

Public Health Committee JOINT FAVORABLE REPORT

Bill No.: HB-5161

AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S

Title: RECOMMENDATIONS REGARDING SEAT BELTS.

Vote Date: 3/19/2018

Vote Action: Joint Favorable

PH Date: 3/5/2018

File No.:

***Disclaimer:** The following JOINT FAVORABLE Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.*

SPONSORS OF BILL:

Public Health Committee and Department of Public Health

REASONS FOR BILL:

This bill implements the recommendations of the Department of Public Health to require the use of seat belts in all positions of a vehicle.

This bill requires all passengers of a motor vehicle or fire-fighting apparatus to wear seat belts while the vehicle is in operation. Current law only requires the operator and front seat passengers to wear seat belts, with certain exceptions (e.g.), passengers who are under age 16 or require a child safety seat). As under current law, failure to wear a seat belt is not probable cause for law enforcement to search the vehicle and its contents.

The bill applies only to motor vehicles or fire-fighting apparatus originally equipped with seat belts. It does not apply to (1) vehicle manufactured before January 1, 1968 or (2) buses weighing one ton or more.

RESPONSE FROM ADMINISTRATION/AGENCY:

Commissioner Raul Pino, Connecticut Department of Public Health [DPH]: The DPH supports this legislation that will enhance current seatbelt laws by requiring seat belts to be worn in all positions within the vehicle. The CDC's guidelines for passenger safety recommend that seat belts be worn by every person in the vehicle. Statistics show that motor vehicle crashes are the leading cause of death for people ages 1-54 and that more than half of those killed were not wearing seat belts at the time of the accident. With an average of 270 motor vehicle deaths, in Connecticut each year, adult seat belt use is the single most effective way to save lives and reduce injuries in a crash. This policy is also supported by

DPH's Statewide Health Improvement Coalition, which is a diverse partnership of local, regional, and statewide organizations and agencies that address public health from a variety of traditional and non-traditional perspectives. They have recognized seatbelts in all positions as a way to reduce deaths and unintentional injury hospitalizations. DPH would also like to highlight the good work done by the Department of Transportation's "Click It or Ticket" enforcement campaign that was implemented in partnership with law enforcement.

Department of Transportation, State of Connecticut[CTDOT]: The CTDOT supports DPH's proposal regarding mandatory use of rear passenger seat belts. Current legislation, Connecticut General Statutes 14-100a(c)(1) only requires the operator and front seat passengers of motor vehicles to wear seat belts and allows rear-seat passengers, aged sixteen and over, to ride unrestrained. According to the National Highway Traffic Safety Administration [NHTSA] wearing seat belts is forty-four percent effective in reducing fatalities. CTDOT supports HB 5161 and its requirement that all passengers, regardless of age or seating position, wear seat belts.

Representative Mitch Bolinsky, State Representative 106th District, Connecticut General Assembly: Representative Bolinsky strongly supports HB 5161 and encourages the committee to move it forward. In 2017 Connecticut was one of 22 states to have no rear-seat occupant protection laws. Under current Graduated License Laws, teens under the age of 18 are required to have all passengers buckled; however, upon turning 18 rear-seat compliance is no longer required. NHTSA data shows that unbelted rear seat passengers are 3 times more likely to die than those buckled and are 20 percent more likely to fatally injure front-seat passengers in an accident. HB 5161 will save Connecticut money in terms of cost associated with Medicaid payments for treatments, rehab, and disability; as well as, reducing the number of intensive fatality investigations for State Police.

Senator Martin M. Looney, President Pro Tempore, Connecticut General Assembly: Senator Looney strongly supports HB 5161 as requiring all passengers, in all positions of a vehicle, to wear seat belts would save lives.

Dr. Bella Dinh-Zarr, Member, National Transportation Safety Board [NTSB]: The National Transportation Safety Board [NTSB] submitted testimony in support of HB 5161. The NTSB is an independent federal agency charged by Congress with investigating every civil aviation accident in the United States and significant accidents in other modes of transportation. NTSB determines the probable cause of each accident it investigates and makes safety recommendations aimed at preventing future accidents. In a survey from 2016, conducted by the National Highway Traffic Safety Administration [NHTSA], of those fatally injured in traffic crashes forty-eight percent were unrestrained. The NHTSA estimates that from 1975 to 2016, seat belts saved almost 360,000 (359,241) lives nationwide.

