

# STATE BUDGET WIPEOUT!

How motor vehicle crashes drain state budgets, and the ready-made solutions that can help states save money – and lives



**THE 2011 ROADMAP TO STATE HIGHWAY SAFETY LAWS**

**ADVOCATES**  
for Highway & Auto Safety



# 8<sup>TH</sup> ANNUAL ROADMAP TO STATE HIGHWAY SAFETY LAWS

## Advocates for Highway and Auto Safety (Advocates)

### State Budget Deficits Can Be Helped by Closing the Highway Safety Deficit—Saving Lives Will Save Taxpayer Dollars What Are Elected Officials Waiting For?

Much of the national discourse in recent years surrounding highway safety has focused on declining fatality numbers (just under 34,000 in 2009, down from 41,000 in 2007). While we all celebrate fewer deaths and injuries, there is no guarantee that the downward trend will continue. In the past 25 years, economic downturns have always resulted in decreased traffic fatalities and have always risen as the economy improves. Despite these recent reductions, annual costs to society from motor vehicle crashes remain at more than \$230 billion. Much of this cost is borne by states through Medicaid and other state medical charges. Some of these costs can be prevented by passing effective state traffic safety laws that both prevent and mitigate cost burdens. Unfortunately, state legislatures have dragged their feet by ignoring and failing to adopt many of the basic laws rated in Advocates' *Roadmap to State Highway Safety Laws*, and it's ironic that at the same time debates rage about keeping state treasuries solvent and finding ways to avoid tax increases and cut important programs.



One sure way to save state money is to create a strong traffic safety statutory framework upon which to rely for subsequent, effective enforcement and education programs. Where this obvious formula for success has been applied, many states over time have prevented the loss of tens of millions of dollars. In particular, Medicaid and other medical savings have been documented in states that improved their seat belt laws by allowing primary enforcement (see page 8). When California's all-rider motorcycle helmet law went into effect in 1992, there was a 40 percent drop in its Medicaid costs and total hospital charges for treatment of motorcycle riders.

Methods for quantifying cost savings through change in highway safety public policies have become increasingly sophisticated, providing helpful tools to advocates who need to convince state legislators and governors that they are overlooking an extremely cost-effective and immediate way to save taxpayers money.

What are the states waiting for? It has been 26 years since New York adopted a primary enforcement seat belt law, and in 2011, there are still 19 states without this lifesaving law. Many other costly gaps remain in proven laws addressing teen and impaired driving, child safety seat and motorcycle helmet use, and distracted driving.

Our urgent message to state elected leaders this year is straightforward. Answers to the budgetary crises are right in front of them: close highway safety law gaps that exist in your state and you will save lives, prevent injuries, and at the same time, score financial wins for constituents.

Judith Lee Stone, President



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# GLOSSARY OF ACRONYMS

**BAC** - Blood Alcohol Concentration

**CDC** - Centers for Disease Control and Prevention

**CMV** - Commercial Motor Vehicle

**DUI** - Driving Under the Influence

**DWI** - Driving While Intoxicated

**FARS** - Fatality Analysis Reporting System

**GDL** - Graduated Driver Licensing

**IID** - Ignition Interlock Device

**IHS** - Insurance Institute for Highway Safety

**MADD** - Mothers Against Drunk Driving

**NHTSA** - National Highway Traffic Safety Administration

**NTSB** - National Transportation Safety Board

**SADD** - Students Against Destructive Decisions

**STANDUP Act** - Safe Teen and Novice Driver Uniform Protection Act

**TBI** - Traumatic Brain Injury

**U.S. DOT** - United States Department of Transportation

# URGENT ACTION NEEDED TO IMPROVE HIGHWAY SAFETY

## The Problem

Driving an automobile is an American way of life. With over 4 million miles of roadway, Americans are afforded a significant degree of mobility. Yet this increased access offered by our nation's highway system comes with an enormous price tag – 5.5 million crashes annually resulting in almost 34,000 fatalities on average and 2.2 million injuries, at a cost to society of more than \$230 billion. Every day over 90 people are killed on America's streets and highways, while more than 6,000 are injured. Unfortunately, too many state legislatures are not taking proactive steps to change these numbers by enacting effective and proven highway safety laws.

## Key Facts About this Leading Public Health Epidemic:

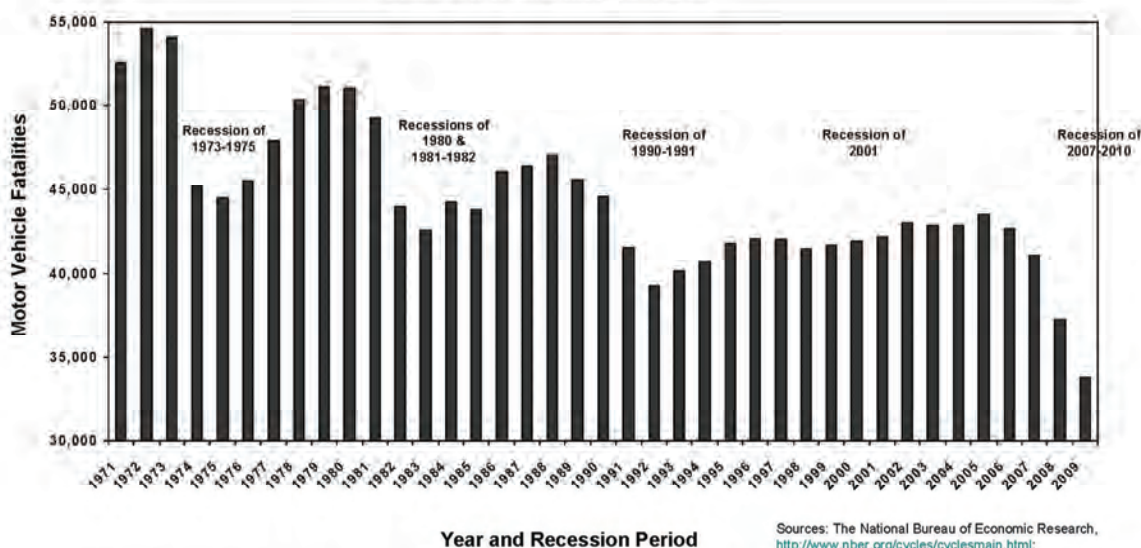
- 33,808 people were killed in motor vehicle crashes in 2009. Automobile crashes remain the leading cause of death for Americans between the ages of four and 34.
- More than 2.2 million people were injured in motor vehicle crashes in 2009.
- In 2009, more than half (53%) of passenger vehicle occupants killed were unrestrained.
- 11% of all drivers involved in fatal crashes in 2009 were teen drivers ages 15 to 20, resulting in 5,623 deaths.
- A total of 4,462 motorcyclists died in 2009, 16 percent fewer than in 2008. This was the first decline in motorcycle crash fatalities in over a decade. This death toll accounts for 13 percent of all fatalities. Only 20 states and the District of Columbia (DC) have all-rider helmet laws and, among them, 9 attempted repeal in 2010.
- 1,314 children ages 14 and younger were killed in motor vehicle crashes in 2009.
- 329 children ages four through seven were killed in motor vehicle crashes in 2009.
- An additional 362 new laws need to be adopted in all states and DC to fully meet Advocates' safety laws recommendations.
- The more than 5 million police-reported motor vehicle crashes in 2009 cost our nation more than \$230 billion in property and productivity losses, medical and emergency bills and other related costs. This adds up to a "crash tax" of *over \$750* for every American, every year.

## DROPS IN HIGHWAY DEATHS CORRELATE WITH ECONOMIC DOWNTURN

Historically, declines in traffic fatalities are correlated with reductions in economic activity and disruptions to the national economy. It is well documented that the economic impact of events such as high gas prices, extensive unemployment and recession are accompanied by large decreases in motor vehicle fatalities as a result of reduced exposure due to decreased discretionary driving and economic activity. The chart below indicates that at least since 1971, highway traffic deaths have temporarily declined each time the national economy has experienced a recession, only to increase again as the economy recovered.

### U.S. Recession Periods and Motor Vehicle Fatalities

Chart shows correlation between U.S. recessions and motor vehicle fatalities, 1971-2009.



In June 2010, the National Highway Traffic Safety Administration (NHTSA) issued a report that found “similar significant declines in fatalities were seen during the early 1980s and the early 1990s. Both of these periods coincided with significant economic recessions in the United States.” The NHTSA report goes on to document the association between the decline in fatalities, especially among younger drivers ages 16 to 24, and unemployment rates in major cities. “[L]arge fatality declines tended to coincide with areas that had higher increases in rates of unemployment.”

While it is encouraging when fewer fatalities occur on the nation’s roads under any circumstances, there are still over 33,000 people dying in motor vehicle-related crashes, year in and year out. It is incumbent upon the highway safety community and legislators in times such as these to work even more diligently to pass basic laws in every state.

Congressional leadership is critical and has been effective in encouraging state action with the adoption of federal sanctions. The potential withholding of federal highway construction funds – sanctions – has been an effective and successful means to expedite state passage of safety laws and to create a uniform, national safety policy. Over 20 years of legislative history has proven that when Congress reinforces the need for states to pass a lifesaving law by invoking sanctions, states consistently and promptly enact those life-saving laws. **It is important to point out that no state has ever lost a single dollar of federal highway funds as a result of a federal highway safety law sanction.**

## SAFETY LAWS REDUCE CRASH COSTS

Motor vehicle crashes impose a significant financial burden on society. According to the NHTSA, the total economic cost of motor vehicle crashes in 2000 was more than \$230 billion. Based on this, every American would pay an annual “crash tax” of over \$750.

Motor vehicle crashes in the year 2000:

- Resulted in \$81.2 billion in lost workplace and household productivity;
- Created \$32.6 billion in present and future medical costs;
- Totaled \$59 billion in property damage costs; and,
- Cost each critically injured survivor an average of \$1.1 million.

According to a study by the Centers for Disease Control and Prevention (CDC), in a one year period (2005), the cost of medical care and productivity losses associated with injuries from motor vehicle crashes exceeded \$99 billion.

### Annual Economic Cost of Motor Vehicle Crashes to States\*

STATE	(Billions \$)	STATE	(Billions \$)
AL	\$2.788	MT	\$.621
AK	\$.475	NE	\$1.629
AZ	\$4.272	NV	\$1.873
AR	\$1.965	NH	\$1.014
CA	\$20.655	NJ	\$9.336
CO	\$3.278	NM	\$1.413
CT	\$3.596	NY	\$19.490
DE	\$.706	NC	\$8.270
DC	\$.732	ND	\$.290
FL	\$14.403	OH	\$11.090
GA	\$7.850	OK	\$2.593
HI	\$.655	OR	\$1.948
ID	\$.856	PA	\$8.170
IL	\$8.984	RI	\$.767
IN	\$4.346	SC	\$3.335
IA	\$2.105	SD	\$.498
KS	\$1.884	TN	\$4.628
KY	\$3.114	TX	\$19.761
LA	\$4.000	UT	\$1.594
ME	\$.912	VT	\$.221
MD	\$4.237	VA	\$5.203
MA	\$6.276	WA	\$5.310
MI	\$8.069	WV	\$1.268
MN	\$3.065	WI	\$3.756
MS	\$2.106	WY	\$.424
MO	\$4.737	<b>Total</b>	<b>\$230.568</b>

*“The economic and personal costs of motor vehicle crashes are substantial and they are a drain on state budgets. Enacting highway safety laws prevents needless deaths and injuries as well as the needless expenditure of state dollars. In short, elected leaders can save lives and save taxpayer dollars by making our streets and highways safer.”*

John J. Cullerton,  
President of the Senate,  
Illinois General Assembly

\*These economic cost figures have not been updated since 2001.  
Source: NHTSA, The Economic Impact of Motor Vehicle Crashes, 2000

# MOTOR VEHICLE CRASHES NEEDLESSLY DRAIN STATE BUDGETS



While states struggle to balance their budgets, deal with debt and address other significant economic concerns, one obvious solution is within easy reach: adoption of highway safety laws that have been proven to reduce injury costs incurred in motor vehicle crashes. Every life lost in a car crash is devastating; crash injuries often result in exceedingly high costs to the state.

The National Governors Association and the National Association of State Budget Officers report that the significant reduction of revenue along with increased demand for services during the recession is reflected in the fact that there are big gaps between spending and revenue in state treasuries. State legislators charged with balancing budgets must make difficult cuts in important programs.

According to the Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, in 2005, nonfatal hospitalized injuries from motor vehicle crashes cost \$28 billion, and \$14 billion was associated with injured persons who were treated in emergency departments and released.

Nowhere are these gaps felt more than in Medicaid spending. The downturn in the economy resulted in significant increases in Medicaid enrollment, much like in previous economic slowdowns. With Medicaid comprising over 21 percent of state budgets, the long-term growth rates will continue to cause significant challenges, and spending is projected to increase faster than the economy as a whole. In 2009, 2.2 million people were injured throughout the nation in motor vehicle crashes. These injuries are further burdening state budgets when families who cannot afford long-term care and high medical bills associated with a severe injury turn to Medicaid for help. Highway safety laws prevent many of these costly crashes from happening in the first place, and mitigate those that do occur. Effective laws prevent the drain of millions of dollars from state coffers.

Data is clear that passing a primary enforcement seat belt law has a very positive impact. In 2007, the National Highway Traffic Safety Administration (NHTSA) studied the estimated minimum cost savings to a state's Medicaid budget if they implemented this law. See the chart below. Four states in the study – Arkansas, Colorado, Florida and Missouri, all without the law at that time – were shown to expect savings in the range of tens of millions of dollars with passage of a primary enforcement seat belt law.

The chart on the following page shows all medical costs, not just Medicaid spending, to each state (if available) for all nonfatal, hospital-admitted injuries resulting from motor vehicle crashes. The amounts are staggering, but instructive: there is no better time, from a financial, cost-effective perspective, to pass life-saving state highway safety laws than now.

