticketing of non-Caucasians found the share of citations for non-Caucasians changed very little after states adopted primary enforcement belt laws. In fact, there were significant gains in seat belt use among all ethnic groups, none of which were proportionately greater in any group. A 2021 NHTSA study found that support for primary enforcement seat belt laws is strong across races including Asian, Black, Hispanic, Multiracial and White. A range from 69% (Multiracial) through 89% (Asian) agreed that "police should be allowed to stop a vehicle if they observe a seat belt violation when no other traffic laws are being broken."

ALL-RIDER MOTORCYCLE HELMET LAWS

All-rider helmet laws increase motorcycle helmet use, decrease deaths and injuries, and save taxpayer dollars.

Motorcycles are the most hazardous form of motor vehicle transportation.

Preliminary estimates from 2020 show 5,458 motorcyclists were killed – a nearly 10% increase over the previous year.



When crashes occur, motorcyclists need adequate head protection to prevent one of the leading causes of crash death and disability in the U.S. - head injuries.

- In 2019, where helmet use was known, 39% of motorcyclists killed were not wearing a helmet.
- The observed use rate of U.S. DOT compliant helmets among motorcyclists was 84% in states with all-rider helmet laws, compared to only 54.4% in other states, in 2020.
- There were over nine times as many unhelmeted fatalities (1,682) in states without a universal helmet law compared to the number of fatalities (180) in states with a universal helmet law in 2019. These states were nearly equivalent with respect to total resident populations.
- Studies have determined that helmets reduce head injuries without increased occurrence of spinal injuries in motorcycle crashes. Data shows that helmets reduce the chance of fatal injury by 37% for motorcycle operators and 41% for passengers.
- Estimates show that helmets save the lives of approximately 1,800 motorcyclists each year and that nearly 750 more lives in all states could be saved if all motorcyclists had worn helmets.
- Eighty percent of Americans favor state laws requiring all motorcyclists to wear helmets.

According to a 2012 Government Accountability Office (GAO) report, "laws requiring all motorcyclists to wear helmets are the only strategy proved to be effective in reducing motorcyclist fatalities."

Today, only 18 states and DC require all motorcycle riders to use a helmet.

Twenty-nine states have laws that cover only some riders (i.e., up to age 18 or 21). These age-specific laws are nearly impossible for police officers to enforce and result in much lower rates of helmet use.

Three states (IL, IA and NH) have no motorcycle helmet use law.

In 2021, there were attempts in six states to repeal existing all-rider helmet laws, retention was achieved in all.

ALL-RIDER MOTORCYCLE HELMET LAWS

Motorcycle helmets reduce the risk of head injury by 69% and reduce the risk of death by 42%.

- In 2010, the economic cost of motorcycle crashes was \$12.9 billion and the total amount of societal harm was \$66 billion. This equates to \$15.5 billion and nearly \$80 billion respectively when adjusted for inflation.
- Helmets save \$2.7 billion in economic costs and prevent \$17 billion in societal harm annually (\$3.26 billion and \$20.5 billion when similarly adjusted for inflation).
- Per vehicle mile traveled, motorcyclist fatalities occurred almost 27 times more frequently than passenger car occupant fatalities in 2018, the latest year for which data is available.
- Motorcyclists represented 14% of the total traffic fatalities, yet accounted for only 3% of all registered vehicles in the U.S. in 2019, the latest year for which data is available.
- Motorcyclist fatalities of older adults (age 65 and older) increased by 121% from 2009 to 2018.
- The economic benefits of motorcycle helmet use are substantial, more than three and one-half times greater in states with all-rider helmet laws. In states that have an all-rider helmet law, cost savings to society from helmet use was \$725 per registered motorcycle, compared to savings from helmet use of just \$198 per registered motorcycle in states without a mandatory helmet use law, according to the CDC.
- According to the American Academy of Pediatrics (AAP), in states with only youth-specific helmet laws, helmet use has decreased and youth mortality has increased. Serious traumatic brain injury among young riders was 38% higher in states with only age-specific laws compared to states with all-rider helmet laws.
- A study in the American Journal of Surgery reported that after Michigan repealed its all-rider helmet law in 2012, the percentage of non-helmeted crash scene fatalities quadrupled. Further, after the repeal, trauma patients who were hospitalized with a head injury rose 14%.
- There is no scientific evidence that motorcycle rider training reduces crash risk and is an adequate substitute for an all-rider helmet law. In fact, motorcycle fatalities continued to increase even after a motorcycle education and training grant program included in federal legislation took effect in 2006.



The Missouri Times

Opinion: Traffic safety in Missouri – A deadly serious problem

By: Cathy Chase. August 26, 2021

"One of the laws tracked in the report is an all-rider motorcycle helmet requirement. Unfortunately, Aug. 28 will mark one year since Missouri repealed its law, and the impact has been as expected. According to media reports from mid-June citing MODOT, motorcycle fatalities were up 40 percent over the previous year, with 18 motorcyclists who were not wearing a helmet killed, compared to only two unhelmeted fatalities at the same point in 2020. This lifesaving law should be reenacted."