NHTSA calculated that the lifetime cost to society for each motor vehicle fatality is over \$977,000 and also estimates that each critically injured survivor of a motor vehicle crash costs an average of \$1.4 million. NHTSA estimates that if everyone in Connecticut used a seat belt, rear occupants included, it would prevent an additional eighteen fatalities per year.

The NTSB believes that a significant number of lives can be saved and injuries prevented if Connecticut closes this loophole in its occupant restraint law. A comprehensive primary

enforcement seat belt law should include coverage of all vehicle occupants in all seating positions.

Mary Ann Zavorskas, Health Education Assistant and Certified Child Passenger Safety Technician, Health Programs Division, City of New Haven Department of Health: The City of New Haven supports 5161 as it will strengthen Connecticut's existing seatbelt law. In frontal and side-impact crashes, passengers who are buckled are at an increased risk of injury from those who are not buckled, by up to forty percent. With motor vehicle crashes as the leading cause of death, for individuals aged 1-54 in the United States, seat belt laws are most effective when they cover occupants in all seats of the vehicle.

James J. Heavey, Chief of Police, Town of Greenwich: On behalf of the Town of Greenwich, Chief of Police James J. Heavey, supports HB 5161. The benefits of wearing seat belts have been proven to be countless. Chief Heavey has also witnessed the serious injuries and deaths suffered by those who chose not to wear seat belts and the costs suffered not only by them but also to their families, friends, and society at large.

NATURE AND SOURCES OF SUPPORT:

Dr. Neil Chaudhary, Traffic Safety Researcher: Dr. Chaudhary supports HB 5161 as increasing rear seat belt use via a law upgrade is a quick, easy, and inexpensive way to save lives and would likely provide some cost savings to the state. Currently, twenty-nine states including the District of Columbia, have laws requiring seatbelt use in all seating positions for all occupants.

The single most effective way to reduce death and serious injury caused by a motor vehicle crash is the use of a seatbelt. The National Highway Traffic Safety Administration [NHTSA] estimates that seatbelts are roughly 50% effective at reducing chances of dying in a crash and 65% effective in reducing chances of serious injury in a crash.

The passage of an all seat position all occupant law would have a positive impact on the state. My analyses indicate that if we could bring rear seatbelt use rate up to the same level as front seatbelt use – which is a real goal with the more effective law – we should expect to eliminate about 25% of the rear seat serious injuries.

My research for NHTSA has shown that increased seatbelt use is likely to decrease Medicaid costs for the state. There would be other savings beyond just Medicaid that could reduce state and municipal budgets when we consider the added time for law enforcement associated with investigations of crashes involving death and serious injury. NHTSA describes other cost reduction to the public and businesses as a function of injury reduction in motor vehicle crashes in the form of decreased insurance payout benefiting insurance companies and a decrease in lost wages and work time due to traffic accidents associated with more serious injuries.

Judith A. Sartucci, Chairman, Board of Health of the Central Connecticut Health District: The Central Connecticut Health District [CCHD] supports HB 5161 as yet another means to reduce unintentional injury in automobiles on Connecticut's roads by requiring seat belt use for all passengers in all seating positions.

Connecticut Hospital Association: The Connecticut Hospital Association [CHA] fully supports HB 5161 and other safety initiatives that are known to reduce the risk of serious injury and death. HB 5161 expands the seat belt law to require all persons to wear seat belts, regardless of where they sit within a motor vehicle. HB 5161 would align Connecticut statute with the Centers for Disease Control and Prevention's guidelines for passenger safety, which recommends that seat belts be worn by every person in the vehicle, on every trip. HB 5161 allows Connecticut to take proactive steps to limit the pain and suffering caused by injury due to not wearing a seat belt.

Julie Peters, Executive Director, Brain Injury Alliance of Connecticut: The Brain Injury Alliance of Connecticut submitted testimony and data in support of HB 5161. Data collected and verified by American College of Emergency Physicians states that seat belts are the most effective means of reducing deaths and serious injuries in traffic crashes and are the greatest protection against ejection in a crash. Of those ejected from a motor vehicle during a crash, seventy-five percent are killed. Seat belts saved 13,941 lives during 2015 while approximately sixty percent of passengers killed in traffic crashes were not wearing safety belts.

Society bears eighty-five percent of the costs related to crashes. Deaths and injuries that result from not using seat belts cost society an estimated \$26 billion annually in medical care, lost productivity, and other costs.

