

SB 4

RELATING TO MOTOR VEHICLES.

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 operating upon any public highway.



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

February 6, 2013
1:17 p.m.
State Capitol, Conference Room 224

S.B. 4
RELATING TO MOTOR VEHICLES

Senate Committee on Transportation and International Affairs

The Department of Transportation (DOT) recognizes the need for all motor vehicle occupants to be restrained by a seat belt or child passenger restraint while riding in a motor vehicle being operated on any public roadway.

As such, the DOT supports SB 4 because it would increase the safety of all motor vehicle occupants by as much as 45 percent, according to the National Highway Traffic Safety Administration (NHTSA).

NHTSA also states that seat belts are the most effective safety feature ever invented and have saved the lives of thousands of motor vehicle occupants.

In 2011, there were 40 motor vehicle occupant fatalities in Hawaii. Of the 40 motor vehicle occupant fatalities, 14 or 35 percent, were not restrained. If those 14 occupants had been wearing seat belts, at least 6 of them might have survived the crash.

Thank you for the opportunity to provide testimony.





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

In reply, please refer to:
File:

Senate Committee on Transportation and International Affairs

S.B. 4, RELATING TO MOTOR VEHICLES

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

Wednesday, February 6, 2013, 1:17 P.M.

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

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813
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KIRK W. CALDWELL
MAYOR

LOUIS M. KEALOHA
CHIEF

DAVE M. KAJIHIRO
MARIE A. McCAULEY
DEPUTY CHIEFS

OUR REFERENCE KK-LC

February 6, 2013

The Honorable J. Kalani English, Chair
and Members
Committee on Transportation
and International Affairs
State Senate
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair English and Members:

Subject: **Senate Bill No. 4**, Relating to Motor Vehicles

I am Kurt Kendro, Major of the Traffic Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The **HPD strongly supports** the passage of Senate Bill No. 4, Relating to Motor Vehicles. Passage of this bill would require that all front and back seat passengers be restrained by a seat belt assembly or a child passenger restraint when the motor vehicle is operated on any public highway.

Seat belts save lives and reduce the number of injuries and the costs associated with crashes and collisions. Every person in a motor vehicle should be required to wear a seat belt or a child passenger restraint whenever the vehicle is being operated.

The HPD strongly supports passage of this bill.

Thank you for the opportunity to testify.

Sincerely,

A handwritten signature in black ink, appearing to read "Kurt Kendro".

KURT KENDRO, Major
Traffic Division

APPROVED:

A handwritten signature in black ink, appearing to read "Louis M. Kealoa".

LOUIS M. KEALOHA
Chief of Police



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

February 6, 2013

To: Senator J. Kalani English, Chair –Senate Committee on Transportation and International Affairs; Senator Donovan M. Dela Cruz, 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 Carol McNamee, 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 TIA 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.



Wednesday, February 6, 2013

The Honorable Kalani J. English, Chair
The Honorable Donovan M. Dela Cruz, Vice Chair
Senate Committee on Transportation and International Affairs

Dear Chairman English and Members of the Senate Committee on Transportation and International Affairs,

Subject: **Support for SB4**

The Injury Prevention Advisory Committee **strongly supports SB4**. This bill requires all motor vehicle occupants, regardless of age or seating position, to wear a seat belt. Hawaii's current law does not require adult passengers to wear a seat belt if they are seated in the back seat of a motor vehicle. Sadly, 75% fatally injured victims who were back seat passengers were not wearing a seat belt at the time of the crash (9 out of the 12). According to EMS data from 2007-2011, back seat passengers were less likely to be restrained than front seat passengers (78% vs. 90%, respectively), and more likely to be transported with serious or critical injuries (45% vs. 26%, respectively).

Established in 1990, the Injury Prevention Advisory Committee (IPAC) is an advocacy group committed to preventing and reducing injuries in Hawai'i. IPAC members include representatives from public and private agencies, physicians and professionals working together to address the eight leading areas of injury, including traffic safety.

Please support this bill as it will have impact on saving lives and preventing disability.

Thank you for allowing us to testify.

Sincerely,

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Bruce McEwan

Chair

Injury Prevention Advisory Committee

**SENATE COMMITTEE ON TRANSPORTATION AND
INTERNATIONAL AFFAIRS**

February 6, 2013

Senate Bill 4 Relating to Motor Vehicles

Chair English and members of the Senate Committee on Transportation and International Affairs, 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 operating upon any public highway.

Thank you for the opportunity to present this testimony.

February 6, 2013

Senator J. Kalani English, Chair
Senator Donovan M. Dela Cruz, Vice Chair
Senate Committee on Transportation and International Affairs

Dear Chairman English and Members of the Senate Committee on Transportation and International Affairs,

Subject: **Support for SB4**

The State Highway Safety Council supports SB4, which would require all occupants, regardless of age to wear a seat belt. Tragically, 75% fatally injured victims who were back seat passengers were not wearing a seat belt at the time of the crash (9 out of the 12). Enforcement and compliance is easier for states that have a seat belt law that covers all ages and seating positions.

The State Highway Safety Council (SHSC) advises the DOT on matters relating to the programs and activities of the State in the field of highway safety. SHSC members include representatives from public, private, and all four counties.

Thank you for allowing us to testify.

Sincerely,
Kari Benes
Co-Chair State Highway Safety Council