

**Statement before the Virginia Senate  
Transportation Committee**

**Effectiveness of Primary Belt Laws**

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The Insurance Institute for Highway Safety is a nonprofit research and communications organization that identifies ways to reduce the deaths, injuries, and property damage on our nation's highways. We are supported by the nation's automobile insurers. The Institute is submitting research results showing the benefits of primary safety belt laws.

Safety belt use laws in only 21 states and the District of Columbia are primary, meaning police may stop vehicles solely for belt law violations. But in most states belt use law enforcement is secondary, so police cannot stop vehicles for this infraction alone (New Hampshire is the only state without a belt use law.) In a new study the Insurance Institute for Highway Safety found that when states strengthen their laws from secondary enforcement to primary, driver death rates decline by an estimated 7 percent.<sup>1</sup>

In states with primary laws, safety belt use rates are higher. The result is that crash deaths are reduced. Where primary laws are in effect, drivers are more likely to buckle up because the perception is that they're going to be pulled over if they don't.

The most recent national observational survey conducted in 2004 by the National Highway Traffic Safety Administration shows that belt use rates averaged 84 percent in primary states compared with 73 percent in secondary states. A number of observational studies have shown that shifting from secondary to primary laws boosts safety belt use, but the Institute's is the first study to evaluate the effect of this shift on traffic deaths.

The Institute examined driver fatality data during 1989-2003 in 10 jurisdictions — California, the District of Columbia, Georgia, Indiana, Louisiana, Maryland, Michigan, New Jersey, Oklahoma,

<b>Effects of strengthening safety belt laws: Lives that could have been saved since 1996 in secondary states if belt laws had been primary</b>		
<b>State</b>	<b>Passenger vehicle driver deaths 1996-2003</b>	<b>Lives that could have been saved since 1996</b>
Alaska	326	23
Arizona	3,347	234
Arkansas	2,914	204
Colorado	2,646	185
Florida	10,889	761
Idaho	1,158	81
Kansas	2,373	166
Kentucky	4,027	282
Maine	838	59
Massachusetts	1,776	124
Minnesota	2,771	194
Mississippi	4,314	302
Missouri	5,459	382
Montana	1,070	75
Nebraska	1,345	94
Nevada	1,226	89
North Dakota	465	33
Ohio	6,309	441
Pennsylvania	6,644	465
Rhode Island	336	23
South Carolina	4,436	310
South Dakota	699	49
Utah	1,216	85
Vermont	372	26
Virginia	4,200	294
West Virginia	1,759	123
Wisconsin	3,454	242
Wyoming	675	47
<b>Total</b>	<b>77,084</b>	<b>5,390</b>

*Note: States listed are all those with secondary belt laws.*

and Washington — where secondary laws were amended to primary. Researchers compared these data with data in 14 states where the laws remained secondary during that same period.

One indication that the primary laws led to higher belt use comes from rates among fatally injured drivers. In 1989 before any of the laws were changed, belt use rates among fatally injured drivers were similar — about 20 percent — in both groups of states. By 2003 the rates had risen to 47 percent in states that switched to primary laws, compared with 36 percent in the secondary states.

The annual rate of passenger vehicle driver deaths per mile of travel declined in both groups of states, but it declined more in the states that changed to primary enforcement. Taking into account the timing of the change in each state and other factors that could have affected crash rates, primary laws were associated with a 7 percent reduction in death rates.

During the study period many states participated in special ‘Click It or Ticket’ safety belt enforcement campaigns. The enhanced enforcement began earlier in the primary states so it is important to note that changes in belt use laws along with the increased enforcement led to the decrease in fatalities.

Based on the reduction in driver death rates, it is estimated that 2,990 lives have been saved in the study states because of the tougher safety belt laws. If the 28 states that still have secondary laws were to switch to primary enforcement, about 700 lives would be saved each year. And if primary laws had been enacted to begin with, more than 5,300 lives could have been saved since 1996.

Studies in five states that changed to primary enforcement have found no evidence of increased harassment among minority motorists by police, a concern that led to the enactment of secondary laws. Results indicated that for minority motorists in these states, primary enforcement led to higher belt use rates and proportionately equal or fewer citations compared with whites.<sup>2</sup> The National Urban League and other organizations representing minority groups have endorsed primary laws. A national telephone survey conducted in 2003 found that 64 percent of the population favored primary laws, with support highest among women (68 percent), blacks (67 percent), and Hispanics (74 percent). Majority support was present in both primary (71 percent) and secondary (56 percent) enforcement states.<sup>3</sup>

In conclusion, research has shown that primary belt laws increase belt use and decrease fatalities. Based on its most recent research, the Institute estimates that 294 lives could have been saved since 1996 if Virginia had a primary safety belt law. Adoption of a primary belt law in Virginia will result in lives being saved.

## References

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