



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

Senate Committee on Judiciary and Labor

S.B. 4, RELATING TO MOTOR VEHICLES

**Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.
Director of Health**

Wednesday, February 20, 2013, 10:00 A.M.

1 **Department's Position:** The Department of Health strongly supports SB4, which requires all motor
2 vehicle occupants in all seating positions to be restrained in a seat belt assembly, since it is the most
3 effective form of restraint policy for protecting occupants of motor vehicles.

4 **Fiscal Implications:** None

5 **Purpose and Justification:** In Hawai'i, unrestrained motor vehicle occupants are at greater risk for
6 fatal or serious injuries in the event of a crash than persons restrained by a seat belt assembly. Recent
7 crash data from 2007-2010 shows that more than half of the victims in a fatal crash were not wearing
8 seat belts: 52%, or 100 of the 193 victims. Of the fatally injured victims who were back seat passengers,
9 75% were not wearing a seat belt at the time of the crash (9 out of the 12). According to EMS data from
10 2007-2011, back seat passengers were less likely to be restrained than front seat passengers (78% vs.
11 90%, respectively), and more likely to be transported with serious or critical injuries (45% vs. 26%,
12 respectively). In addition, medical charges are 36% higher among unrestrained occupants in comparison
13 to restrained occupants discharged from the Emergency Department.

14 Hawaii's current law does not require adult passengers to wear seat belts in the back seat. SB4
15 would increase the practice of using seat belts by back seat passengers of all ages and make enforcement

1 easier, thereby reducing the risk of injury and death in the event of a motor vehicle crash. According to
2 NHTSA's 2007 National Motor Vehicle Occupant Safety Survey, passengers in the back seat were more
3 likely to wear a seat belt in the states with restraint laws that covered all seating positions.

4 A universal seat belt law that covers all motor vehicle occupants in all seating positions is the
5 most effective form of restraint policy (NHTSA, 2011). SB4 is also a policy priority of the Hawai'i
6 Injury Prevention Plan, 2012-2017, the Hawai'i Strategic Highway Safety Plan, and the State Highway
7 Safety Council. We commend the Legislature for hearing this bill, which has the potential to reduce the
8 burden of injuries and fatalities on our roadways.

9 Thank you for the opportunity to testify.



Mothers Against Drunk Driving HAWAII
745 Fort Street, Suite 303
Honolulu, HI 96813
Phone (808) 532-6232
Fax (808) 532-6004

February 20, 2013

To: Senator Clayton Hee, Chair –Senate Committee on Judiciary and Labor; Senator Maile S.L. Shimabukuro, Vice Chair; and members of the committee

From: Carol McNamee/Arkie Koehl — Co-chairmen, Public Policy Committee - MADD Hawaii

Re: Senate Bill 4 – Relating to Motor Vehicles

I am Arkie Koehl, testifying on behalf of the Hawaii organization of Mothers Against Drunk Driving in strong support of SB 4, relating to Motor Vehicles. This bill requires passengers in all seating positions in a vehicle to be restrained by a seat belt assembly or a child passenger restraint.

The use of seat belts has been a major factor in the reduction of highway fatalities over the past 30 years. MADD understands that being restrained by a seat belt assembly can make the difference in whether a person lives or suffers fatal injuries when involved in a highway crash. Wearing a seat belt is an individual's best defense against death or serious injury in a sudden, violent and destructive crash with a vehicle operated by an alcohol or other drug impaired driver.

Data provided by the Department of Health's Injury Prevention Division shows that a significant percent of back seat passengers are not using a seat belt assembly and therefore have a higher injury and fatality rate than passengers in the front seat of vehicles. Emergency Medical Services (EMS) records reveal that after a crash, back seat passengers are more likely than front seat passengers to be transported to a medical facility with serious or critical injuries (45% vs. 26%, respectively).

The mortality rate among unrestrained occupants (4.5%, or 116 deaths among 2585 occupants) was 7 times higher than the rate for restrained occupants (0.6%, or 97 of 15308). This information illustrates the benefits of having more passengers restrained by making sure back seat passengers will buckle up as often as front seat passengers. At least twenty-four states have laws requiring all passengers over a certain age to be restrained by a seat belt assembly.

To increase the safety of both Hawaii residents and visitors, the time has come to take the logical step of requiring all passengers in a vehicle to be restrained. MADD urges the JDL committee to pass this measure to reduce loss of life in our state's all too frequent highway crashes.

Thank you for the opportunity to testify.

**SENATE COMMITTEE ON
JUDICIARY AND LABOR**

February 20, 2013

Senate Bill 4 Relating to Motor Vehicles

Chair Hee and members of the Senate Committee on Judiciary and Labor, I am Rick Tsujimura, representing State Farm Mutual Automobile Insurance Company (State Farm).

State Farm supports the intent of Senate Bill 4 Relating to Motor Vehicles. Senate Bill 4 requires all front and back seat passengers to be restrained by a seat belt assembly or child passenger restraint while the motor vehicle is being operated upon any public highway.

Thank you for the opportunity to present this testimony.

COMMITTEE ON JUDICIARY AND LABOR
Senator Clayton Hee, Chair
Senator Maile S.L. Shimabukuro, Vice Chair

SB 4 Relating to Motor Vehicles

Testimony of
Lisa M Dau, RN
lisadau@hawaii.rr.com

My name is Lisa Dau and I am currently a member of the Hawaii State Highway Safety Plan (SHSP) and a registered nurse at a local hospital. I am also a certified child passenger safety technician instructor and have been for the past 11 years in the state of Hawaii.