	<b>Annual Cost of Motor Vehicle Crash Injuries to the State*</b>	<b>Estimated Savings of Upgraded Seat Belt Law over 10 Years*</b>
<b>AR</b>	\$23.8	\$11.1
<b>CO</b>	\$37.7	\$19.3
<b>FL</b>	\$83.3	\$43.2
<b>MO</b>	\$75.7	\$46.8

*\*in millions*  
Source: NHTSA

## MEDICAL COSTS OF NONFATAL, HOSPITAL ADMITTED MOTOR VEHICLE CRASH INJURIES BY STATE

*Year 2005 Dollars, Year 2003 Incidence*

<b>AL</b>	n/a	<b>IL</b>	\$164,969,400	<b>MT</b>	n/a	<b>RI</b>	\$30,962,400
<b>AK</b>	n/a	<b>IN</b>	\$128,997,900	<b>NE</b>	\$41,262,000	<b>SC</b>	\$207,691,900
<b>AZ</b>	\$181,054,400	<b>IA</b>	\$47,199,300	<b>NV</b>	\$99,540,600	<b>SD</b>	\$15,370,700
<b>AR</b>	n/a	<b>KS</b>	\$80,387,300	<b>NH</b>	\$29,134,100	<b>TN</b>	\$225,802,700
<b>CA</b>	\$1,717,673,400	<b>KY</b>	\$137,432,600	<b>NJ</b>	n/a	<b>TX</b>	\$589,505,300
<b>CO</b>	\$212,412,400	<b>LA</b>	n/a	<b>NM</b>	n/a	<b>UT</b>	\$58,487,800
<b>CT</b>	\$126,223,800	<b>ME</b>	\$29,249,300	<b>NY</b>	\$575,955,500	<b>VT</b>	\$8,507,300
<b>DE</b>	n/a	<b>MD</b>	\$108,715,300	<b>NC</b>	\$221,117,300	<b>VA</b>	\$158,727,400
<b>DC</b>	n/a	<b>MA</b>	\$173,633,700	<b>ND</b>	n/a	<b>WA</b>	\$186,210,600
<b>FL</b>	\$598,271,700	<b>MI</b>	\$246,198,300	<b>OH</b>	\$256,320,300	<b>WV</b>	\$35,714,100
<b>GA</b>	\$372,388,600	<b>MN</b>	\$124,559,700	<b>OK</b>	n/a	<b>WI</b>	\$176,192,500
<b>HI</b>	\$51,499,100	<b>MS</b>	n/a	<b>OR</b>	\$98,496,700	<b>WY</b>	n/a
<b>ID</b>	n/a	<b>MO</b>	\$289,261,000	<b>PA</b>	n/a		

Source: West Virginia University Injury Control Research Center

## LEGISLATIVE ACTIVITY IN 2010

States are failing to close important safety gaps because they have not adopted these lifesaving safety laws. While some new and innovative highway safety laws have been enacted during the last few years, several considered to be fundamental to highway safety are still missing in most states. For example, more states considered repealing all-rider motorcycle helmet laws in 2010 than passing them.

### Highway Safety Laws Enacted in 2010, In All State Legislatures\*

**Primary Enforcement of Seat Belts:** Georgia (eliminated pick-up truck exemption) and Kansas

**Booster Seats** (children ages 4 through 7): Colorado (upgraded to primary enforcement)

**Graduated Driver Licensing (GDL):** Alabama (passenger and cell phone restrictions), Georgia (cell phone restriction), Kentucky (cell phone restriction), Massachusetts (cell phone restriction), Michigan (nighttime and passenger restriction), Oklahoma (cell phone restriction), Vermont (cell phone restriction), and Washington (cell phone restriction)

**Impaired Driving:** Wisconsin (mandatory BAC testing for drivers who survived)

**All-Driver Text Messaging Restriction:** Delaware, Georgia, Kansas, Kentucky, Louisiana, Massachusetts, Michigan, Vermont, Washington, Wisconsin and Wyoming

*\*All-Rider Motorcycle Helmet Laws: No state enacted an all-rider law in 2010; however, there were 9 attempts (all unsuccessful) to repeal existing laws.*

New York enacted the nation's first primary enforcement seat belt law in 1984. Twenty-six years later, only 30 other states and DC have followed suit. Even with significant federal incentive grants available to states to enact primary enforcement seat belt laws, only **one state (KS) took advantage of these federal incentive funds to adopt a primary enforcement law in 2010.**

New York was also the first state to enact a motorcycle helmet law that covers all riders, in 1967. Today, only 19 other states and DC have such laws in place. **In fact, in 2010 there were attempts in 9 states to repeal existing all-rider motorcycle helmet laws. No state passed a new all-rider helmet law in 2010.**

In this report, Advocates' basis for choosing the 15 particular laws was derived from government and private research, crash data, and state experience with the laws. **An additional 362 new laws need to be adopted in all states and DC to fully meet Advocates' safety recommendations.**

- 19 states still need an optimal primary enforcement seat belt law;
- 30 states still need an optimal all-rider motorcycle helmet law;
- 23 states still need an optimal booster seat law;
- No state meets all the criteria of Advocates' recommended GDL program;
- 45 states and DC are missing one or more critical impaired driving laws; and,
- 24 states still need an all-driver text messaging restriction.

# KEY THINGS TO KNOW ABOUT THIS REPORT

## The Report is Divided into Five Issue Sections:

- Adult Occupant Protection
  - Primary Enforcement Seat Belts
  - All-Rider Motorcycle Helmets
- Child Passenger Safety
  - Booster Seats
- Teen Driving (GDL)
  - Minimum Age 16 for Learner's Permit
  - 6-Month Holding Period
  - 30-50 Hours Supervised Driving
  - Nighttime Driving Restriction
  - Passenger Restriction
  - Cell Phone Use Restriction
  - Age 18 for Unrestricted License
- Impaired Driving
  - Ignition Interlock Devices for All Offenders
  - Child Endangerment
  - Mandatory BAC Testing
  - Open Container
- Distracted Driving - All-Driver Text Messaging Restriction

In Advocates' judgment, the 15 state laws that are listed in the five sections are essential to save lives, prevent injuries, and reduce health care and other costs. They do not comprise the entire list of effective public policy interventions states should take to reduce motor vehicle deaths and injuries. Background information about each law is provided in the respective sections throughout the report.

States are rated only on whether they have adopted a specific law, not on other aspects or measures of an effective highway safety program. **A definition of each law as used by Advocates for purposes of this report can be found on pages 12-13.**

Each section has a state law chart, in alphabetical order, with each state's rating. These section ratings result in an overall rating, and **overall state ratings on pages 39-40** fall into three groupings:

**Green**

Good—State is significantly advanced toward adopting all of Advocates' recommended optimal laws;

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**Yellow**

Caution—State needs improvement because of gaps in Advocates' recommended laws; and,

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**Red**

Danger—State falls dangerously behind in adoption of Advocates' recommended laws.

# DEFINITIONS OF 15 LIFESAVING LAWS

(as defined by Advocates for purposes of this report)

Based on government and private research, crash data and states' experience, Advocates has determined the following traffic safety laws to be priorities in reducing motor vehicle deaths and injuries. States are only given full credit if their law meets the optimal provisions as defined below. Half credit is given to states with booster seat, some teen driving, and some impaired driving laws that only partially meet Advocates' definition. **Also please note that in addition to giving no credit if a state has no law in place, Advocates gives no credit for any law that is subject to secondary enforcement or to GDL laws that allow for an exemption based on driver education.**

## Adult Occupant Protection

**Primary Enforcement Seat Belt Law** - Allows law enforcement officers to stop and ticket the driver when they see a violation of the seat belt law. No other violation need occur first to take action. No state without this law may receive a "green" overall rating.

**All-Rider Motorcycle Helmet Law** - Requires all motorcycle riders, regardless of age, to use a helmet that meets U.S. Department of Transportation (U.S. DOT) standards or face a fine.

## Child Passenger Safety

**Booster Seat Law** - Requires, at a minimum, that children ages four through seven be placed in a child restraint system (booster seat) that is certified to meet U.S. DOT safety standards. States are given half credit for booster seat laws that do not cover children through age seven.

## Teen Driving

Graduated Driver Licensing (GDL) programs allow teenagers to learn to drive under lower risk conditions and consist of a learner's stage, an intermediate stage and an unrestricted driving stage. The learner's stage requires teenage drivers to complete a minimum number of months of adult-supervised driving in order to obtain a full license. The intermediate stage restricts teens from driving in high-risk situations for a specified period of time before receiving a full license. Advocates rates state GDL laws on seven key components shown by research and data analysis to be critical to safe teen driving:

**Learner's Stage: Minimum Age 16 for Learner's Permit** - A beginning teen driver is prohibited from obtaining a learner's permit until the age of 16. States have not been given credit if the law allows for a beginning driver to obtain a learner's permit before the age of 16.

**Learner's Stage: Six-Month Holding Period Provision** - A beginning teen driver must be supervised by an adult licensed driver at all times during the learner's stage. If the learner remains citation-free for six months, he or she may progress to the intermediate stage. States have not been given credit if the length of the holding period is less than six months, or if there is a reduction in the length of the holding period for drivers who take a driver education course.

**Learner's Stage: 30-50 Hours of Supervised Driving Provision** - A beginning teen driver must receive at least 30-50 hours of behind-the-wheel training with an adult licensed driver during the learner's stage. States have not been given credit if the number of required supervised driving hours is less than 30, or if there is a reduction in the required number of hours of supervised driving for drivers who take a driver education course.

**Intermediate Stage: Nighttime Driving Restriction Provision** - Unsupervised driving should be prohibited from at least 10 p.m. to 5 a.m. Half credit is awarded for nighttime restrictions that do not fully meet this criterion.

## DEFINITIONS OF 15 LIFESAVING LAWS (CONT.)

### Teen Driving (cont.)

**Intermediate Stage: Passenger Restriction Provision** - This provision limits the number of teenage passengers who may legally ride with a teen driver without adult supervision. The optimal limit is no more than one non-familial teenage passenger. Half credit is awarded for passenger restrictions that do not fully meet this criterion.

**Cell Phone Restriction** - This restriction prohibits all use of cellular devices (hand-held, hands-free and text messaging) by beginning teen drivers, except in the case of an emergency. States are only given credit if the provision lasts for the entire duration of the GDL program (both learner's and intermediate stages). Only half-credit is given to a state if the cell phone restriction does not include a ban on text messaging.

**Age 18 for Unrestricted License** - A teen driver is prohibited from obtaining an unrestricted license until the age of 18, and one or both of the nighttime and passenger restrictions must last until age 18. States have not been given credit if teen drivers can obtain an unrestricted license before the age of 18.

### Impaired Driving

**Ignition Interlock Devices (IID)** - This law mandates the installation of ignition interlock devices on the vehicles of convicted drunk driving offenders. Advocates has given full credit for laws that require the use of ignition interlock devices for all offenders, and half-credit for laws that require the use of ignition interlock devices only for repeat offenders. Several states (CO, IL and OR) have also been given credit for highly having laws that provide strong incentives for all offenders to use ignition interlock devices.

**Child Endangerment** - This law creates a separate offense or enhances an existing penalty for an impaired driving offender who endangers a minor. No credit is given if this law applies only to drivers who are under 21 years of age.

**Mandatory Blood Alcohol Concentration (BAC) Testing for Killed and Surviving Drivers** - These separate statutes require the BAC testing of a vehicle involved in a fatal crash regardless of whether the driver survived the crash or was killed in the crash. Full credit is given for laws that require both. Half-credit is given if a state requires testing in one case, but not both.

**Open Container** - This law prohibits open containers of alcohol in the passenger area of a motor vehicle. To comply with federal requirements, the law must: prohibit both possession of any open alcoholic beverage container and the consumption of alcohol from an open container; apply to the entire passenger area of any motor vehicle; apply to all vehicle occupants except for passengers of buses, taxi cabs, limousines or persons in the living quarters of motor homes; apply to vehicles on the shoulder of public highways; and, require primary enforcement of the law. State laws are counted in this report only if they are in compliance with the federal law and regulation.

**Distracted Driving - All-Driver Text Messaging Restriction** - This law prohibits all drivers from entering, reading or otherwise retrieving data from any handheld or electronic data communication device, except in the case of an emergency.



## PRIMARY ENFORCEMENT SEAT BELT LAWS

Seat belt use is the single most effective driver and passenger behavior that will reduce deaths in motor vehicle crashes. In 2009, 23,382 occupants of passenger vehicles were killed. Of the passenger vehicle occupant fatalities for which restraint use was known, 53 percent (of passenger vehicle occupants killed in traffic crashes) were not wearing seat belts. In 2010, the national use rate was 85 percent, a number that has risen only slightly in recent years.

All states except New Hampshire have seat belt use laws, but only 31 states and DC allow primary enforcement of their belt laws. In 2010, one state (KS) adopted a primary enforcement seat belt law, and Georgia upgraded their law to include pick-up trucks. In states with primary enforcement, law officers may ticket a driver if a passenger in the vehicle is not belted. In secondary enforcement states, police may issue a citation for seat belt non-use only after stopping the vehicle for a separate traffic infraction.

In states with primary enforcement laws, belt use rates are higher. A study conducted by 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 seven percent. Use levels are typically 10 to 15 percentage points higher than in secondary enforcement states. Drivers are more likely to buckle up because the perception is that they are going to be ticketed if they do not. See the chart below for lives saved by seat belt use vs. lives that could have been saved if belt use had been 100 percent.

Needless deaths and injuries that result from non-use of seat belts cost society an estimated \$26 billion annually in medical care, lost productivity and other injury-related costs.

