

SAFETY LAW PILE UP

Why Congress and
the states must get
America back on the
road to highway
and auto safety



ADVOCATES
for Highway & Auto Safety

THE 2009 ROADMAP TO STATE HIGHWAY SAFETY LAWS

6TH ANNUAL ROADMAP TO STATE HIGHWAY SAFETY LAWS

The Wait Is Killing Us

In 2008:

- No state passed a primary enforcement seat belt law;
- No state passed an all-rider motorcycle helmet law, although 12 tried repeal, as fatalities more than doubled in 10 years;
- A few states adopted optimal booster seat laws protecting children through age 7;
- Of the 116 graduated driver licensing laws needed, only 4 were passed throughout the nation in 2008; and,
- Other than three ignition interlock laws, no state passed even one of our other basic impaired driving laws.



Only 11 laws out of 344 gaps in last year's Roadmap Report were adopted among all 50 States and the District of Columbia in 2008, half the number in 2007.

It's a very dangerous and deadly broken record and the wait is literally killing us. Another year has passed during which more than 41,000 people perished and millions suffered injuries in motor vehicle crashes on our nation's streets and highways. Advocates for Highway and Auto Safety (Advocates) reports, for the sixth year running, that state legislatures have obstructed adoption of proven highway safety laws and failed miserably at meeting this public health and safety epidemic.

Although death and injury numbers have declined somewhat in the last few years most likely due to the high price of gasoline and the economy, it is still urgent that all states provide a stronger safety net of uniform laws to safeguard against inevitable future increases and to make progress in reducing the overall, unacceptable annual death toll.

Little, if any improvement in seriously reducing motor vehicle deaths and injuries, exacerbated by the lack of progress in states to seriously promote passage of basic, lifesaving highway safety laws, necessitates Congressional action. Advocates calls on Congress to provide the legislative leadership and political resolve to attack this preventable public health crisis that is killing too many people year in and year out, and costing our society billions of dollars each year. As the economy falters, just over two years of car crashes costs this nation - its governments, its businesses and its families -- at least \$700 billion in health care and medical expenses, lost wages and productivity, property damage, and other social costs.

Congress can point to past successes in passing laws that resulted in all states adopting important impaired driving laws or be penalized federal-aid highway funding. The National Minimum 21 Drinking Age, Zero Tolerance BAC levels for young drivers, and .08 percent BAC laws have led to significant reductions in highway fatalities. In fact, a July 2008 report to Congress on teen driving crashes by the National Highway Traffic Safety Administration (NHTSA) credits the 21 drinking age law and zero tolerance BAC law with a 13 percent reduction in traffic fatalities involving drivers 18 to 20 years old. These two laws have saved an estimated 25,509 lives.

All three laws, with the political muscle of a sanction, resulted in every state adopting the law within a few years and no state losing a single dollar of highway funds. It is now time to apply this same successful and sensible approach to spur state adoption of critical highway safety laws.

The numbers are staggering, the solutions are obvious, and we can wait no longer for states to act.

Judith Lee Stone, President
January 2009

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KEY THINGS TO KNOW ABOUT THIS REPORT

Changes from Last Year's Report:

- Strengthened ratings of the states on optimal highway safety laws

The Report is Divided into Four Issue Sections:

- Adult Occupant Protection
 - Primary Enforcement Seat Belts
 - All-Rider Motorcycle Helmets
- Child Passenger Safety
 - Booster Seats
- Teen Driving
 - 6-Month Holding Period
 - 30-50 Hours Supervised Driving
 - Nighttime Driving Restriction
 - Passenger Restriction
 - Cell Phone Use Restriction
- Impaired Driving
 - Child Endangerment
 - High BAC
 - Mandatory BAC Testing
 - Open Container
 - Repeat Offender
 - Sobriety Checkpoints
 - Ignition Interlock Devices

In Advocates' judgment, the 15 laws that are listed in the four sections are essential for states to have to effectively 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. Explanations of each law are provided in the respective sections throughout the report.