I strongly support SB4 that would require all front and back seat passengers to be restrained by a seat belt assembly or child passenger restraint while the motor vehicle is being operating upon any public highway.

My support for this bill is based on the following:

- Current law requires only front seat occupants and children under the age of 18 to be restrained, however; the laws of physics affect all vehicle occupants.
- Our fatal crash investigations show that people who fail to buckle up in the back seat are often ejected in a severe crash or collide with and injure other vehicle occupants.
- 25 other states and the District of Columbia require all rear seat passengers to buckle up.
- There is no hardship to vehicle owners because seatbelts are already installed and newer vehicles are equipped with lap and shoulder belts in all rear seating positions.
- This bill is plain common sense, will save lives, and is in no way a draconian proposal.
- Motor vehicle crashes
- This bill is supported by the State Highway Safety Plan, which is a coalition of highway safety partners.

The Insurance Institute for Highway Safety also notes that using shoulder belts in the back seat reduces the risk of a fatal injury during a crash by 44% in cars and 73% in vans and SUVs. Unbelted passengers also put others in the car in danger during an accident and increase the other passengers' rate of injury or death by 40%.

Being a nurse I am often reminded how unrestrained occupants in a vehicle can cause serious injury or death to the person and other persons in a vehicle during

a crash. You now have an opportunity to take a step in making our highways safer. In the category unintentional injuries, motor vehicle crashes is the leading cause of death for Hawaii residents from 1999 to 2010.

Thank you for this opportunity to testify in this matter and humbly ask that you approve this measure that will reduce injuries and save lives.

COMMITTEE ON JUDICIARY AND LABOR
Senator Clayton Hee, Chair
Senator Maile S.L. Shimabukuro, Vice Chair

SB 4 Relating to Motor Vehicles

Testimony of
Charles M. Hirata
Safe Community of Maui
Hi0050@yahoo.com

My name is Charles Hirata and I am currently a member of the Hawaii State Highway Safety Plan (SHSP) and a retired Maui Police Department Captain. For eleven years I commanded the MPD Traffic Section and in that capacity, I was involved in the investigation of over 250 fatal motor vehicle crashes. I currently teach occupant protection strategies in Hawaii and the Pacific.

I strongly support SB4 that would require all front and back seat passengers to be restrained by a seat belt assembly or child passenger restraint while the motor vehicle is being operating upon any public highway.

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The Insurance Institute for Highway Safety also notes that using shoulder belts in the back seat reduces the risk of a fatal injury during a crash by 44% in cars and 73% in vans and SUVs. Unbelted passengers also put others in the car in danger during an accident and increase the other passengers' rate of injury or death by 40%.

While at a crash scene, I was frequently reminded that the deaths of these people were preventable deaths. You now have an opportunity to take a step in making our highways safer. In the category unintentional injuries, motor vehicle crashes is the leading cause of death for Hawaii residents from 1999 to 2010.

Thank you for this opportunity to testify in this matter and humbly ask that you approve this measure that will reduce injuries and save lives.

hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 15, 2013 3:30 PM
To: JDLTestimony
Cc: pamelapcm@gmail.com
Subject: *Submitted testimony for SB4 on Feb 20, 2013 10:00AM*

SB4

Submitted on: 2/15/2013

Testimony for JDL on Feb 20, 2013 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Pamela Williams	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 15, 2013 3:35 PM
To: JDLTestimony
Cc: allanschildknecht@hawaii.rr.com
Subject: Submitted testimony for SB4 on Feb 20, 2013 10:00AM

SB4

Submitted on: 2/15/2013
Testimony for JDL on Feb 20, 2013 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Allan Schildknecht	Individual	Oppose	No

Comments: We urge you to oppose this Bill or amend it to reflect passengers in the rear seats under the age of 18 only. Older people have a problem putting on rear seat belts and will be difficult for them without outside assistance.

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From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 15, 2013 8:04 PM
To: JDLTestimony
Cc: david@kingdonconsulting.com
Subject: Submitted testimony for SB4 on Feb 20, 2013 10:00AM

SB4

Submitted on: 2/15/2013

Testimony for JDL on Feb 20, 2013 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
David Kingdon	Individual	Support	No

Comments: This bill is critical to assuring the public health and safety of our citizens and visitors. As a paramedic, I can attest that the kinetic forces applied during a motor vehicle crash do not discriminate based on where a person is sitting. In fact, an unrestrained person can him or herself become a projectile that may injury or kill other parties within the vehicle who *are* restrained. Seat belt and child passenger safety devices must be used everywhere inside a vehicle. Also as a paramedic and public health practitioner, I can assure you that injury prevention efforts such as the enactment and enforcement of a law such as this are far more effective at saving lives than even our best efforts after-the-fact. Thank you. David Kingdon, MPH, Paramedic Wailuku, Hawaii

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hee2 - Kathleen

From: mailinglist@capitol.hawaii.gov
Sent: Friday, February 15, 2013 4:22 PM
To: JDLTestimony
Cc: wwagner@hhsc.org
Subject: Submitted testimony for SB4 on Feb 20, 2013 10:00AM

SB4

Submitted on: 2/15/2013

Testimony for JDL on Feb 20, 2013 10:00AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Wendi Wagner	Individual	Support	No

Comments: As the trauma program coordinator on a Big Island hospital, we have seen preventable death and injury directly related to back seat passengers not being restrained (children and adults alike)...this bill needs to be passed so that wearing restraints regardless of location in a vehicle becomes a HABIT! Mahalo, Wendi

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