A 2004 Lou Harris Poll found that four out of five Americans believe that seat belt use should be enforced like any other traffic violation. Unfortunately, 19 state legislatures have failed to act to fully upgrade their belt laws to primary enforcement.

Lives Saved vs. Lives that Could Have Been Saved by Seat Belts—By State (NHTSA, 2010)											
<i>States in red have laws that are subject only to secondary enforcement.</i>											
	Lives Saved	Could have been saved		Lives Saved	Could have been saved		Lives Saved	Could have been saved			
AL	307	82	IL	366	66	MT	74	38	RI	11	10
AK	30	7	IN	305	50	NE	75	32	SC	314	138
AZ	217	91	IA	159	27	NV	85	18	SD	39	28
AR	212	125	KS	139	75	NH	36	26	TN	351	152
CA	1365	147	KY	315	135	NJ	192	31	TX	1407	223
CO	163	68	LA	250	151	NM	173	38	UT	107	31
CT	77	24	ME	70	25	NY	456	101	VT	25	9
DE	40	13	MD	237	30	NC	580	125	VA	236	115
DC	4	0	MA	81	52	ND	55	25	WA	231	21
FL	726	266	MI	397	23	OH	326	128	WV	130	44
GA	476	130	MN	174	38	OK	267	109	WI	198	110
HI	17	2	MS	205	134	OR	195	15	WY	45	38
ID	92	40	MO	268	161	PA	404	120			

# Why Every State Should Pass a Primary Enforcement Seat Belt Law

## **Lives Saved -**

Seat belts saved the lives of an estimated 12,713 people over the age of four in 2009. An additional 3,688 lives could have been saved if all passenger vehicle occupants over age 4 had worn seat belts.

## **Money Saved -**

According to the Pacific Institute for Research & Evaluation, deaths and injuries that result from non-use of seat belts cost society an estimated \$60 billion annually in medical care, lost productivity and other injury related costs. Unbelted crash victims have medical bills that are 50 percent higher than belted victims — society bears 74 percent of the cost through increased insurance premiums, taxes, and health care costs.

## **Seat Belt Use Will Increase -**

States that have passed a primary enforcement law have seen dramatic increases in belt use rates. The seat belt use rate in Illinois rose from 74 percent in 2002 to 80 percent in 2003, after passage of a primary law. When Oklahoma upgraded its belt law to primary enforcement in 1997, the use rate increased from 48 percent in 1996 to 68 percent in 2001.

## **Protecting Children is Paramount -**

In 2009, there were 322 passenger vehicle occupant fatalities among children under age 4, and 31 percent of these children were unrestrained. There were 329 passenger vehicle occupant fatalities among children ages 4 to 7, and 22 percent were unrestrained. Children riding with unbelted adults are much less likely to be buckled up. When Louisiana adopted its primary enforcement seat belt law, child restraint use jumped from 45 to 82 percent, even though the state's child passenger safety law did not change.

## **Personal Choice and Individual Rights -**

“A primary enforcement seat belt law is no more intrusive of an individual’s freedom than any other law. As with other laws, for example, building and fire codes, it is the legitimate responsibility of government to provide for the protection of its citizens.” (NHTSA, 2006) The U.S. Supreme Court noted in 1972, “...from the moment of injury, society picks the person up off the highway; delivers him to a municipal hospital and municipal doctors; provides him with unemployment compensation if, after recovery, he cannot replace his lost job; and, if the injury causes disability, may assume the responsibility for his and his family’s continued subsistence.”

## **Concerns About Harassment -**

According to NHTSA’s 2003 Motor Vehicle Occupant Safety Survey, 67 percent of African-Americans and 74 percent of Hispanics supported primary enforcement of seat belt laws. Numerous before-and-after studies in Michigan, Maryland, Oklahoma, and other states that have passed primary enforcement laws show no increase in citation overrepresentation with minorities. However, the potential for harassment is an ongoing concern that is not limited to, nor created by, primary enforcement seat belt laws.

## **Federal Incentive Grants -**

Passage of federal legislation in 2005 created an incentive program for states that enact a primary enforcement law. Almost \$500 million in grant funds was available for fiscal years (FY) 2006-2009 under this program. Only 10 states (AK, AR, FL, GA, KS, KY, ME, MN, MS, and WI) passed laws and took advantage of this program. One state (IN) amended its existing law to meet federal requirements. Although some incentive grant money is still available, it has not motivated 19 other states to adopt primary enforcement.

## ALL-RIDER MOTORCYCLE HELMET LAWS

In 2009, 4,462 motorcycle riders were killed and 90,000 were injured. Before 2009, motorcycle crash fatalities increased every year for more than a decade. Head injury is the leading cause of death in motorcycle crashes. Studies from NHTSA show that fatality rates are exceeding increases in vehicle miles traveled and motorcycle registrations. Motorcyclists are highly overrepresented in traffic fatalities. In 2009, they represented 13 percent of total traffic fatalities, yet motorcycles comprised only 3 percent of all registered vehicles and accounted for 0.4 percent of all vehicle miles traveled. Motorcyclists are 37 percent more likely to die in a crash than a passenger vehicle occupant.

<b>States Without All-Rider Motorcycle Helmet Laws &amp; Lives that Could Have Been Saved in 2009 by 100 Percent Helmet Use (NHTSA, 2010)</b>	<b>AK</b>	1	<b>ID</b>	7	<b>MT</b>	7	<b>SC</b>	31
	<b>AZ</b>	25	<b>IL</b>	40	<b>NH</b>	5	<b>SD</b>	5
	<b>AR</b>	14	<b>IN</b>	33	<b>NM</b>	15	<b>TX</b>	104
	<b>CO</b>	23	<b>IA</b>	15	<b>ND</b>	3	<b>UT</b>	7
	<b>CT</b>	10	<b>KS</b>	12	<b>OH</b>	49	<b>WI</b>	21
	<b>DE</b>	3	<b>KY</b>	19	<b>OK</b>	30	<b>WY</b>	4
	<b>FL</b>	80	<b>ME</b>	7	<b>PA</b>	40		
	<b>HI</b>	8	<b>MN</b>	15	<b>RI</b>	5		

A 2004 Lou Harris Poll showed that eight of ten people believe their state should have an all-rider helmet law. NHTSA estimates that helmets saved the lives of 1,483 motorcyclists in 2009 and that 732 more in all states could have been saved if all motorcyclists had worn helmets. Despite these facts, in 2010, nine (9) states attempted to repeal their all-rider helmet law, while no state was successful in adopting a new one.

This year, the National Transportation Safety Board (NTSB) added all-rider motorcycle helmet laws to their Most Wanted List of Transportation Safety

Improvements for every state. While helmets will not prevent crashes from occurring, they have a significant, positive impact on preventing head and brain injuries in the event of a crash. Only in states with all-rider helmet laws is helmet use nearly 100 percent. Some critics of helmet laws cite motorcycle education programs as the answer, but research from the Insurance Institute for Highway Safety and others shows no evidence that motorcycle rider training reduces crash risk.

Helmet laws are the most effective countermeasure to prevent motorcycle rider fatalities, and they save money. In 1992, California's all-rider law went into effect resulting in a 40 percent drop in its Medicaid costs and total hospital charges for treatment of motorcycle riders. According to NHTSA, an estimated \$13.2 billion was saved from 1984 to 1999 because of motorcycle helmet use. An additional \$11.1 billion could have been saved if all motorcyclists had worn helmets.

According to NHTSA, almost 50 percent of motorcycle crash victims have no private health insurance, so their medical bills are often paid by taxpayers. As states have repealed their helmet laws, helmet use nationally has declined from 71 percent in 2000 to 67 percent in 2009.

Today, only 20 states and DC require all motorcycle riders to use a helmet. Twenty-seven states have laws that cover only some riders (i.e., up to age 18 or 21). These age-specific laws are nearly impossible for police officers to enforce and result in much lower helmet use. Three states (IL, IA and NH) have no motorcycle helmet use law. About two-thirds (64 percent) of the fatally injured motorcycle riders were not wearing a helmet in states without all-rider helmet laws compared to 14 percent in states with the law. In 1999, Louisiana repealed its all-rider helmet law and saw a 100 percent increase in motorcycle fatalities and a 50 percent drop in helmet use. Wisely, Louisiana reinstated its all-rider helmet law in 2004.

# Why Every State Should Pass an All-Rider Motorcycle Helmet Law

## **Helmet Laws Save Lives -**

According to the Brain Injury Association of America, head injury is a leading cause of death in motorcycle crashes. Motorcycle helmets are 37 percent effective in preventing motorcyclist deaths and 67 percent effective in preventing brain injuries. Motorcycle helmets saved the lives of 1,483 people in 2009. An additional 732 lives could have been saved if every motorcyclist had worn a helmet.

## **Helmet Laws Increase Use -**

Studies show that helmet use approaches 100 percent in states with all-rider motorcycle helmet laws. In states without all-rider laws, helmet use was 53 percent in 2002 and only 46 percent in 2005.

## **Age-Specific Laws Are Not Effective -**

According to the American Academy of Pediatrics, in states with youth-specific helmet laws, such laws have been shown to decrease helmet use and actually increase youth mortality compared with all-rider laws. Serious traumatic brain injury (TBI) among youth was 38 percent higher in states with age-specific laws only than in states with an all-rider law. There is also an increased probability of long-term TBI-related disability and in-hospital death after a motorcycle crash for youth in states with limited-age helmet laws. Age-specific helmet laws are virtually impossible to enforce and there is no evidence that these laws reduce deaths and injuries.

## **Fiscal Responsibility -**

Riders who do not wear helmets have higher health care costs as a result of their crash injuries and nearly half lack private insurance. The financial burden for treatment and care of uninsured motorcycle crash victims is placed on the government and taxpayers. In 2005, Maryland estimated that repeal of its all-rider helmet law would increase Medicaid expenditures by *\$1.2 million* in the first year and annually up to *\$1.5 million* thereafter.

## **The Public Overwhelmingly Supports Helmet Laws -**

According to a motor vehicle occupant survey conducted by NHTSA, 81 percent reported that they favored mandatory helmet use laws for motorcyclists. A 2004 Lou Harris poll commissioned by Advocates yielded the same results.

## **Alternatives are Costly and Ineffective -**

There is no scientific evidence that motorcycle rider training reduces crash risk and is an adequate substitute for an all-rider helmet law. A review conducted in 1996 by the Traffic Injury Research Foundation concluded that there is "no compelling evidence that rider training is associated with reductions in collisions." The Centers for Disease Control and Prevention and IIHS also support these claims. Only a motorcycle helmet will protect the head and brain of a rider who is involved in a crash despite any training or education.

## **Helmets Do Not Increase the Likelihood of Spinal Injury or Crash -**

Critics of helmet laws often cite a highly disputed study indicating the added weight of helmets causes neck and spinal injuries during crashes. More than a dozen peer-reviewed medical studies refute this claim. Long-standing, credible studies have determined that helmets reduce head injuries without increased occurrence of spinal injuries in motorcycle trauma. Studies also show that helmets do not restrict vision, interfere with hearing, or cause heat discomfort.

# ADULT OCCUPANT PROTECTION LAWS RATING CHART

## Primary Enforcement Seat Belt Laws and All-Rider Motorcycle Helmet Laws

Number of new Adult Occupant Protection laws since January 2010: Two Primary Enforcement (GA, KS), NO All-Rider Motorcycle Helmet Laws

	Primary Enforcement Seat Belt Law	All-Rider Motorcycle Helmet Law	Rating		Primary Enforcement Seat Belt Law	All-Rider Motorcycle Helmet Law	Rating
AL	●	●	●	MT			●
AK	●		●	NE		●	●
AZ			●	NV		●	●
AR	●		●	NH			●
CA	●	●	●	NJ	●	●	●
CO			●	NM	●		●
CT	●		●	NY	●	●	●
DE	●		●	NC	●	●	●
DC	●	●	●	ND			●
FL	●		●	OH			●
GA	●	●	●	OK	●		●
HI	●		●	OR	●	●	●
ID			●	PA			●
IL	●		●	RI			●
IN	●		●	SC	●		●
IA	●		●	SD			●
KS	●		●	TN	●	●	●
KY	●		●	TX	●		●
LA	●	●	●	UT			●
ME	●		●	VT		●	●
MD	●	●	●	VA		●	●
MA		●	●	WA	●	●	●
MI	●	●	●	WV		●	●
MN	●		●	WI	●		●
MS	●	●	●	WY			●
MO		●	●				

### Two states adopted a primary enforcement seat belt law in 2010.

Georgia upgraded their law by eliminating a pick-up truck exemption, and Kansas adopted the optimal law.

*Primary Enforcement Seat Belt Law* -- gives police authority to stop a motorist for not using a seat belt. No other traffic citation need be issued first in order to write such a ticket.

*19 states do not have primary enforcement seat belt laws, or their law is non-optimal.*

### No state adopted an all-rider motorcycle helmet law in 2009.

*All-Rider Motorcycle Helmet Law* -- protects all riders from death or serious injury by requiring helmet use. No credit was given to states with any exceptions in their helmet laws.

*30 states do not have all-rider helmet laws.*

**12 states have neither law. (AZ, CO, ID, MT, NH, ND, OH, PA, RI, SD, UT and WY).**

**13 states and DC have both laws (AL, CA, GA, LA, MD, MI, MS, NJ, NY, NC, OR, TN and WA).**

- = Optimal law
- = Good
- = Caution
- = Danger



## BOOSTER SEAT LAWS

Motor vehicle crashes are the leading cause of death for children four to fourteen years old. In 2009, 329 children ages four through seven died in motor vehicle crashes. According to Partners for Child Passenger Safety, a project of Children's Hospital of Philadelphia and State Farm Insurance, booster seats reduce the risk of injury by 45 percent in children ages four to eight, as compared to using seat belts alone. Most of the children in that age group are at increased risk of injury or death due to inappropriate restraint in adult seat belts or lack of any restraint use at all. Children in side-impact crashes benefitted the most from booster seats, showing a reduction in injury risk of 68 percent for near-side crashes and 82 percent for far-side crashes. A 2004 Harris poll found that 84 percent of Americans support all states having booster seat laws protecting children ages four to eight.