In a recent poll forty percent of the people surveyed said they sometimes don't buckle up in the rear seat because there is no law requiring it. If there were such a law, sixty percent of respondents said it would convince them to use seatbelts in the back seat. A greater percentage said they would be more likely to buckle up if the driver could get pulled over because someone in the back seat was not wearing a seat belt.

The facts are clear, seat belts save lives and should be worn by all occupants of a vehicle.

Connecticut Public Health Association; Emergency Nurses Association; Advocates for Highway and Auto Safety; KidsandCars.org: The Connecticut Public Health Association, Advocates for Highway & Auto Safety, Emergency Nurses Association, and KidsandCars.org supports HB 5161. In 2016, 293 people were killed in traffic crashes in Connecticut, marking the largest number of traffic fatalities since 2010, according to the National Highway Traffic Safety Administration [NHTSA]. Nearly 46 percent of vehicle occupants killed in 2016 were unrestrained. While seat belts saved the lives of 102 people on Connecticut roads in 2016, NHTSA estimates that an additional 18 lives would have been saved had they been wearing seat belts.

In fatal crashes, 81 percent of vehicle occupants who were totally ejected from the vehicle were killed; and of those, only one percent reported using front-seat restraints. Furthermore, the proportion of unrestrained occupants killed was 47 percent, compared to 57 percent of unrestrained rear-seat occupants killed.

Pina Violano, Manage, Yale New Haven Health System: On behalf of Yale New Haven Health, Pina Violano submitted testimony in support of HB 5161, as it is a much needed change to our current statute and we believe it is time for the state to make it a requirement.

HB 5161 would be a major step toward reducing avoidable injuries and deaths on our roadways.

More than 2.5 million drivers and passengers were treated in emergency departments as the result of being injured in motor vehicle traffic crashes in 2015 and over 22,000 people died. Of those who died, more than half were between the ages of 13 and 44 years old and did not wear seatbelts at the time of the crash.

When a seat belt is not properly used it impacts the operation of the vehicle airbag. An airbag is only effective if the passenger is in the proper place at the time of deployment and a seat belt is an integral part of making sure that happens.

Last year, you and your colleagues took a historic step by approving changes to the existing child restraint law that brought Connecticut to the forefront of child passenger safety. This proposed bill would be a similar history making change for our state.

Dr. Daniel Freess, President, Connecticut College of Emergency Physicians: Dr. Freess and the Connecticut College of Emergency Physicians strongly support HB 5161. Passengers who are not wearing their seat belts have been shown to have a 4-to-5 times higher mortality and major injury rate as compared to those who are properly secured. Children wearing a seat belt actually have a very low rate of major injury in both low and high speed accidents. While we appreciated the personal autonomy allowed by the current law, we feel that the proposed change conveys a significant public health benefit both to individuals and society as a whole.

Fran Mayko, Public Affairs Specialist, AAA Northeast: Fran Mayko, on behalf of both AAA Northeast and AAA Allied Group, submitted testimony in support of HB 5161. Between 1995 and 2014, 119 unbelted rear-seat passengers over the age of 16 were killed in this state, with these fatal crashes occurring in every county in Connecticut. In 39% of those fatal crashes the unbelted passenger killed was ejected from the vehicle. 64% of unbelted rear-seat occupants over 16 were killed or injured compared to 30% of the belted rear seat occupants.

AAA has found this issue to be very important to Connecticut drivers statewide. A survey this year of 1,000 drivers indicates 65% support a mandatory rear-seat belt law; as well as, the consistent support for rear seat belt laws in AAA-conducted surveys over the last three years.

In the 33 years since Connecticut passed its original seat belt law, in 1985, we've seen significant changes on our roadways, in our vehicles, and with our driving technologies. It stands to reason that our law must also continue to evolve to best protect the safety of our population.

Garry Lapidus, Director of Connecticut Children's Medical Center's [CCMC] Injury Prevention Center: Garry Lapidus submitted testimony in support of HB 5161. All too often, CCMC's Emergency Department and Trauma Center team is called upon to provide lifesaving care to patients involved in a motor vehicle crash. Each year in Connecticut more than 120 adults are injured and approximately 5 adults die who were unbelted rear seat occupants. Under current law in Connecticut, rear passengers 18 years of age and older are

not required to wear a safety belt and revising and upgrading Connecticut law would help prevent death, injury, and reduce cost among Connecticut road users.

NATURE AND SOURCES OF OPPOSITION:

None

Reported by: Anne Gallagher

03/29/2018