States are rated only on whether they have a certain law, not on how they enforce their laws or educate their citizens, or on the number of statewide fatalities. A definition of each law, as defined by Advocates for purposes of this report, can be found on pages 4-5.

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 35-36 fall into three groupings:

Green

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

Yellow

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

Red

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

DEFINITIONS OF OPTIMAL CRITERIA IN 15 LIFESAVING LAWS

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 ignition interlock laws that only partially meet criteria, but fall short of optimal.

Adult Occupant Protection

Primary Enforcement Seat Belt Law - Allows law enforcement officers to stop and ticket someone 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" 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 if their booster seat law covers less than ages four through seven. No credit is awarded to a state if the booster seat law is secondary enforcement.

Teen Driving

Graduated Driver Licensing (GDL) systems 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 a teenage driver to complete a minimum number of months of adult-supervised driving before application for a full license. The intermediate stage restricts teens from driving in high-risk situations for a specified period of time after receiving a full license. Advocates rates states on five GDL component laws:

Learner's Stage: Six-Month Holding Period Provision - A beginning teen driver must be supervised by an adult licensed driver at all times. 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 there is a reduction in the holding period for drivers who take a drivers' education course, or if the number of holding period months is less than six.

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. States have not been given credit if there is a reduction in the required number of hours of supervised driving for drivers who take a drivers' education course, or if the number of required supervised driving hours is less than 30.

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 Advocates' optimal criteria. No credit is given if this provision is secondary enforcement.

Intermediate Stage: Passenger Restriction Provision - This provision limits the number of teenage passengers who ride with a teen driving 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 Advocates' optimal criteria. No credit is given if this provision is secondary enforcement.

15 LIFESAVING LAWS (CONT.)

Teen Driving (cont.)

Cell Phone Restriction - This restriction prohibits all use of cellular devices (both hand-held and hands-free) by beginning teen drivers, except in the case of 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. No credit is given if this provision is secondary enforcement.

Impaired Driving

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 is age specific, applying only to drivers who are under 18, or under 21 years of age.

High BAC - This law creates a separate, more severe offense or enhances the existing penalties for impaired drivers that are found to have a Blood Alcohol Concentration (BAC) of .15 percent or more, which is well over the maximum legal .08 percent BAC level.

Mandatory BAC Testing for Drivers Killed and Surviving Drivers - These separate statutes require any driver who was killed in, or who survived a fatal car crash to have his or her BAC tested. Half-credit is given if a state requires testing of either one, 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 and consumption of any open alcoholic beverage 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.

Repeat Offender - This law applies to drivers with previous impaired driving convictions. The state law must comply with federal requirements: a minimum one-year license suspension; mandatory motor vehicle impoundment or installation of an ignition interlock system; mandatory alcohol assessment; and, the establishment of an increasing mandatory minimum sentence for repeat offenders depending on subsequent offenses. State laws are counted in this report only if they are in compliance with the federal law.

Sobriety Checkpoints - This statute gives law enforcement officials authority to set up checkpoints for evaluation and signs of alcohol or drug impairment in drivers. Advocates defines a sobriety checkpoint program as one authorized by law and implemented by the state.

Ignition Interlock Devices (IID) - This law mandates the installation of ignition interlock devices on the vehicles of drunk driving offenders. Advocates has given full credit only to those states that require the use of ignition interlock devices for all offenders (first-time and repeat offenders), and half-credit for other IID laws.

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 pricetag – 6.2 million crashes annually resulting in over 41,000 fatalities, 2.5 million injuries, at a cost to society of an estimated \$230 billion. Every day an average of 115 people are killed on America's highways, while roughly 7,000 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:

