

INSURANCE INSTITUTE FOR HIGHWAY SAFETY

NEWS RELEASE

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BEST & WORST STATE TRAFFIC SAFETY LAWS: SOME STATES DO A BETTER JOB THAN OTHERS

ARLINGTON, VA – For the first time, the Insurance Institute for Highway Safety has conducted a comprehensive assessment of key traffic safety laws in every state and the District of Columbia. “We didn’t evaluate every traffic safety law by any stretch,”

**Overall the strongest
laws are in California, the
District of Columbia, and
Maryland. The weakest
traffic safety laws are
those in Montana,
South Carolina,
and South Dakota.**

says Institute senior vice president Allan Williams. “We looked at provisions of key laws that research shows can change driver behavior and reduce crash deaths and injuries. Clearly some states do a better job than others of getting good traffic safety laws on the books.”

Researchers assessed alcohol-impaired driving laws, young driver licensing laws, safety belt use laws, child restraint use laws, motorcycle helmet use laws, and laws allowing camera enforcement of red light violations. A rating of good, acceptable, marginal, or poor is assigned to each law, or set of related laws, in each state (see attached ratings). These ratings reflect the extent to which each law reviewed includes the necessary provisions to successfully change driver behavior.

“Enacting good laws is the necessary first step in many areas of highway safety,” Williams says, adding that “to be fully effective such laws then have to be publicized and enforced. Our new ratings of traffic safety laws reflect whether the laws can do an effective job of controlling driver behavior.”

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DUI/DWI laws: The Institute evaluated 4 separate DUI/DWI laws including administrative license revocation laws, under which license suspension follows immediately after arrest; laws under which it's illegal to drive with a blood alcohol concentration, or BAC, at or above 0.08 percent (elsewhere it's 0.10 percent); laws under which it's illegal for people younger than 21 to drive with any measurable BAC; and court decisions and laws permitting sobriety checkpoints to deter alcohol-impaired driving.

"Administrative license revocation is the cornerstone of an effective DUI or DWI program," Williams says. Yet Kentucky, Michigan, Montana, New Jersey, Pennsylvania, Rhode Island, South Carolina, South Dakota, and Tennessee still don't have such laws on the books. Another 17 states don't require revocations lasting at least 30 days: Arkansas, Connecticut, Georgia, Illinois, Maine, Maryland, Massachusetts, Minnesota, Mississippi, New York, North Carolina, Ohio, Oklahoma, Texas, Virginia, Wisconsin, and Wyoming.

Graduated licensing laws: The purpose of these laws is to protect beginners by phasing in full driving privileges so teenagers graduate to unrestricted licenses over at least a year. Beginning with Florida in 1996, "graduated licensing has caught on rapidly," Williams points out. "An impetus has been media attention on young driver crashes, especially fatal crashes. This attention has kept the issue in the forefront and helped make state legislators receptive to graduated licensing."

Now only 9 states (Alabama, Arizona, Hawaii, Kansas, Montana, Nevada, Oklahoma, Texas, and Wyoming) fail to include any of the key provisions of graduated licensing. In the other 42 jurisdictions, there's wide variation in the strength of the provisions.

Williams explains that "the most important aspect of graduated licensing is to restrict driving once a beginner gets a license. States accomplish this by prohibiting unsupervised driving in high-risk situations like at night or with passengers. The tougher these restrictions are and the longer they last past a beginner's 16th birthday, the higher we rated a state's licensing law covering young drivers."

Safety belt use laws: In 1984, New York enacted the nation's first law requiring motorists to buckle up. Within 2 years, 22 jurisdictions had such laws, and now all but New Hampshire do. But the provisions vary widely. For example, most states still don't allow police to stop motorists solely for belt violations (primary enforcement). Enforcement is secondary, which means motorists have to be stopped for some other violation first. This impedes enforcement and explains, in part, why belt use is significantly lower in the United States than in Canada and elsewhere. The laws in only 17 U.S. states (Alabama, California, Connecticut, Georgia, Hawaii, Indiana, Iowa, Louisiana, Maryland, Michigan, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Oregon, and Texas) and the District of Columbia allow primary enforcement, and even in these states the laws don't always cover people riding in rear seats.

Child restraint use laws: To evaluate these, the Institute assessed not only state laws covering very young children in special child seats but also adult belt laws, which cover older children. What matters most is whether these laws together provide primary coverage for all children younger than 13 in all seats or allow some children to ride unrestrained. For example, children too old to be covered under the child restraint laws in 14 states (Alabama, Arizona, Arkansas, Idaho, Illinois, Indiana, Iowa, Minnesota, Mississippi, New Jersey, New Mexico, Ohio, Pennsylvania, and South Dakota) are protected by adult belt laws that apply only to people riding in the front seat. So it's perfectly legal for children to ride unrestrained in rear seats.

"This makes no sense," Williams says. "The back seat is where we tell parents it's safest for their children to ride, so laws should cover the kids who sit there."