*Photo of Carlyne Chase, at age 5, sitting in a proper booster seat; courtesy of Catherine Chase.*

Booster seats are intended to provide a platform that lifts the child up off the vehicle seat in order to improve the fit of the adult seat belt. An improper fit of an adult belt can cause the lap belt to ride up over the stomach and the shoulder belt to cut across the neck, potentially exposing the child to serious abdominal and/or neck injury. If the shoulder strap portion of the lap/shoulder belt is uncomfortable, children will likely place it behind their backs, thereby defeating safety benefits of the system. When children are properly restrained in a child safety seat, booster, or seat belt, as appropriate for their age and size, their chance of being killed or seriously injured in a car crash is greatly reduced.

To date, 45 states and DC have enacted booster seat laws. Only 27 of those states and DC have laws that provide protection for children ages four through seven, as recommended by Advocates, NHTSA, and other child safety advocacy organizations. Seventeen states with booster seat laws cover children only up to age five, six or seven. Six states have no booster seat law at all, or their laws are not subject to primary enforcement. In this report, Advocates gives only half credit for laws that do not cover children through age seven. Ironically, although only a minority of states have effective laws in place to protect children four through seven years old from the leading cause of death for that age group, motor vehicle crashes, nearly every state (48 and DC) has a law requiring children to wear life jackets while boating to protect them from the third leading cause of preventable death - drowning.

# BOOSTER SEAT LAWS RATING CHART

Number of new Booster Seat laws since January 2010: One Optimal Booster Seat Law (CO).

	Booster Seat Law	Rating		Booster Seat Law	Rating
AL	○	●	MT		●
AK	●	●	NE	○	●
AZ		●	NV	○	●
AR	○	●	NH	○	●
CA	○	●	NJ	●	●
CO	●	●	NM	○	●
CT	○	●	NY	●	●
DE	●	●	NC	●	●
DC	●	●	ND	○	●
FL		●	OH		●
GA	○	●	OK	○	●
HI	●	●	OR	●	●
ID	○	●	PA		●
IL	●	●	RI	●	●
IN	●	●	SC	○	●
IA	○	●	SD		●
KS	●	●	TN	●	●
KY	○	●	TX	●	●
LA	○	●	UT	●	●
ME	●	●	VT	●	●
MD	●	●	VA	●	●
MA	●	●	WA	●	●
MI	●	●	WV	●	●
MN	●	●	WI	●	●
MS	○	●	WY	●	●
MO	●	●			

**One state adopted an optimal booster seat law in 2010:**

Colorado adopted the optimal law by upgrading to primary enforcement.

**27 states and DC have an optimal booster seat law.**

**17 states have a booster seat law that does not cover children through age 7.**

**6 states have yet to adopt any booster seat law, or the states' law only permits secondary enforcement.**

- = Optimal law
- = Law does not fully satisfy Advocates' recommendation (half-credit)
- = Good
- = Caution
- = Danger

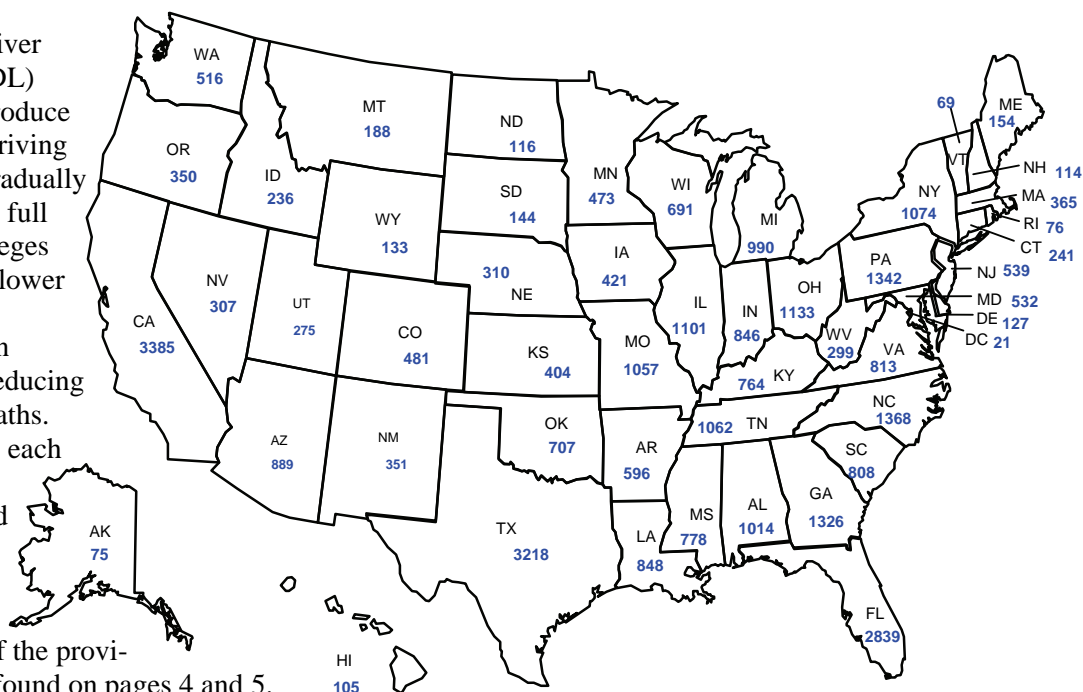


# TEEN DRIVING LAWS

## Motor Vehicle Crashes are the Number One Killer of American Teenagers

Teen drivers are far more likely than other drivers to be involved in fatal crashes because they lack driving experience and tend to take greater risks. According to NHTSA, 5,623 people were killed in crashes involving young drivers in 2009. Of that number, 2,336 were young drivers and 1,447 were passengers of young drivers. The remaining 1,840 victims were pedestrians, other drivers and passengers in the other vehicles involved in crashes with young drivers. **The map below shows the number of fatalities in motor vehicle crashes involving teen drivers ages 15 to 20 in every state from 2005-2009.**

Graduated driver licensing (GDL) programs introduce teens to the driving experience gradually by phasing in full driving privileges over time, in lower risk settings, and have been effective in reducing teen crash deaths. In this report, each of the seven recommended provisions is counted as a separate law. Definitions of the provisions can be found on pages 4 and 5.



Advocates supports the recommendations of NTSB that cell phone use by novice teen drivers is an unnecessary distraction and contributes to motor vehicle crashes. Research also confirms that the cognitive effects of talking on a cell phone can decrease situational awareness and slow reaction time.

In 2006, the Virginia Tech Transportation Institute and NHTSA released the results of a 100-car naturalistic driving study, in which the behavior of the drivers (many of them young) in 100 vehicles was tracked for more than one year using video and sensor devices. Researchers determined that nearly 80 percent of crashes and 65 percent of near-crashes involved some form of driver inattention within three seconds before the event; the most common distraction was the use of cell phones.

Cell phones have become an integral part of our everyday lives, especially for teens. Text messaging has become a more prominent issue when it comes to distracted teen drivers. In a 2007 study by Liberty Mutual Insurance Group and Students Against Destructive Decisions (SADD), 46 percent of teens admitted to text messaging while driving, even though 37 percent rated text messaging as “extremely” or “very distracting.”

The public supports GDL programs for teen drivers. According to a 2010 survey conducted by the Insurance Institute for Highway Safety, parents say they favor GDL laws as strict or stricter than exist in any state. More than half think the minimum licensing age should be 17 or older.

## Key Facts Regarding Teen Drivers

- In 2009, 5,623 people were killed in crashes involving young drivers ages 15-20; 2,336 of them were young drivers and 1,447 were passengers of teen drivers. (NHTSA, 2010)
- Fatal crash rates per mile driven are twice as high for 16 year olds as it is for 18-19 year olds. The greatest incidence (20 percent) of teenage motor vehicle crash deaths occur from 9pm to midnight. (IIHS, Fatality Facts 2008: Teenagers)
- In states that have adopted GDL systems, studies have found overall crash reductions among teen drivers of about 10-30 percent. (IIHS, 2010)
- Programs that included a mandatory waiting period, 30 hours of supervised driving, and passenger and nighttime restrictions were associated with reductions of 16-21 percent in fatal-crash involvement rates of 16-year-old drivers. (NHTSA, 2006)
- States with nighttime driving restrictions show crash reductions of up to 60 percent during restricted hours. (NHTSA, 2006)
- Fatal crash rates are 21 percent lower for 15-to-17 year old drivers when prohibited from having any teenage passengers in their vehicles, compared when two or more passengers were allowed. (IIHS, 2010)
- An analysis of fatal crash rates for drivers aged 15-to-17 in states with different minimum learner's permit and intermediate license ages found that as the age of obtaining a learner's permit decrease, fatal crash rates increase. The earlier young people are allowed to learn to drive, and the younger age at which they become licensed, are both factors associated with higher fatal crash rates. (IIHS, 2010)
- In 2009, more than half (52 percent) of the young drivers killed were unrestrained, where restraint use was known. (NHTSA, 2010)
- Twenty-eight percent of young drivers aged 15-20 who were killed in crashes in 2009 had a BAC of .08 percent or higher. (NHTSA, 2010)
- The estimated economic cost of police-reported crashes involving drivers between 15 and 20 years old was \$42.3 billion. (NHTSA, 2002)
- Studies in states over the last ten years have shown that in Michigan and North Carolina, which were considered among the country's most comprehensive GDL programs in 1997, crashes involving young drivers decreased by nearly 30 percent in each state. In Oregon, per-driver crash rates are nearly 50 percent less than in Ontario, Canada which has a less restrictive GDL intermediate stage. In California, teen passenger deaths and injuries resulting from young drivers declined by 40 percent in the first three years of the GDL program. (Journal of the American Medical Association, 2001; Mayhew, D., "Reducing the Crash Risk for Young Drivers", June 2006; Automobile Club of Southern California, 2001)
- In a 2008 survey of drivers between the ages of 16 and 61 conducted by Nationwide Insurance, teen drivers were the least likely to talk on a cell phone while driving compared to older age groups (62 percent), but they were among the most likely of the age groups to engage in text messaging while driving (36 percent). (Nationwide Insurance, May 2008) It is extremely alarming that text messaging increases the risk of a safety-critical driving event by 23.2 percent (Virginia Tech Transportation Institute, 2009).

# THE SAFE TEEN AND NOVICE DRIVER UNIFORM PROTECTION (STANDUP) ACT

The epidemic of teen driver crashes is a major threat to public health. In just the last five years, nearly 40,000 people in the United States were killed in crashes involving teen drivers. Government and independent research have conclusively shown the benefits of licensing laws that gradually introduce new teen drivers to the responsibility and skills of operating a motor vehicle. We know which novice teen driver laws work to reduce crashes and save lives. However, as you will see on page 26, GDL laws vary widely in strength and effectiveness from state to state. A national law is needed to close gaps in state laws and encourage states to upgrade weak GDL laws.

The Safe Teen And Novice Driver Uniform Protection (STANDUP) Act was proposed in the 111th Congress and is based on research showing the effectiveness of GDL laws, as well as on recommendations of the National Transportation Safety Board (NTSB), the Centers for Disease Control and Prevention (CDC), and other leading health and safety groups. Generally, the bill establishes minimum requirements for state GDL laws; promotes state adoption with incentive grant funds; and - after 3 years - imposes a sanction (financial penalty) to encourage states to meet those requirements. This approach is similar to the one Congress used to encourage all 50 states to adopt a Minimum 21 Drinking Age, a Zero Tolerance Blood Alcohol Concentration (BAC) law to combat underage drinking and driving, and a .08% BAC law. These laws are credited with saving more than 25,000 lives since their adoption. When this approach was used on those important traffic safety measures, every state acted and no state lost a single dollar of highway funds. Enactment of the STANDUP Act will produce similar positive results: stronger teen driving laws in every state and lives saved.

The STANDUP Act is supported by the Saferoads4Teens Coalition, a coalition of more than 110 national, state, and local groups representing consumer, health, safety, and medical organizations; teenagers and concerned parents; and the leading insurance companies and automotive representatives. To learn more and obtain current updates about reintroduction of the STANDUP Act in the 112th Congress and the Saferoads4teens Coalition, check the website at [www.saferoads4teens.org](http://www.saferoads4teens.org) and find the "Saferoads4teens Coalition" page on Facebook.



# TEEN DRIVING LAWS RATING CHART

**Number of New Laws Adopted Since January 2010:** One nighttime restriction (MI); Two passenger restriction provisions (AL, MI); Seven cell phone restrictions (AL, GA, KY, MD, MA, OK, VT, WA).