- 41,059 people were killed in motor vehicle crashes in 2007. Automobile crashes remain the leading cause of death for Americans between the ages of four and 34.
- Nearly 2.5 million people were injured in motor vehicle crashes in 2007.
- In 2007, more than half (54%) of passenger vehicle occupants killed were unrestrained.
- 6,552 fatal crashes involving young drivers ages 15-20 occurred in 2007, resulting in 7,512 deaths.
- Motorcycle deaths increased for the tenth year in a row. A total of 5,154 motorcyclists died in 2007, the highest number since 1975. This rapidly escalating death toll now accounts for 13 percent of all fatalities. Only 20 states and the District of Columbia (DC) have all-rider helmet laws, and among them, 12 attempted repeal in 2008.
- 1,233 children and youth, ages eight through 15, were killed in motor vehicle crashes in 2007.
- 376 children ages four through eight were killed in motor vehicle crashes in 2007, and an additional 50,000 were injured.
- In 2008, only 11 states passed one or more of Advocates' key laws. Only 45 new highway safety laws were even introduced across 50 state legislatures and the Council of the District of Columbia. An additional **344** new laws need to be adopted in all states and DC to comply with Advocates' recommendations.
- The 6 million motor vehicle crashes in 2007 cost an estimated \$230 billion annually in property and productivity losses, medical and emergency bills and other related costs. This adds up to a "crash tax" of **\$792** for every American, every year.

PROGRESS IS SLOW AND SLOWING

United States annual fatalities have hovered at or above 40,000 for more than 15 years. While some new and innovative highway safety laws have been enacted during that time, several considered to be fundamental to highway safety are missing in most states, and the trend is downward. Two troubling examples are primary enforcement of seat belt use and all-rider motorcycle helmet laws.

Only 11 Optimal Highway Safety Laws Passed in 2008, Across All Legislatures

Primary Enforcement of Seat Belts: No state enacted a primary enforcement law in 2008.

Booster Seats (children ages 4 through 7): Maryland, Massachusetts, Michigan, Utah

Graduated Driver Licensing (GDL): Connecticut (supervised driving), Louisiana (supervised driving), Minnesota (passenger restriction), Virginia (supervised driving)

Impaired Driving: Alaska (ignition interlock device), Nebraska (ignition interlock device), Washington (ignition interlock device) No state enacted any of Advocates' other 6 basic laws.

All-Rider Motorcycle Helmet Laws: No state enacted an all-rider law in 2008; however, there were 12 (albeit unsuccessful) attempts to repeal existing laws.

New York enacted the nation's first primary enforcement seat belt law in 1984. Twenty-four years later, only 25 other states and DC have followed suit. Even with significant federal incentive grants available, **no state took advantage by adopting a primary enforcement law in 2008.**

New York was also the first state to enact a motorcycle helmet law that covers all riders, in 1967. Today, only 20 other states and DC have such laws in place. **In fact, in 2008 there were attempts in 12 states to repeal existing all-rider motorcycle helmet laws. No state passed a new all-rider helmet law in 2008. Motorcycle fatalities have more than doubled since 1997.**

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. Only 11 new laws recommended by Advocates were passed in 2008 among all 50 states and DC, a sharp decline from previous years. **An additional 344 new laws need to be adopted in all states and DC to comply with Advocates' recommendations.**

- **25 states still need an optimal primary enforcement seat belt law;**
- **30 states still need an optimal all-rider motorcycle helmet law;**
- **29 states still need to adopt an optimal booster seat law, one that covers children ages four through seven and does not allow secondary enforcement;**
- **49 states and DC do not protect teen drivers with Advocates' optimal GDL program; and,**
- **36 states and DC are missing more than one critical impaired driving law.**

SAFETY LAWS REDUCE COSTS

Motor vehicle crashes impose a significant burden on society. According to the National Highway Traffic Safety Administration (NHTSA), the total economic cost of motor vehicle crashes in 2000 was \$230.6 billion. Based on this, every American would pay an annual “crash tax” of \$792. These figures have not been updated since 2001, although NHTSA plans an update beginning in 2009.

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.

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	Total	\$230.568

"Passing highway safety laws is not only socially responsible, it's fiscally prudent."

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

NHTSA: The Economic Impact of Motor Vehicle Crashes, 2000

SAFETY SOLUTIONS ARE AVAILABLE NOW

When Congress Acts, States React, Laws are Passed, and Lives are Saved

"Highway safety laws are highly effective public health interventions that shield motor vehicle occupants from death and injury in crashes."

