



March 3, 2021

**RE: HB 6484, AN ACT CONCERNING RECOMMENDATIONS BY THE DEPARTMENT OF TRANSPORTATION.**

Dear Members of the Transportation Committee:

I am Joy Avallone, General Counsel of the Insurance Association of Connecticut (IAC), a state-based trade association for Connecticut's insurance industry. Thank you for the opportunity to provide comments in support of sections 16 and 17 of HB 6484, AN ACT CONCERNING RECOMMENDATIONS BY THE DEPARTMENT OF TRANSPORTATION, which expand the seat belt law to require all persons to wear seat belts, regardless of where they sit within a motor vehicle.

According to the Centers for Disease Control and Prevention ("CDC"):

- "Motor vehicle crashes are a leading cause of death among those aged 1-54 in the U.S.<sup>1</sup>...;
- More than half (range: 53%-62%) of teens (13-19 years) and adults aged 20-44 years who died in crashes in 2016 were not buckled up at the time of the crash.<sup>2</sup>; and
- Seat belt use is one of the most effective ways to save lives and reduce injuries in crashes for adults and older children alike.<sup>3</sup>

Due to the effectiveness of seat belt use, the IAC further supports the inclusion of an additional amendment to allow evidence relating to a party's seat belt nonuse and failure to comply with the state's seat belt law to be introduced into evidence for the purpose of mitigating damages in a civil action, provided the party introducing such evidence has pleaded such noncompliance as an affirmative defense.

According to the National Conference of State Legislatures ("NCSL"), the number of states that allow evidence of a person's seat belt use to be used to demonstrate negligence or to mitigate damages in a civil trial is growing and has increased from 15 states in 2012, to 17 states in 2017.<sup>4</sup>

The IAC supports HB 6484 and urges Connecticut to join California, New York and the 17 other states that allow for mitigation of damages based on seat belt nonuse.

Thank you.

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<sup>1</sup> <https://www.cdc.gov/injury/wisqars/index.html>

<sup>2</sup> <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812494>

<sup>3</sup> <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812494>

<sup>4</sup> <http://www.ncsl.org/research/transportation/seatbelt-use-considerations-in-a-civil-case-contributory-comparative-negligence.aspx>