	Minimum Age 16 for Learner's Permit	6-Month Holding Period	30-50 Hrs. Supervised Driving	Nighttime Restriction	Passenger Restriction	Cell Phone Restriction	Age 18 Unrestricted License	Teen Driving Laws Rating		Minimum Age 16 for Learner's Permit	6-Month Holding Period	30-50 Hrs. Supervised Driving	Nighttime Restriction	Passenger Restriction	Cell Phone Restriction	Age 18 Unrestricted License	Teen Driving Laws Rating
AL		●		○	●	●		●	MT				○	●			●
AK		●	●	○	●	○		●	NE								●
AZ		●						●	NV							●	●
AR		●		○	●	○	●	●	NH			●	○	●	○		●
CA		●	●			○		●	NJ	●	●		○	●	●	●	●
CO		●	●			●		●	NM		●	●	○	●			●
CT	●		●	○	●	●	●	●	NY	●	●	●	●	●			●
DE	●	●	●	●	●	●		●	NC		●		●	●	●		●
DC	●	●	●	○	●	●	●	●	ND		●						●
FL		●	●	○			●	●	OH		●	●		●		●	●
GA		●	●			●	●	●	OK		●	●	●	●	○		●
HI		●	●	○	●			●	OR		●	●	○	●	●		●
ID		●	●	●	●			●	PA	●	●	●	○				●
IL		●	●	○	●	●	●	●	RI	●	●	●	○	●	●		●
IN		●	●	○	●	●	●	●	SC		●	●	●	○			●
IA		●		○		○		●	SD				●				●
KS		●	●	●	●	●		●	TN		●	●	○	●	●		●
KY	●	●	●	○		●			TX		●				●		●
LA		●	●	○				●	UT		●	●	○		○		●
ME		●	●	○	●	●		●	VT		●	●		●	●		
MD		●	●	○		○	●	●	VA		●	●				●	●
MA	●	●	●			●	●	●	WA		●	●			●		●
MI		●	●	●	●	○		●	WV		●		●	●	●		●
MN		●	●	○	●	●		●	WI		●	●	○	●	○		●
MS		●		○		○		●	WY			●	○	●	○		●
MO		●	●	○	●	○		●									

● = Optimal law ○ = Law does not satisfy Advocates' recommendation (half-credit)  
 ● = Good (At least 6 provisions) ● = Caution (at least 2 of 7 provisions) ● = Danger (Less than 2 provisions)



## IMPAIRED DRIVING LAWS

In 2009, 32 percent of all fatal crashes were alcohol-related, and 10,839 people were killed in alcohol-impaired driving crashes. Clearly, more needs to be done to reduce the number of impaired drivers on our roadways.

Impaired driving laws target a range of behavioral issues associated with alcohol consumption and operation of a motor vehicle on public roads.

Federal leadership in critical areas such as impaired driving has resulted in the rapid adoption of life-saving laws in states across the country. As a result of federal laws enacted with strong sanctions, all 50 states have adopted .08 percent BAC, a national 21 minimum drinking age, and zero tolerance BAC laws for youth.

Additionally, documented successes in reducing drunk driving have resulted from the enactment of laws requiring ignition interlock devices for convicted drunk drivers, child endangerment laws, open container laws and laws requiring mandatory BAC testing for drivers who either are killed or survive a crash in which a death occurs.

Four laws that Advocates considers crucial to reducing impaired driving are:

- **Ignition Interlock Devices for All Offenders**
- **Child Endangerment**
- **Mandatory BAC Test – Killed and  
Mandatory BAC Test – Surviving  
(considered as one law, for evaluation purposes)**
- **Open Container (that meets federal requirements)**

In the chart, states have been rated as:

- “Good” for having all four laws necessary for reducing drunk driving, or three laws including an optimal ignition interlock law.
- “Caution” for having at least two of the optimal laws, without an optimal ignition interlock law.
- “Danger” for having fewer than three of these lifesaving laws, with an optimal ignition interlock law.

## Ignition Interlock Device (IID) Laws

A breath alcohol ignition interlock device (IID) is a mechanism similar to a breathalyzer which is linked to a vehicle's ignition system. Its purpose is to deter an individual from driving the vehicle when there is a certain level of alcohol in the bloodstream. Before the vehicle can be started, the driver must breathe into the device. If the analyzed result is over a programmed blood alcohol concentration, commonly .02 percent or .04 percent, the vehicle will not start. At random times after the engine has been started, the IID will require another breath sample. This will prevent a friend or relative from breathing into the device to bypass the system, enabling the intoxicated person to get behind the wheel and drive away. If the breath sample is not provided, or the sample exceeds the ignition interlock's preset blood alcohol level, the device will log the event, warn the driver and then start up an alarm (e.g., lights flashing, horn honking, etc.) until the ignition is turned off.

A common misconception is that most people who are convicted of their first drunk driving offense are social drinkers who made a one-time mistake. However, studies have shown that the average first offender will have driven drunk 87 times before getting caught. Most states now permit judges to order the installation of an IID as a condition of probation, especially for repeat offenders.

In November 2006, Mothers Against Drunk Driving (MADD) announced a national campaign advocating mandatory IID installation including first and all offenders. In an effort to combat the nearly 11,000 deaths each year related to drunk driving, the campaign's goal is to apply new technology and tougher laws to deter drunk driving. In 2009, in a survey conducted by the Insurance Institute for Highway Safety (IIHS), 84 percent of respondents said ignition interlock devices are a good idea for convicted drunk drivers.

Advocates also has chosen to evaluate whether states' ignition interlock laws apply to all offenders. **Currently, IIDs are mandatory for first and all offenders in only ten (10) states (AK, AR, AZ, HI, LA, NE, NM, NY, UT, WA).** These state laws offer the most effective means for denying drunk drivers the opportunity to get behind the wheel. Full credit is given to states that require ignition interlock devices for all offenders, and half-credit for laws that require ignition interlock devices only for repeat offenders. **Colorado, Illinois and Oregon** have also received full credit for adopting these laws since they create strong incentives for the installation of ignition interlocks.



From a Walk Like MADD event, 2008. Courtesy of MADD.

## Child Endangerment Laws

In 2009, 1,314 children under age 14 were killed in motor vehicle crashes. Approximately 14 percent of these fatalities occurred in crashes involving alcohol. A national telephone survey sponsored by NHTSA in 1999 estimated that between 46 and 102 million drunk-driving trips are made each year with children under the age of 15 in the vehicle.

Child endangerment laws either create a separate offense or enhance existing Driving While Intoxicated (DWI) and Driving Under the Influence (DUI) penalties for people who drive under the influence of alcohol or drugs with a minor child in the vehicle. These drivers create a hazardous situation for themselves and for others on the road, and they also put a child – who rarely has a choice in who gets behind the wheel – in potentially serious danger.

While numerous states have existing child endangerment laws to address child abuse, many of these state laws are not clearly defined when it comes to impaired driving. Prosecution of child endangerment cases also requires the state to prove intent and overcome the defense that the act was unintentional. This additional burden in child endangerment cases frequently causes these cases to be dismissed during pre-trial negotiations. For this reason, driving while impaired with a child in the vehicle is rarely charged as child abuse. By creating a separate offense for driving impaired with a child in the vehicle, enforcement of the law is improved and public awareness is heightened.

In a study by the U.S. Centers for Disease Control and Prevention (CDC) on crashes involving impaired drivers published in 2000, they found that among over 5,000 child passenger deaths, more than 60 percent of the children who were killed were riding in the car driven by the impaired driver. Impaired drivers who transported a child who was killed in a crash were more likely to have had a prior license suspension or to have been previously convicted for driving while intoxicated. These problem drivers continue to take risks with their own lives, but also place at risk the life of a child.

Additionally, the CDC study found that only 18 percent of children who were killed in a crash while riding in the impaired driver's vehicle were properly restrained. In comparison, nearly 31 percent of children killed in a crash while riding with a non-impaired driver were properly restrained.

Child endangerment laws are enacted to encourage people to consider the consequences before they drive while impaired with a child in their vehicle. When adequately defined and properly enforced, child endangerment laws act as strong deterrents that protect children.

**Currently, 45 states and DC have enacted child endangerment laws that increase penalties for people who drive while impaired with children in their vehicle. Five (5) states need to enact such laws. No state enacted a child endangerment law in 2010.**

## **Mandatory Blood Alcohol Concentration (BAC) Test Laws For Drivers Killed in Fatal Crashes and For Drivers Who Survive Fatal Crashes**

To have a clear picture of alcohol-involved crashes, blood testing of drivers involved in a fatal crash is essential. There are generally two provisions of law that are needed for accurate and full reporting to the Fatality Analysis Reporting System (FARS) on impaired driving and crash fatalities: mandatory Blood Alcohol Concentration (BAC) testing for drivers who are killed in a fatal crash, as well as mandatory BAC testing for drivers who survive a crash in which a fatality has occurred. These laws require the collection of important data that can serve to increase awareness of drunk driving issues by improving the integrity of the data that are collected. They ensure a high level of testing, increase the likelihood of prosecution of impaired driving offenders, decrease the use of hospitals as “safe havens” for offenders to avoid prosecution and increase the deterrent to drink and drive by making detection increasingly likely. All of these benefits allow officials to determine the best policies and strategies to reduce impaired driving.

Unfortunately, data on deaths in crashes involving impaired drivers are incomplete because state laws have different requirements for testing drivers involved in crashes in which a fatality occurs. According to NHTSA’s latest data, only 24,389 (42 percent) of the drivers who were involved in a fatal crash in 2001 had BAC test results reported in FARS. In Texas, which only requires testing of surviving drivers involved in a fatal crash, only 1,175 (23 percent) of the 5,138 drivers involved in fatal crashes in 2001 had their BACs reported to FARS. These statistics are far too low and state laws are far too inconsistent on this subject to ensure accurate reporting.

In this report, Advocates considers both of these laws as a single criterion, (full credit if a state has both laws, half credit for one). Currently, 35 states require drivers who are killed in a fatal crash to be tested for the presence of alcohol. Fifteen (15) states and DC do not have this law. Thirty-nine (39) states and DC require that surviving drivers of a crash involving a death must have their BAC tested. Thirteen (13) states have no such provision.

**In total, 26 states require that both killed and surviving drivers be tested, and five states do not require BAC testing in either instance. One state (WI) upgraded to both laws in 2010.**

## Open Container Laws That Meet Federal Requirements

Drinking and driving is dangerous, deadly and destructive, and nearly 11,000 people died in impaired driving crashes on our nation's roadways in 2009. Studies have shown that open container laws are effective at deterring heavy drinkers from getting behind the wheel. States have also shown a significant decrease in hit-and-run crashes after adopting open container laws.

Congress passed legislation in 1998 establishing a program designed to encourage states to adopt laws that ban the presence of open containers of any kind of alcoholic beverage in the entire passenger area of a motor vehicle. To comply with the provisions set forth in federal law, the state's open container law must:



- Prohibit both possession of any open alcoholic beverage container and consumption of any alcoholic beverage in a motor vehicle;
- Cover the entire passenger area of any motor vehicle, including unlocked glove compartments and accessible storage areas;
- Apply to all alcoholic beverages including beer, wine, and spirits;
- Apply to all vehicle occupants except for passengers of buses, taxi cabs, limousines or persons in the living quarters of motor homes;
- Apply to vehicles on the shoulder of public highways; and,
- Require primary enforcement of the law.

Today, eleven (11) states do not comply with the federal statute. In an effort to encourage states to comply with the federal law, those states that are non-compliant have three percent of their annual federal transportation funds diverted to highway safety programs that fund alcohol-impaired driving countermeasures and law enforcement activities. This federal requirement is known as "redirection," and has been largely ineffective as an incentive for all states to enact strong open container laws.

On the impaired driving chart in this report, Advocates gives credit only if a state has enacted an open container law that is in compliance with the federal law. **Currently, 39 states and DC are in compliance. No state adopted a federally-compliant open container law in 2010.**

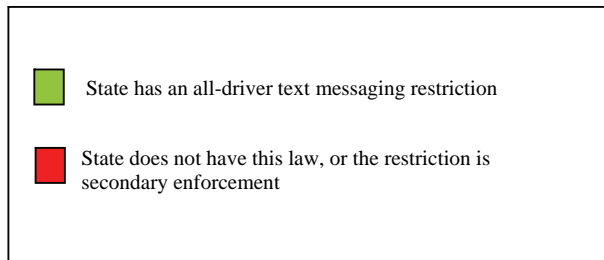
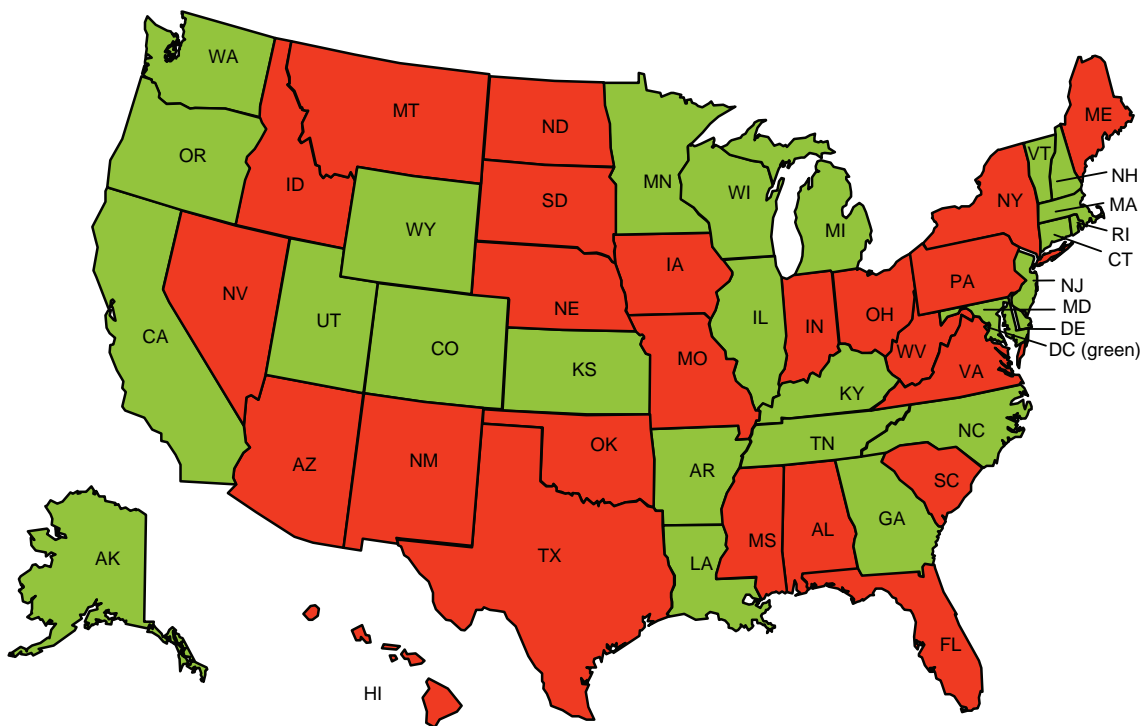
# IMPAIRED DRIVING LAWS RATING CHART

Number of new laws since January 2010: No child endangerment; One BAC testing (WI); No open container; and, no ignition interlock laws for all offenders.