Linda C. Degutis, DrPH, Yale University School of Medicine,
and Immediate Past President, American Public Health Association

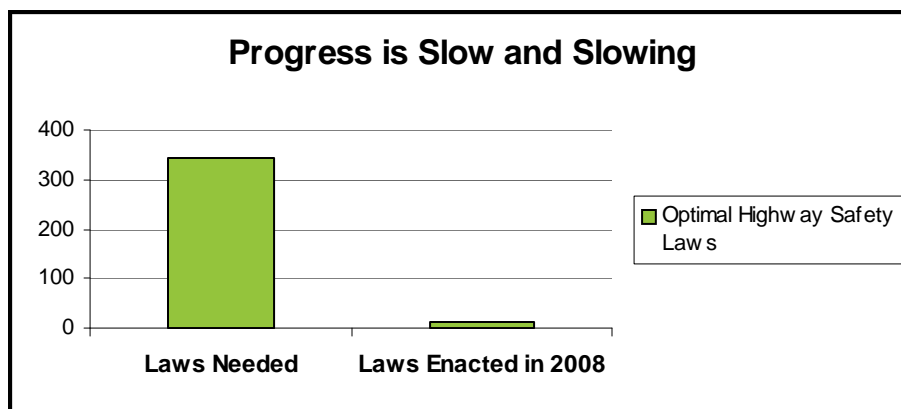
The lack of significant progress in reducing highway deaths and injuries coupled with the unacceptable delays in state legislatures to enact essential lifesavings laws requires federal leadership to break the gridlock.

At critical times in the past 30 years when proven public health interventions were ignored or rejected by states, Congress and the White House exhibited bi-partisan leadership to bring about uniformity in state laws. In 1984 Congress passed the National Minimum 21 Drinking Age; in 1995, the Zero Tolerance BAC Law for underage drinking and driving; and in 2001, the .08 percent BAC law. All of these laws require states to act within a reasonable time frame or be penalized federal aid highway construction dollars. In each instance, every state passed the law and not one state lost federal highway dollars. Many thousands of lives have been saved and serious injuries prevented over the years because Congress acted reasonably and responsibly even with strong state opposition.

We are at a crossroads again. While some elected state representatives and governors have tried to push passage of safety laws, the pace is too slow, the political obstacles too large, and the problem too great to wait 10, 20, or 30 more years when millions of lives are affected. Incentive grants alone are not working and there is an urgent need for bold action and leadership in Congress.

In 2009, Congress will take up a must-pass, multi-year, multi-billion dollar surface transportation bill. It is frequently referred to as the SAFETEA-LU Act (Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users). During the 5-year authorization period of SAFETEA-LU it is expected that more than 200,000 people will die on our highways and nearly 13 million more will be injured, despite the largest financial investment in our nation's surface transportation system history.