Motorcycle helmet use laws: By the 1970s, helmet laws had been enacted in virtually all states. All riders were covered, and injuries among cyclists were reduced. (Wearing a helmet reduces the risk of death in a motorcycle crash by about one-third). But by 1980 most states had abandoned their motorcycle helmet laws or substantially weakened them by applying them only to riders younger than a specified age, usually 18. Now all riders are covered in 21 jurisdictions — Alabama, California, District

of Columbia, Georgia, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Nebraska, Nevada, New Jersey, New York, North Carolina, Oregon, Pennsylvania, Tennessee, Vermont, Virginia, Washington, and West Virginia.

In contrast, helmet laws aren't on the books at all in Colorado, Illinois, or Iowa, and they don't apply to all riders in the other 27 states.

"You might as well not have a law that doesn't apply to all riders," Williams says, "because helmet use rates in states with limited laws are about the same as in states without any laws at all." For this reason, the Institute assigned poor ratings to the laws in all states where helmet laws don't apply to all riders.

Red light camera enforcement: Until a few years ago, red light violators had to be apprehended and ticketed one by one. The odds of this were so small that offenders found little reason to change their ways. But now they do, at least where red light cameras have been installed to snap photos of vehicles whose drivers deliberately run red lights. Then the violators are ticketed by mail. Such programs reduce red light running by about 40 percent, but relatively few red light camera programs are operational. In many cases, the problem is that state laws haven't been enacted to authorize them. In only 6 jurisdictions (California, Colorado, Delaware, the District of Columbia, Hawaii, and Maryland) is camera enforcement specifically authorized for use statewide.

"Red light running kills hundreds of people every year, more than half of them struck by the signal violators. To make a dent in this toll, we've got to encourage the use of the camera technology we know will deter the would-be violators," Williams says.

Note: This information is as of 11/22/2000. Since then, legal provisions may have been changed or modified. Sobriety checkpoints have been disallowed in Indiana, for example, though the change doesn't affect the rating for this state's DUI/DWI laws. For updated ratings of state traffic safety laws, go to the Institute's website.

End 4-page release on traffic safety laws
2-page attachment: ratings of state laws

Internet: www.highwaysafety.org

Traffic safety laws: how they rate

	DUI/ DWI	Young driver licensing	Safety belt use	Child restraint use	Motorcycle helmet use	Red light camera
Alabama	G	P	A	P	G	P
Alaska	A	M	M	G	P	P
Arizona	A	P	M	P	P	A
Arkansas	A	M	M	P	P	P
California	G	G	G	G	G	G
Colorado	A	A	M	G	P	G
Connecticut	A	M	A	G	P	P
Delaware	A	A	M	G	P	G
District of Columbia	A	G	G	G	G	G
Florida	G	A	M	M	P	P
Georgia	A	A	A	G	G	P
Hawaii	G	P	A	G	P	G
Idaho	A	M	M	P	P	P
Illinois	A	A	M	P	P	P
Indiana	A	A	A	P	P	P
Iowa	A	A	A	P	P	P
Kansas	G	P	M	G	P	P
Kentucky	A	M	M	M	P	P
Louisiana	A	A	A	G	P	P
Maine	A	M	M	M	P	P
Maryland	A	A	A	G	G	G
Massachusetts	A	G	M	M	G	P
Michigan	P	A	A	G	G	P
Minnesota	A	M	M	P	P	P
Mississippi	A	M	M	P	G	P
Missouri	A	A	M	G	G	P
Montana	P	P	M	M	P	P
Nebraska	A	M	M	M	G	P

LEGEND

G

GOOD

A

ACCEPTABLE

M

MARGINAL

P

POOR

Traffic safety laws: how they rate (continued)

	DUI/ DWI	Young driver licensing	Safety belt use	Child restraint use	Motorcycle helmet use	Red light camera
Nevada	A	P	M	M	G	P
New Hampshire	G	A	P	G	P	P
New Jersey	P	G	A	P	G	P
New Mexico	A	A	A	P	P	P
New York	A	A	A	G	G	M
North Carolina	A	A	A	G	G	M
North Dakota	A	M	M	G	P	P
Ohio	A	A	M	P	P	A
Oklahoma	A	P	A	G	P	P
Oregon	A	G	G	G	G	M
Pennsylvania	M	A	M	P	G	P
Rhode Island	P	A	M	G	P	P
South Carolina	M	M	M	M	P	P
South Dakota	M	M	M	P	P	P
Tennessee	P	G	M	G	G	P
Texas	A	P	A	G	P	P
Utah	G	M	M	G	P	P
Vermont	G	A	M	G	G	P
Virginia	A	M	M	G	G	M
Washington	A	G	M	G	G	M
West Virginia	A	A	M	M	G	P
Wisconsin	A	A	M	M	P	P
Wyoming	A	P	M	M	P	P

LEGEND

G

GOOD

A

ACCEPTABLE

M

MARGINAL

P

POOR