	Ignition Interlocks for All Offenders	Child Endangerment	Mandatory BAC Test	Open Container	Impaired Driving Rating		Ignition Interlocks for All Offenders	Child Endangerment	Mandatory BAC Test	Open Container	Impaired Driving Rating
AL		●	○	●	●	MT	○	●	●	●	●
AK	●	●	○		●	NE	●	●	●	●	●
AZ	●	●	○	●	●	NV		●	●	●	●
AR	●	●	●		●	NH		●	●	●	●
CA		●	●	●	●	NJ	○	●	●	●	●
CO	●	●	●	●	●	NM	●			●	●
CT	○		●		●	NY	●	●	○	●	●
DE	○	●	○		●	NC	○	●	○	●	●
DC	○	●	○	●	●	ND		●	●	●	●
FL	○	●	●	●	●	OH		●	○	●	●
GA	○	●	●	●	●	OK	○	●	○	●	●
HI	●	●	●	●	●	OR	●	●	○	●	●
ID	○	●	○	●	●	PA	○	●	○	●	●
IL	●	●	●	●	●	RI		●		●	●
IN		●	○	●	●	SC	○	●	●	●	●
IA	○	●	○	●	●	SD			●	●	●
KS	○	●		●	●	TN	○	●	●		●
KY		●	●	●	●	TX	○	●	○	●	●
LA	●	●	●		●	UT	●	●	○	●	●
ME		●	●	●	●	VT			○	●	●
MD	○	●	●	●	●	VA		●			●
MA	○	●		●	●	WA	●	●	●	●	●
MI		●	○	●	●	WV	○	●	○		●
MN		●	●	●	●	WI		●	●	●	●
MS	○		●		●	WY	○	●	○		●
MO	○	●	●		●						

- = Optimal law
- = Law does not fully satisfy Advocates' recommendation (half-credit)
- = Good (4 laws, or 3 with an optimal ignition interlock law)
- = Caution (At least 2 laws, without an optimal ignition interlock law)
- = Danger (Fewer than 3 laws, without an optimal ignition interlock law)

# DISTRACTED DRIVING: ALL-DRIVER TEXT MESSAGING RESTRICTION



## ALL-DRIVER TEXT MESSAGING RESTRICTIONS



In 2009, 5,474 people were killed, and 448,000 injured, in crashes where driver distraction was reported to the police (NHTSA, 2010). It is clear from an increasing body of safety research, studies and data that the use of electronic devices for telecommunications (such as mobile phones and text messaging), telematics and entertainment can readily distract drivers from the driving task.

Research has also shown that because of the degree of cognitive distraction they cause, the behavior of drivers using mobile phones, whether hand-held or hands-free, is equivalent to the behavior of drunk drivers at the threshold of the legal limit (0.08 BAC). Crash risk is dramatic – as much as four times higher – when a driver is using a mobile phone, with no significant safety difference between hand-held and hands-free phones observed in many studies.

Text messaging while driving poses even greater dangers. A 2009 study from the Virginia Tech Transportation Institute found that text messaging increased the risk of a safety-critical driving event by 23.2 times. News reports of deadly crashes involving text messaging have become increasingly common.

Two national summits on distracted driving organized by U.S. Department of Transportation Secretary Ray LaHood were steps in the right direction, all the more effective because the first was immediately followed by President Obama's Executive Order banning federal employees from text messaging while driving on official business when using either a government vehicle or a government-supplied electronic communications device. In addition, Advocates filed a petition for rulemaking with the Federal Motor Carrier Safety Administration to restrict the use of electronic devices by commercial motor vehicle (CMV) operators while driving.

Research and education are not enough. We have learned from experience on many traffic safety issues, such as drunk driving and seat belt use, that public education based on research findings alone is not sufficient to change people's behavior. In order to get people to pay attention and to adopt safer behaviors, education must be combined with appropriate laws and tough enforcement. This is the tried and true method to change behavior in order to improve safety.

Advocates has given full credit to states that have an all-driver text messaging restriction. **To date, twenty-six (26) states and DC ban text messaging for all drivers. In 2010 alone, eleven (11) states adopted this law.**

# ALL-DRIVER TEXT MESSAGING RESTRICTIONS RATING CHART

**Number of new laws since January 2010:** 11 optimal all-driver text messaging restrictions (DE, GA, KS, KY, LA, MA, MI, VT, WA, WI, WY). *Iowa passed an all-driver text messaging restriction in 2010, but the law is subject to secondary enforcement only.*

	All-Driver Text Messaging Restriction	Rating		All-Driver Text Messaging Restriction	Rating
AL		●	MT		●
AK	●	●	NE		●
AZ		●	NV		●
AR	●	●	NH	●	●
CA	●	●	NJ	●	●
CO	●	●	NM		●
CT	●	●	NY		●
DE	●	●	NC	●	●
DC	●	●	ND		●
FL		●	OH		●
GA	●	●	OK		●
HI		●	OR	●	●
ID		●	PA		●
IL	●	●	RI	●	●
IN		●	SC		●
IA		●	SD		●
KS	●	●	TN	●	●
KY	●	●	TX		●
LA	●	●	UT	●	●
ME		●	VT	●	●
MD	●	●	VA		●
MA	●	●	WA	●	●
MI	●	●	WV		●
MN	●	●	WI	●	●
MS		●	WY	●	●
MO		●			

**26 states and DC have an optimal all-driver text messaging restriction.**

**24 states have yet to adopt an all-driver text messaging restriction, or their law is subject to secondary enforcement.**

- = Optimal law
- = Good
- = Danger

## OVERALL STATE RATINGS BASED ON TOTAL NUMBER OF LAWS

On the following pages, Advocates has given an overall rating to the states based on the number of laws in each state that are recommended in this report. Full credit was given only when the law met Advocates' optimal law recommendations; half credit was given for booster seat, three teen driving, and two impaired driving laws that partially met Advocates' recommendations.

The overall rating takes into consideration whether a state has a primary enforcement seat belt law. No state without a primary enforcement seat belt law is eligible for a Green rating no matter how many other laws it may have. This weighting is to emphasize the significance of primary enforcement seat belt laws in saving lives and reducing injuries.

**Please refer to page 10 and 11 for definitions of the 15 recommended lifesaving laws.**

<b>RATINGS CHART</b>		
<b>Color</b>	<b>Number of Points</b>	<b>Definition</b>
<b>Green</b>	10.5 to 15, with primary enforcement seat belt law, <i>or</i> 9, including both primary enforcement and all-rider helmet laws	State is significantly advanced toward adoption of all Advocates' recommended highway safety laws
<b>Yellow</b>	6 to 10, with primary enforcement seat belt law, <i>or</i> 7 to 13, without primary enforcement law	State is advancing but has numerous gaps in its highway safety laws.
<b>Red</b>	Fewer than 7, with no primary enforcement seat belt law	State falls dangerously behind in adoption of key laws.

# OVERALL RATING BASED ON NUMBER OF SAFETY LAWS

	Teen Driving Laws											Impaired Driving			Total Credit for Number of Laws 2009	Overall Safety Rating 2009	
	Primary Enforcement Seat Belt Law	All-Rider Motorcycle Helmet Law	Booster Seat Law	Minimum Age 16 for Learner's Permit	6 Mo. Holding Period	30-50 hrs. Supervised Driving	Nighttime Restriction	Passenger Restriction	Cell Phone Restriction	Age 18 for Full Licensure	Ignition Interlocks for All Offenders	Child Endangerment Law	Mandatory BAC Test	Open Container Law			All-Driver Text Messaging Restriction
Alabama	●	●	○		●		○	●	●			●	○	●		8.5	●
Alaska	●		●		●	●	○	●	○		●	●	○		●	9.5	●
Arizona					●						●	●	○	●		4.5	●
Arkansas	●		○		●		○	●	○	●	●	●	●		●	9.5	●
California	●	●	○		●	●			○			●	●	●	●	9	●
Colorado			●		●	●			●		●	●	●	●	●	9	●
Connecticut	●		○	●		●	○	●	●	●	○		●		●	9.5	●
Delaware	●		●	●	●	●	●	●	●		○	●	○		●	11	●
District of Columbia	●	●	●	●	●	●	○	●	●	●	○	●	○	●	●	13.5	●
Florida	●				●	●	○			●	○	●	●	●		8	●
Georgia	●	●	○		●	●			●	●	○	●	●	●	●	11	●
Hawaii	●		●		●	●	○	●			●	●	●	●		9.5	●
Idaho			○		●	●	●	●			○	●	○	●		7.5	●
Illinois	●		●		●	●	○	●	●	●	●	●	●	●	●	12.5	●
Indiana	●		●		●	●	○	●	●	●		●	○	●		10	●
Iowa	●		○		●		○		○		○	●	○	●		6.5	●
Kansas	●		●		●	●	●	●	●		○	●		●	●	10.5	●
Kentucky	●		○	●	●	●	○		●			●	●	●	●	10	●
Louisiana	●	●	○		●	●	○			●	●	●		●		9	●
Maine	●		●		●	●	○	●	●			●	●	●		9.5	●
Maryland	●	●	●		●	●	○		○	●	○	●	●	●	●	11.5	●
Massachusetts		●	●	●	●	●			●	●	○	●		●	●	10.5	●
Michigan	●	●	●		●	●	●	●	○			●	○	●	●	11	●
Minnesota	●		●		●	●	○	●	●			●	●	●	●	10.5	●
Mississippi	●	●	○		●		○		○		○		●			6	●
Missouri		●	●		●	●	○	●	○		○	●	●			8.5	●
Montana					●	●	○	●			○	●	●	●		7	●

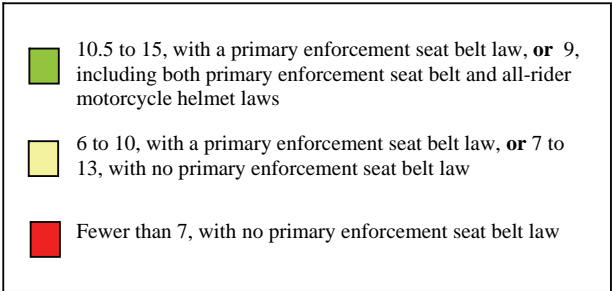
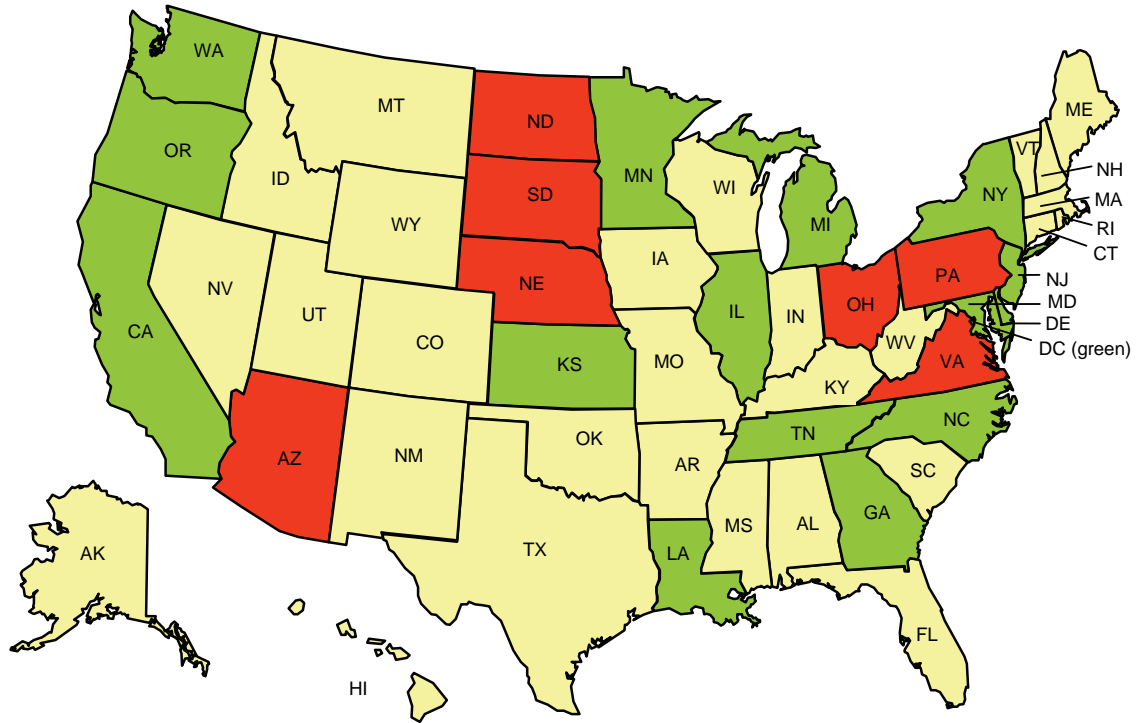
● = Optimal law (1 point)    ○ = Half credit given because law does not fully satisfy Advocates' recommendations (.5 point)