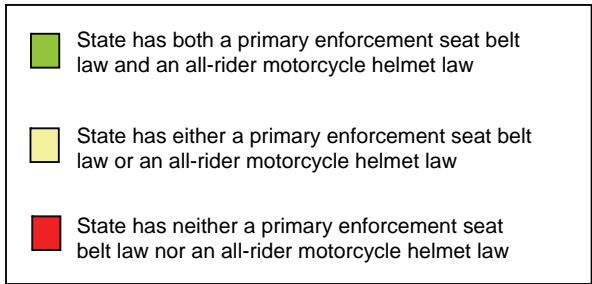
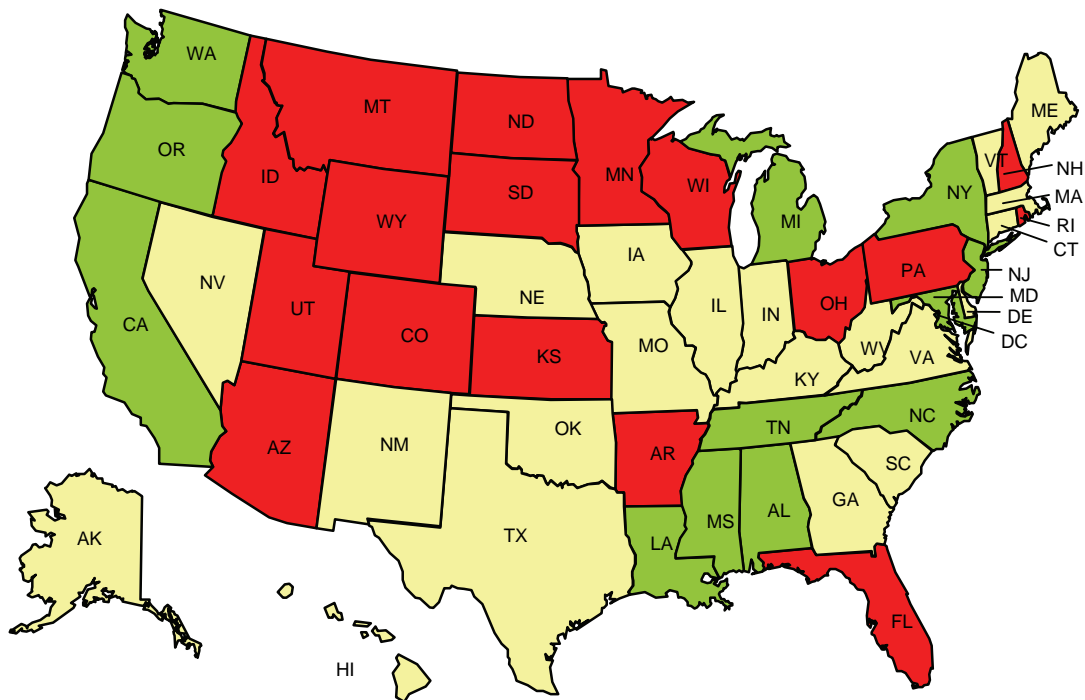
Any progress in achieving significant reductions in motor vehicle deaths and injuries requires Congress to address this tragic and unnecessary mortality and morbidity toll. We can't wait any longer and 2009 is the year for federal action.



ADULT OCCUPANT PROTECTION

Primary Enforcement Seat Belt Laws

All-Rider Motorcycle Helmet Laws



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 2007, 54 percent of passenger vehicle occupants killed in traffic crashes were not wearing seat belts. The national use rate is currently 83 percent, a number that has been largely static for several years.

All states except New Hampshire have seat belt use laws, but only 25 states (AK, AL, CA, CT, DE, HI, IL, IN, IA, KY, LA, MD, ME, MI, MS, NJ, NM, NY, NC, OK, OR, SC, TN, TX, WA) and DC allow primary enforcement of their belt laws with no major exemptions.* In states with primary enforcement, law officers may ticket a non-belt user when they see a violation of the seat belt law.

In secondary enforcement states, police may issue a citation only after stopping the vehicle for another 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.

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, 25 state legislatures have failed to act to fully upgrade their belt laws to primary enforcement, making it legal for police to do so.

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

States listed are all those with secondary belt use laws.
Source: NHTSA

*Georgia is often counted as a primary enforcement state, but their exemption for pick-up trucks resulted in a lower grade this year in Advocates' rankings.

Why Every State Should Pass a Primary Enforcement Seat Belt Law

Lives Saved -

In the U.S., motor vehicle crashes claim one fatality every 13 minutes and one injury every 12.7 seconds. Motor vehicle crashes are the leading cause of death and injury for all Americans ages four through 34. In 2007, 41,059 Americans were killed and about 2.5 million were injured, at a cost of \$230 billion. Seat belts saved the lives of 15,147 people over the age of four in 2007. An additional 5,024 lives could have been saved if every person involved in a fatal crash had worn a seat belt.

Money Saved -

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. Unbelted crash victims have medical bills 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 -

Six out of ten children who died in passenger vehicle crashes in 2002 were unbelted (National Safety Council). Children riding with unbelted adults are much less likely to be buckled up. When Louisiana adopted its primary enforcement 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 are Available -

Passage of federal legislation in 2005 created an incentive program for states that enact a primary enforcement law. Almost \$500 million in grant funds is available in fiscal years (FY) 2006-2009 under this program. To date, only four states (AK, MS, KY and ME) have taken advantage of this program. One state (IN) amended its existing law to meet federal requirements.

