

Seat Belt Laws

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Issue

Provide a summary of Connecticut's seat belt laws as well as those in other states and whether such laws are effective at increasing seat belt use.

Summary

All states except New Hampshire have mandatory [seat belt laws](#). A majority of states, including Connecticut, have primary enforcement laws, meaning law enforcement officers may stop a vehicle solely for a seat belt law violation. Other states have secondary enforcement laws that require officers to have a reason other than a seat belt law violation to stop a vehicle. In addition, seat belt laws in a majority of states cover front and rear seat occupants. The remaining states, including Connecticut, cover only front seat occupants. Primary enforcement laws, enhanced enforcement, and penalties for failure to wear a seat belt have reduced the number of traffic crash fatalities and increased seat belt usage.

Connecticut Seat Belt Laws

Connecticut is a primary enforcement state requiring the driver and front seat passengers to wear a seat belt when a motor vehicle is in operation. Under state law, rear seat adult (i.e. age 16 and older) passengers are not required to wear a seat belt. In addition, the law requires passengers eight to 15 years old as well as all passengers in a vehicle operated by a person under 18 years old to wear a seat belt ([CGS § 14-100a](#)). Generally, those who suffer from a physical disability preventing the use of a seat belt are exempt from these requirements.

In addition, a person who fails to secure a child under eight years old, or weighing less than 60 pounds, in a child safety seat is subject to a fine. For information regarding child safety seat requirements, see [OLR Report 2017-R-0223](#).

Penalties for Violations

Under Connecticut law, a violation of the seat belt requirement carries a fine of \$50, for operators under 18 years old a fine of \$75 ([CGS § 14-100a\(c\)\(4\)](#)). The law imposes additional charges, including assessments and surcharges, on top of the base fine. In addition, failure to wear a seat belt does not provide law enforcement officers with probable cause to search a vehicle ([CGS § 54-33m](#)).

Connecticut Seat Belt Enforcement

The state Department of Transportation (DOT) strongly encourages state and local law enforcement agencies to conduct sustained seat belt enforcement beyond advertised “Click It or Ticket” campaigns. Generally, DOT provides supplemental funding to the Connecticut State Police for roving patrols and checkpoints focused on seat belt enforcement. As of 2017 Connecticut’s seat belt use rate (90.3%) exceeded the nationwide average (89.7%), according to the National Highway Traffic Safety Administration (NHTSA).

Primary and Secondary Enforcement

Primary seat belt laws allow law enforcement officers to stop a vehicle if a driver or passenger is not wearing a seat belt, without any other traffic offense taking place. As shown in Table 1, 34 states, including Connecticut, and the District of Columbia (D.C.), have primary seat belt laws for front seat occupants. Of these, 22 states and D.C. have rear seat primary enforcement, four states (Kansas, Maryland, New Jersey, and North Carolina) have rear seat secondary enforcement and eight states, including Connecticut, have no rear seat enforcement.

Secondary seat belt laws allow law enforcement officers to issue a ticket for not wearing a seat belt only when another traffic offense has taken place. As shown in Table 2, 15 states have secondary seat belt laws for front seat occupants of which, six also have rear seat secondary enforcement.

Opposition to Primary Enforcement

Despite noted decreases in fatalities and other occupant injuries, there remains substantial opposition to primary enforcement laws. Among other things, opponents to primary enforcement laws often cite personal autonomy and freedom of choice as reasons not to use a seat belt. In addition, critics argue that primary seat belt laws lead to increased harassment of minority groups by law enforcement agencies. In response, NHTSA encourages state and local law enforcement leaders to provide public assurances that seat belt laws will be uniformly enforced across populations.

Connecticut

Under the state Alvin Penn Act, Connecticut police departments and other agencies that make traffic stops are required to collect and provide data on traffic stops and complaints of discriminatory stops. The Office of Policy and Management (OPM) is required to review the submitted data and annually report on any such review ([CGS §§ 54-1/ & 54-1m](#)).

Table 1: Primary Enforcement States

State	Seats	Required Ages
Alabama	Front	15+ years old
Alaska	All	16+ years old
Arkansas	Front	15+ years old
California	All	16+ years old
Connecticut	Front	8+ years old
Delaware	All	16+ years old
D.C.	All	16+ years old
Florida	All	6 through 17 years old
	Front	6+ years old
Georgia	All	8 through 17 years old
	Front	18+ years old
Hawaii	All	8+ years old
Illinois	All	16+ years old
Indiana	All	16+ years old
Iowa	Front	18+ years old
Kansas	Primary Front Seats Secondary Rear Seats if 18+ years old	14+ years old
Kentucky	All	Under 8 and over 57 inches tall and 8+ years old
Louisiana	All	13+ years old
Maine	All	18+ years old
Maryland	Primary Front Seats Secondary Rear Seats	16+ years old
Michigan	Front	16+ years old
Minnesota	All	Under 8 and over 57 inches tall and 8+ years old
Mississippi	All	7+ years old
New Jersey	Primary Front Seats Secondary Rear Seats	Under 8 and over 57 inches tall and 8+ years old
New Mexico	All	18+ years old
New York	Front	16+ years old
North Carolina	Primary Front Seats Secondary Rear Seats	16+ years old
Oklahoma	Front	9+ years old
Oregon	All	16+ years old
Rhode Island	All	18+ years old

South Carolina	All	8+ years old
Tennessee	Front	16+ years old
Texas	All	Under 8 years and younger who are 57+ inches tall and 8+ years old
Utah	All	16+ years old
Washington	All	16+ years old
West Virginia	All	8 until 18 years old
	Front	8+ years old
Wisconsin	All	8+ years old

Source: Insurance Institute for Highway Safety, Highway Loss Data Institute, (IIHS-HLDI) February 2019 [report](#).