# OVERALL RATING BASED ON NUMBER OF SAFETY LAWS

	Teen Driving Laws										Impaired Driving				Total Credit for Number of Laws 2009	Overall Safety Rating 2009	
	Primary Enforcement Seat Belt Law	All-Rider Motorcycle Helmet Law	Booster Seat Law	Minimum Age 16 for Learner's Permit	6 Mo. Holding Period	30-50 hrs. Supervised Driving	Nighttime Restriction	Passenger Restriction	Cell Phone Restriction	Age 18 for Full Licensure	Ignition Interlocks for All Offenders	Child Endangerment Law	Mandatory BAC Test	Open Container Law			All-Driver Text Messaging Restriction
Nebraska		●	○		●						●	●	●	●		6.5	●
Nevada		●	○		●	●				●		●	●	●		7.5	●
New Hampshire			○			●	○	●	○			●	●	●	●	7.5	●
New Jersey	●	●	●	●	●		○	●	●	●	○	●	●	●	●	13	●
New Mexico	●		○		●	●	○	●						●		7	●
New York	●	●	●	●	●	●	●	●			●	●	○	●		11.5	●
North Carolina	●	●	●		●		●	●	●		○	●	○	●	●	11	●
North Dakota			○		●							●	●	●		4.5	●
Ohio					●	●		●		●		●	○	●		6.5	●
Oklahoma	●		○		●	●	●	●	○		○	●	○	●		9	●
Oregon	●	●	●		●	●	○	●	●		●	●	○	●	●	12	●
Pennsylvania				●	●	●	○				○	●	○	●		6.5	●
Rhode Island			●	●	●	●	○	●	●			●		●	●	9.5	●
South Carolina	●		○		●	●	●	○			○	●	●	●		8.5	●
South Dakota							●						●	●		3	●
Tennessee	●	●	●		●	●	○	●	●		○	●	●		●	11	●
Texas	●		●		●				●		○	●	○	●		7	●
Utah			●		●	●	○		○		●	●	○	●	●	8.5	●
Vermont		●	●		●	●		●	●				○	●	●	8.5	●
Virginia		●	●		●	●				●		●				6	●
Washington	●	●	●		●	●			●		●	●	●	●	●	11	●
West Virginia		●	●		●		●	●	●		○	●	○			8	●
Wisconsin	●		●		●	●	○	●	○			●	●	●	●	10	●
Wyoming			●			●	○	●	○		○	●	○		●	7	●
<b>Total Number with Optimal Law</b>	31+ DC	20+ DC	27+ DC	8+ DC	46+ DC	38+ DC	10	29+ DC	21+ DC	12+ DC	13	45+ DC	26	39+ DC	26+ DC		
<b>Total Number Missing Optimal Law</b>	19	30	23	42	4	12	40+ DC	21	29	38	37+ DC	5	24+ DC	11	24		

● = Optimal law (1 point) ○ = Half credit given because law does not fully satisfy Advocates' recommendations (.5 point)

# OVERALL RATING OF STATES BASED ON NUMBER OF SAFETY LAWS



# STATES AT A GLANCE

Each state and DC are graphically represented in alphabetical order with the following information:

- A list of the 15 optimal lifesaving laws that the state has not enacted, based on Advocates' definitions on pages 12-13 and discussed in this report.
- The number of people killed in motor vehicle crashes in each state for the year 2009, as reported by the National Highway Traffic Safety Administration (NHTSA).
- The annual economic cost of motor vehicle crashes to the state, as reported in *The Economic Impact of Motor Vehicle Crashes 2000* (NHTSA). (chart on page 7)
- The state's background color represents its overall rating (Green, Yellow or Red) based on the chart on pages 39 and 40 of this report.

## **States are credited with having laws only if their laws meet Advocates' optimal criteria (definitions on pages 12 and 13).**

- **Only 14 states and DC** (California, Delaware, Georgia, Illinois, Louisiana, Maryland, Michigan, Minnesota, New Jersey, New York, North Carolina, Oregon, Tennessee, Washington) **received a "Green" rating, showing significant advancement toward adopting all of Advocates' recommended optimal laws.**
- **29 states** (Alabama, Alaska, Arkansas, Colorado, Connecticut, Florida, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Maine, Massachusetts, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Mexico, Oklahoma, Rhode Island, South Carolina, Texas, Utah, Vermont, West Virginia, Wisconsin, and Wyoming) **received a "Yellow" rating, showing moderately positive performance but with numerous gaps still in their highway safety laws.**
- **7 states** (Arizona, Nebraska, North Dakota, Ohio, Pennsylvania, South Dakota and Virginia) **received a "Red" rating, indicating poor performance because of a dangerous lack of basic laws.**

### **Abbreviation Key (Explanation for Laws Needed):**

**S** = Highway Safety Law is **Secondary** Enforcement

(Advocates gives no credit for any law that is subject to secondary enforcement.)

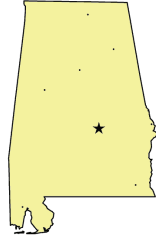
**DE** = **Driver Education** exemption included in the GDL provision

(Advocates gives no credit for any GDL provision that is exempted by driver education.)

## ALABAMA

2009 Fatalities: **848**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$2.79 Billion**



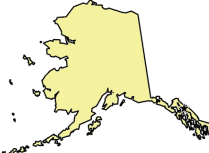
### Highway Safety Laws Needed in Alabama:

Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 30-50 Hours Supervised Driving Provision  
(Without DE Exemption)  
GDL - Stronger Nighttime Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law  
Mandatory BAC Test Law - Drivers Killed  
All-Driver Text Messaging Restriction

## ALASKA

2009 Fatalities: **64**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$475 Million**



### Highway Safety Laws Needed in Alaska:

All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Nighttime Restriction Provision  
GDL - Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Mandatory BAC Test Law - Drivers Killed  
Open Container Law

## ARIZONA

2009 Fatalities: **807**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$4.27 Billion**



### Highway Safety Laws Needed in Arizona:

Primary Enforcement Seat Belt Law  
All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 30-50 Hours Supervised Driving Provision  
(Without DE Exemption)  
GDL - Nighttime Restriction Provision  
GDL - Passenger Restriction Provision  
GDL - Cell Phone Restriction Provision (Without S)  
GDL - Age 18 Unrestricted License  
Mandatory BAC Test Law - Drivers Who Survive  
All-Driver Text Messaging Restriction

## ARKANSAS

2009 Fatalities: **585**






Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$1.97 Billion**



### Highway Safety Laws Needed in Arkansas:

All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 30-50 Hours Supervised Driving Provision  
GDL - Nighttime Restriction Provision  
GDL - Cell Phone Restriction Provision (Without S)  
Open Container Law

S = Secondary Enforcement DE = Driver Education

<p><b>CALIFORNIA</b></p> <p>2009 Fatalities: <b>3,081</b></p> <p>Annual Economic Cost Due to Motor Vehicle Crashes: <b>\$20.66 Billion</b></p>		<p><b>Highway Safety Laws Needed in California:</b></p> <ul style="list-style-type: none"> <li>Booster Seat Law Through Age 7</li> <li>GDL - Minimum Age 16 for Learner's Permit</li> <li>GDL - Nighttime Restriction Provision (Without S)</li> <li>GDL - Passenger Restriction Provision (Without S)</li> <li>GDL - Cell Phone Restriction Provision (Without S)</li> <li>GDL - Age 18 for Unrestricted License</li> <li>Ignition Interlock Law for All Offenders</li> </ul>
<p><b>COLORADO</b></p> <p>2009 Fatalities: <b>465</b></p> <p>Annual Economic Cost Due to Motor Vehicle Crashes: <b>\$3.28 Billion</b></p>		<p><b>Highway Safety Laws Needed in Colorado:</b></p> <ul style="list-style-type: none"> <li>Primary Enforcement Seat Belt Law</li> <li>All-Rider Motorcycle Helmet Law</li> <li>GDL - Minimum Age 16 for Learner's Permit</li> <li>GDL - Nighttime Restriction Provision (Without S)</li> <li>GDL - Passenger Restriction Provision (Without S)</li> <li>GDL - Age 18 for Unrestricted License</li> </ul>
<p><b>CONNECTICUT</b></p> <p>2009 Fatalities: <b>223</b></p> <p>Annual Economic Cost Due to Motor Vehicle Crashes: <b>\$3.60 Billion</b></p>		<p><b>Highway Safety Laws Needed in Connecticut:</b></p> <ul style="list-style-type: none"> <li>All-Rider Motorcycle Helmet Law</li> <li>Booster Seat Law Through Age 7</li> <li>GDL - 6-Month Holding Period Provision (Without DE Exemption)</li> <li>GDL - Stronger Nighttime Restriction Provision</li> <li>Ignition Interlock Law for All Offenders</li> <li>Child Endangerment Law</li> <li>Open Container Law</li> </ul>
<p><b>DELAWARE</b></p> <p>2009 Fatalities: <b>116</b></p> <p>Annual Economic Cost Due to Motor Vehicle Crashes: <b>\$706 Million</b></p>		<p><b>Highway Safety Laws Needed in Delaware:</b></p> <ul style="list-style-type: none"> <li>All-Rider Motorcycle Helmet Law</li> <li>GDL - Age 18 for Unrestricted License</li> <li>Ignition Interlock Law for All Offenders</li> <li>Mandatory BAC Test Law - Drivers Killed</li> <li>Open Container Law</li> </ul>
<p><b>DISTRICT OF COLUMBIA</b></p> <p>2009 Fatalities: <b>29</b></p> <p>Annual Economic Cost Due to Motor Vehicle Crashes: <b>\$732 Million</b></p>		<p><b>Highway Safety Laws Needed in Washington, D.C.:</b></p> <ul style="list-style-type: none"> <li>GDL - Stronger Nighttime Restriction Provision</li> <li>Ignition Interlock Law for All Offenders</li> <li>Mandatory BAC Test Law - Drivers Killed</li> </ul>

S = Secondary Enforcement    DE = Driver Education

## FLORIDA

2009 Fatalities: **2,558**

Annual Economic Cost Due to Motor Vehicle Crashes:  
**\$14.40 Billion**



### Highway Safety Laws Needed in Florida:

All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Passenger Restriction Provision  
GDL - Cell Phone Restriction Provision  
Ignition Interlock Law for All Offenders  
All-Driver Text Messaging Restriction

## GEORGIA

2009 Fatalities: **1,284**

Annual Economic Cost Due to Motor Vehicle Crashes:  
**\$7.85 Billion**



### Highway Safety Laws Needed in Georgia:

Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Nighttime Restriction Provision (Without S)  
GDL - Passenger Restriction Provision  
Ignition Interlock Law for All Offenders

## HAWAII

2009 Fatalities: **109**

Annual Economic Cost Due to Motor Vehicle Crashes:  
**\$655 Million**



### Highway Safety Laws Needed in Hawaii:

All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
All-Driver Text Messaging Restriction

## IDAHO

2009 Fatalities: **226**

Annual Economic Cost Due to Motor Vehicle Crashes:  
**\$856 Million**



### Highway Safety Laws Needed in Idaho:

Primary Enforcement Seat Belt Law  
All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
Mandatory BAC Test Law - Drivers Who Survive  
All-Driver Text Messaging Restriction

## ILLINOIS

2009 Fatalities: **911**

Annual Economic Cost Due to Motor Vehicle Crashes:  
**\$8.98 Billion**



### Highway Safety Laws Needed in Illinois:

All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision

S = Secondary Enforcement

## INDIANA

2009 Fatalities: **693**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$4.35 Billion**



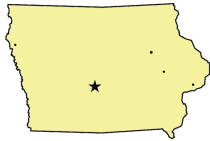
### Highway Safety Laws Needed in Indiana:

All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
Ignition Interlock Law  
Mandatory BAC Test Law - Drivers Killed  
All-Driver Text Messaging Restriction

## IOWA

2009 Fatalities: **372**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$2.11 Billion**



### Highway Safety Laws Needed in Iowa:

All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 30-50 Hours Supervised Driving Provision  
GDL - Stronger Nighttime Restriction Provision  
GDL - Passenger Restriction Provision  
GDL - Cell Phone Restriction Provision (Without S)  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
Mandatory BAC Test Law - Drivers Killed  
All-Driver Text Messaging Restriction (Without S)

## KANSAS

2009 Fatalities: **386**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$1.88 Billion**



### Highway Safety Laws Needed in Kansas:

All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
Mandatory BAC Test Law - Drivers Killed  
Mandatory BAC Test Law - Drivers Who Survive

## KENTUCKY

2009 Fatalities: **791**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$3.11 Billion**



### Highway Safety Laws Needed in Kentucky:

All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - Stronger Nighttime Restriction Provision  
GDL - Passenger Restriction Provision (Without S)  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law

## LOUISIANA

2009 Fatalities: **821**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$4.00 Billion**



### Highway Safety Laws Needed in Louisiana:

Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Passenger Restriction Provision  
GDL - Cell Phone Restriction Provision (Without S)  
GDL - Age 18 for Unrestricted License  
Open Container Law

S = Secondary Enforcement

## MAINE

2009 Fatalities: **159**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$912 Million**



### Highway Safety Laws Needed in Maine:

All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law  
All-Driver Text Messaging Restriction

## MARYLAND

2009 Fatalities: **547**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$4.24 Billion**



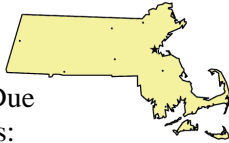
### Highway Safety Laws Needed in Maryland:

GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Passenger Restriction Provision  
GDL - Cell Phone Restriction Provision (Without S)  
Ignition Interlock Law for All Offenders

## MASSACHUSETTS

2009 Fatalities: **334**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$6.28 Billion**



### Highway Safety Laws Needed in Massachusetts:

Primary Enforcement Seat Belt Law  
GDL - Nighttime Restriction Provision (Without S)  
GDL - Passenger Restriction Provision (Without S)  
Ignition Interlock Law for All Offenders  
Mandatory BAC Test Law - Drivers Killed  
Mandatory BAC Test Law - Drivers Who Survive

## MICHIGAN

2009 Fatalities: **871**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$8.07 Billion**



### Highway Safety Laws Needed in Michigan:

GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law  
Mandatory BAC Test Law - Drivers Who Survive

## MINNESOTA

2009 Fatalities: **421**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$3.07 Billion**



### Highway Safety Laws Needed in Minnesota:

All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law

S = Secondary Enforcement

## MISSISSIPPI

2009 Fatalities: **700**

Annual Economic Cost Due to Motor Vehicle Crashes:  
**\$2.11 Billion**



### Highway Safety Laws Needed in Mississippi:

Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 30-50 Hours Supervised Driving Provision  
GDL - Stronger Nighttime Restriction Provision  
GDL - Passenger Restriction Provision  
GDL - Stronger Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
Child Endangerment Law  
Open Container Law  
All-Driver Text Messaging Restriction

## MISSOURI

2009 Fatalities: **878**

Annual Economic Cost Due to Motor Vehicle Crashes:  
**\$4.74 Billion**



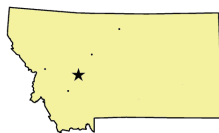
### Highway Safety Laws Needed in Missouri:

Primary Enforcement Seat Belt Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Stronger Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
Open Container Law  
All-Driver Text Messaging Restriction

## MONTANA

2009 Fatalities: **221**

Annual Economic Cost Due to Motor Vehicle Crashes:  
**\$621 Million**



### Highway Safety Laws Needed in Montana:

Primary Enforcement Seat Belt Law  
All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7 (Without S)  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
All-Driver Text Messaging Restriction

## NEBRASKA

2009 Fatalities: **223**

Annual Economic Cost Due to Motor Vehicle Crashes:  
**\$1.63 Billion**



### Highway Safety Laws Needed in Nebraska:

Primary Enforcement Seat Belt Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 30-50 Hours Supervised Driving Provision (Without DE Exemption)  
GDL - Nighttime Restriction Provision (Without S)  
GDL - Passenger Restriction Provision (Without S)  
GDL - Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
All-Driver Text Messaging Restriction (Without S)

S = Secondary Enforcement DE = Driver Education

## NEVADA

2009 Fatalities: **243**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$1.87 Billion**



### Highway Safety Laws Needed in Nevada:

Primary Enforcement Seat Belt Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Nighttime Restriction Provision (Without S)  
GDL - Passenger Restriction Provision (Without S)  
GDL - Cell Phone Restriction Provision  
Ignition Interlock Law  
All-Driver Text Messaging Restriction

## NEW HAMPSHIRE

2009 Fatalities: **110**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$1.01 Billion**



### Highway Safety Laws Needed in New Hampshire:

Primary Enforcement Seat Belt Law  
All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 6-Month Holding Period Provision  
GDL - Stronger Nighttime Restriction Provision  
GDL - Stronger Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law

## NEW JERSEY

2009 Fatalities: **583**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$9.34 Billion**



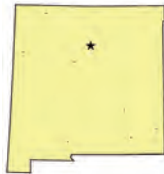
### Highway Safety Laws Needed in New Jersey:

GDL - 30-50 Hours Supervised Driving Provision  
GDL - Stronger Nighttime Restriction Provision  
Ignition Interlock Law for All Offenders

## NEW MEXICO

2009 Fatalities: **361**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$1.41 Billion**



### Highway Safety Laws Needed in New Mexico:

All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Nighttime Restriction Provision  
GDL - Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Child Endangerment Law  
Mandatory BAC Test Law - Drivers Killed  
Mandatory BAC Test Law - Drivers Who Survive  
All-Driver Text Messaging Restriction

## NEW YORK

2009 Fatalities: **1,156**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$19.50 Billion**



### Highway Safety Laws Needed in New York:

GDL - Cell Phone Restriction Provision (Without S)  
GDL - Age 18 for Unrestricted License  
(Without DE Exemption)  
Mandatory BAC Test Law - Drivers Killed  
All-Driver Text Messaging Restriction (Without S)

S = Secondary Enforcement DE = Driver Education

## NORTH CAROLINA

2009 Fatalities: **1,314**



Annual Economic Cost Due to Motor Vehicle Crashes:  
**\$8.27 Billion**

### Highway Safety Laws Needed in North Carolina:

GDL - Minimum Age 16 for Learner's Permit  
GDL - 30-50 Hours Supervised Driving Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
Mandatory BAC Test Law - Drivers Killed

## NORTH DAKOTA

2009 Fatalities: **140**



Annual Economic Cost Due to Motor Vehicle Crashes:  
**\$290 Million**

### Highway Safety Laws Needed in North Dakota:

Primary Enforcement Seat Belt Law  
All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 30-50 Hours Supervised Driving Provision  
GDL - Nighttime Restriction Provision  
GDL - Passenger Restriction Provision  
GDL - Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law  
All-Driver Text Messaging Restriction

## OHIO

2009 Fatalities: **1,021**



Annual Economic Cost Due to Motor Vehicle Crashes:  
**\$11.09 Billion**

### Highway Safety Laws Needed in Ohio:

Primary Enforcement Seat Belt Law  
All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7 (Without S)  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Nighttime Restriction Provision  
GDL - Cell Phone Restriction Provision  
Ignition Interlock Law  
Mandatory BAC Test Law - Drivers Who Survive  
All-Driver Text Messaging Restriction

## OKLAHOMA

2009 Fatalities: **738**



Annual Economic Cost Due to Motor Vehicle Crashes:  
**\$2.59 Billion**

### Highway Safety Laws Needed in Oklahoma:

All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
Mandatory BAC Test Law - Drivers Who Survive  
All-Driver Text Messaging Restriction

S = Secondary Enforcement

## OREGON

2009 Fatalities: **377**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$1.95 Billion**



### Highway Safety Laws Needed in Oregon:

GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Age 18 for Unrestricted License  
Mandatory BAC Test Law - Drivers Who Survive

## PENNSYLVANIA

2009 Fatalities: **1,256**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$8.17 Billion**



### Highway Safety Laws Needed in Pennsylvania:

Primary Enforcement Seat Belt Law  
All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7 (Without S)  
GDL - Stronger Nighttime Restriction Provision  
GDL - Passenger Restriction Provision  
GDL - Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
(Without DE Exemption)  
Ignition Interlock Law for All Offenders  
Mandatory BAC Test Law - Drivers Who Survive  
All-Driver Text Messaging Restriction

## RHODE ISLAND

2009 Fatalities: **83**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$767 Million**



### Highway Safety Laws Needed in Rhode Island:

Primary Enforcement Seat Belt Law  
All-Rider Motorcycle Helmet Law  
GDL - Stronger Nighttime Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law  
Mandatory BAC Test Law - Drivers Killed  
Mandatory BAC Test Law - Drivers Who Survive

## SOUTH CAROLINA

2009 Fatalities: **894**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$3.34 Billion**



### Highway Safety Laws Needed in South Carolina:

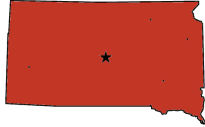
All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Passenger Restriction Provision  
GDL - Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
All-Driver Text Messaging Restriction

S = Secondary Enforcement    DE = Driver Education

## SOUTH DAKOTA

2009 Fatalities: **131**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$498 Million**



### Highway Safety Laws Needed in South Dakota:

Primary Enforcement Seat Belt Law  
All-Rider Motorcycle Helmet Law  
Booster Seat Law Through Age 7  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 6-Month Holding Period Provision  
(Without DE Exemption)  
GDL - 30-50 Hours Supervised Driving Provision  
GDL - Passenger Restriction Provision  
GDL - Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law  
Child Endangerment Law  
All-Driver Text Messaging Restriction

## TENNESSEE

2009 Fatalities: **989**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$4.63 Billion**



### Highway Safety Laws Needed in Tennessee:

GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
Open Container Law

## TEXAS

2009 Fatalities: **3,071**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$19.76 Billion**



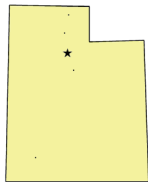
### Highway Safety Laws Needed in Texas:

All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 30-50 Hours Supervised Driving Provision  
GDL - Nighttime Restriction Provision (Without S)  
GDL - Passenger Restriction Provision (Without S)  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
Mandatory BAC Test Law - Drivers Killed  
All-Driver Text Messaging Restriction

## UTAH

2009 Fatalities: **244**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$1.59 Billion**



### Highway Safety Laws Needed in Utah:

Primary Enforcement Seat Belt Law  
All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Passenger Restriction Provision  
GDL - Stronger Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Mandatory BAC Test Law - Drivers Who Survive

**S** = Secondary Enforcement    **DE** = Driver Education

## VERMONT

2009 Fatalities: **74**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$221 Million**



### Highway Safety Laws Needed in Vermont:

Primary Enforcement Seat Belt Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Nighttime Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law  
Child Endangerment Law  
Mandatory BAC Test Law - Drivers Killed

## VIRGINIA

2009 Fatalities: **757**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$5.20 Billion**



### Highway Safety Laws Needed in Virginia:

Primary Enforcement Seat Belt Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Nighttime Restriction Provision (Without S)  
GDL - Passenger Restriction Provision (Without S)  
GDL - Cell Phone Restriction (Without S)  
Ignition Interlock Law for All Offenders  
Mandatory BAC Test Law - Drivers Killed  
Mandatory BAC Test Law - Drivers Who Survive  
Open Container Law  
All-Driver Text Messaging Restriction (Without S)

## WASHINGTON

2009 Fatalities: **492**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$5.31 Billion**



### Highway Safety Laws Needed in Washington:

GDL - Minimum Age 16 for Learner's Permit  
GDL - Nighttime Restriction Provision  
GDL - Passenger Restriction Provision  
GDL - Age 18 for Unrestricted License

## WEST VIRGINIA

2009 Fatalities: **356**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$1.27 Billion**



### Highway Safety Laws Needed in West Virginia:

Primary Enforcement Seat Belt Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 30-50 Hours Supervised Driving Provision  
(Without DE Exemption)  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
Mandatory BAC Test Law - Drivers Who Survive  
Open Container Law  
All-Driver Text Messaging Restriction

**S** = Secondary Enforcement    **DE** = Driver Education

## WISCONSIN

2009 Fatalities: **561**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$3.76 Billion**



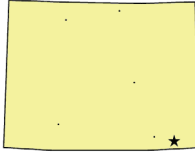
### Highway Safety Laws Needed in Wisconsin:

All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - Stronger Nighttime Restriction Provision  
GDL - Stronger Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law

## WYOMING

2009 Fatalities: **134**

Annual Economic Cost Due  
to Motor Vehicle Crashes:  
**\$424 Million**



### Highway Safety Laws Needed in Wyoming:

Primary Enforcement Seat Belt Law  
All-Rider Motorcycle Helmet Law  
GDL - Minimum Age 16 for Learner's Permit  
GDL - 6-Month Holding Period Provision  
GDL - Stronger Nighttime Restriction Provision  
GDL - Stronger Cell Phone Restriction Provision  
GDL - Age 18 for Unrestricted License  
Ignition Interlock Law for All Offenders  
Mandatory BAC Test Law - Drivers Killed  
Open Container Law

# SOURCE INFORMATION

*In developing this report, Advocates relied upon numerous research studies, statistical analyses, fact sheets and other public data. Additional information is available upon request.*

(listed in alphabetical order)

15-20 Year Old Passenger Vehicle Drivers Killed in Motor Vehicle Crashes by Year and Restraint Use, FARS 2009, National Highway Traffic Safety Administration (NHTSA).

Alcohol Involvement Among Drivers 15 to 20 Years Old Involved in Fatal Crashes, FARS 2009, NHTSA.

Arbogast, Kristy B., Jermakian, Jessica S., Kallan, Michael J., & Durbin, Dennis R., "Effectiveness of Belt Positioning Booster Seats: An Updated Assessment," *Pediatrics*, October 2009.

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## Organizations:

*Thanks to the many individuals and organizations whose websites and staff provided background and state law information for The 2011 Roadmap to State Highway Safety Laws.*

American Automobile Association (AAA) Foundation for Traffic Safety  
[www.aaafoundation.org](http://www.aaafoundation.org)

American Public Health Association (APHA)  
[www.apha.org](http://www.apha.org)

Brain Injury Association of America  
[www.biausa.org](http://www.biausa.org)

Federal Highway Administration  
[www.fhwa.dot.gov](http://www.fhwa.dot.gov)

Federal Motor Carrier Safety Administration  
[www.fmcsa.dot.gov](http://www.fmcsa.dot.gov)

Governors Highway Safety Association (GHSA)  
[www.ghsa.org](http://www.ghsa.org)

Insurance Institute for Highway Safety (IIHS)  
[www.iihs.org](http://www.iihs.org)

National Conference of State Legislatures (NCSL)  
[www.ncsl.org](http://www.ncsl.org)

National Safety Council  
[www.nsc.org](http://www.nsc.org)

National Transportation Safety Board (NTSB)  
[www.nts.gov](http://www.nts.gov)

Mothers Against Drunk Driving (MADD)  
[www.madd.org](http://www.madd.org)

National Highway Traffic Safety Administration (NHTSA)  
[www.nhtsa.dot.gov](http://www.nhtsa.dot.gov)

Students Against Destructive Decisions (SADD)  
[www.sadd.org](http://www.sadd.org)

Traffic Injury Research Foundation  
[www.trafficinjuryresearch.com](http://www.trafficinjuryresearch.com)

U.S. Centers for Disease Control and Prevention (CDC)  
[www.cdc.gov](http://www.cdc.gov)

Virginia Tech Transportation Institute  
[www.vtti.vt.edu](http://www.vtti.vt.edu)

West Virginia University Injury Control Research Center  
[www.hsc.wvu.edu/icrc](http://www.hsc.wvu.edu/icrc)

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## **ABOUT ADVOCATES**

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