Table 2: Secondary Enforcement States

<i>State</i>	<i>Seats</i>	<i>Required Ages</i>
Arizona	All	8 until 16 years old
	Front	8+ years old
Colorado	Front	16+ years old
Idaho	All	7+ years old
Massachusetts	All	13+ years old
Missouri	Front	16+ years old
	Primary for children under 16 years	
Montana	All	6+ years old
Nebraska	Front	18+ years old
Nevada	All	6+ years old
North Dakota	Front	18+ years old
Ohio	All	8 until 15 years old
	Front	15+ years old
Pennsylvania	Front	18+ years old
	Primary for children under 18 years old	
South Dakota	Front	18+ years old
Vermont	All	18+ years old
Virginia	Front	18+ years old
Wyoming	All	9+ years old

Source: IIHS-HLDI, February 2019 [report](#).

Effectiveness of Seat Belt Laws

According to the Centers for Disease Control and Prevention (CDC), seat belt use is one of the most effective ways to [prevent fatalities and reduce injuries](#) resulting from traffic crashes, reducing serious crash-related injuries and deaths by about half. Additionally, seat belt use is [higher](#) in

primary enforcement states than in secondary enforcement states. Consequently, the percentage of unrestrained occupant fatalities in primary enforcement states is significantly lower than in secondary enforcement states. Also, states that have changed their seat belt use laws from secondary to primary enforcement have seen seat belt use rise [10%-15%](#).

Penalties for Violations and Public Support

Thirty-three states impose [fines of \\$25 or less](#) for violating seat belt laws, according to IIHS-HLDI (February 2019 [report](#)). A 2017 NHTSA report found that where states have [increased fines above \\$25](#) seat belt use has increased and the number of unrestrained occupant fatalities has decreased. Furthermore, according to an NHTSA [survey](#) a majority of the public (1) favors primary enforcement laws, (2) supports fines for drivers who do not wear seatbelts, and (3) believes law enforcement officers should be allowed to stop vehicles when drivers or passengers are observed not wearing a seatbelt.

Enhanced Enforcement Programs

High seat belt use rates are [directly related](#) to enforcement. As such, NHTSA awards [grants](#) to states that adopt and implement enforcement programs aimed at reducing highway deaths and injuries related to seat belt use. These enhanced enforcement programs are high-visibility periods of increased seat belt enforcement during which local and state law enforcement agencies use checkpoints and increased patrols to encourage seat belt use. Among other things, enhanced enforcement programs include advertising campaigns targeting low-use communities. A [review](#) conducted by CDC revealed these short-term enforcement periods were more effective at increased belt use among traditionally low-use groups than among high-use groups. Likewise, seat belt use increased more than 10% during such enforcement periods but decreased immediately thereafter. Among other states, California, Oregon and Washington implemented sustained seat belt enforcement policies following enhanced enforcement programs. Since such implementation, seat belt use rates have risen in California: 91% to 96%; Oregon: 88% to 97%; and Washington from 93% to 95%.

Generally, enhanced enforcement programs require substantial funding as well as local and state resources. In addition, because such programs are conducted during daylight hours there is a lack of available data to indicate whether the programs increase seat belt use at night during which time [fatal motor vehicle accidents](#) are more likely to occur. NHTSA recommends that enhanced enforcement programs be conducted at night in conjunction with impaired driving (DUI) checkpoints and patrols, when seat belt use is lower and drivers tend to drink. Though these nighttime enforcement campaigns have proven effective the cost of such programs are greater than the costs of programs directed exclusively at seat belt laws like “Click It or Ticket.”

Cost Savings Due to Seat Belt Usage

According to a 2015 NHTSA report, increased seat belt use saved an estimated \$50 billion in medical care, lost workplace productivity, and other injury related expenses, (Countermeasures That Work, NHTSA (2015)). Likewise, more than \$1 trillion in economic costs have been incurred because of seat belt noncompliance. According to a [Network of Employers for Traffic Safety](#) (NETS) report, injuries resulting from traffic crashes where occupants failed to wear a seat belt cost

employers approximately \$48,000 per person in health fringe benefits, while the average cost for a restrained occupant involved in a crash was approximately \$25,000 per person. In addition, data suggests that approximately [\\$4 billion](#) in crash-related costs could be saved each year if secondary states passed primary enforcement legislation.

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