ALL-RIDER MOTORCYCLE HELMET LAWS

In 2007, 5,154 motorcycle riders were killed, a seven percent increase from 2006, and an increase for the tenth year in a row. Studies from NHTSA show that fatality rates are exceeding increases in vehicle miles traveled and motorcycle registrations. Motorcycles made up nearly 3 percent of all registered vehicles and accounted for only 0.4 percent of all vehicle miles traveled in 2006. Yet motorcyclists accounted for 13 percent of total traffic fatalities in 2007. 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 1,784 motorcyclists in 2007. Despite these facts, in 2008, 12 states attempted to repeal their all-rider helmet law, while virtually no state is working toward adopting a new one.

Helmet use is the most effective measure to protect motorcyclists in a crash. In 2007, the National Transportation Safety Board recommended that all states adopt an all-rider helmet law. In states with all-rider helmet laws, use is nearly 100 percent. While helmets will not prevent crashes from occurring, they have a significant, positive impact on preventing head and brain injuries during crashes. 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.

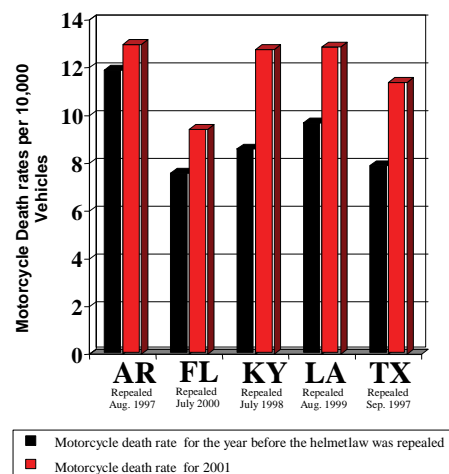
According to NHTSA, almost 50 percent of motorcycle crash victims have no private health insurance, so their medical bills are often paid by taxpayers. As states have repealed their helmet laws, helmet use nationally has declined from 71 percent in 2000 to 58 percent in 2007, with deaths and traumatic brain injuries rising.

Helmet laws work. 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.

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 (63%) 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 them. In 2004, Louisiana reinstated its all-rider helmet law after repealing it in 1999 and seeing a 100 percent increase in motorcycle fatalities and a 50 percent drop in helmet usage. In 2008, safety groups successfully fought off another repeal effort using data that proved repealing the law would again result in a dramatic rise in deaths, injuries and costs to the state.

MOTORCYCLE DEATH RATES

in
5 STATES BEFORE AND AFTER HELMET LAW REPEALS



Source: Data from the National Highway Traffic Safety Administration's Fatality Analysis Reporting System, 1996 -2001.

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. An additional 800 lives could have been saved had every motorcyclist worn a helmet in 2007.

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 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 a 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.

Fatalities and Injuries are Climbing -

In 2007, 5,154 motorcycle riders died in crashes, and over 100,000 were injured. Motorcycle fatalities are at their highest level in 20 years, and now account for 13 percent of all annual fatalities, even though motorcycles represent nearly 3 percent of all registered vehicles and accounted for only 0.4 percent of all vehicle miles traveled.

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 also supports these claims.

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

Critics of helmet laws often cite a highly disputed study by J.P. Goldstein indicating the added weight of helmets cause neck and spinal injuries during crashes. More than a dozen peer-reviewed medical studies have refuted this claim. A study reported in the Annals of Emergency Medicine in 1994 analyzed 1,153 motorcycle crashes in four states and determined that helmets reduce head injuries without an 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 2008: NO Primary Enforcement, NO All-Rider Motorcycle Helmet Law

	Primary Enforcement Seat Belt Law	All-Rider Motorcycle Helmet Law	Adult Occupant Protection Law Rating		Primary Enforcement Seat Belt Law	All-Rider Motorcycle Helmet Law	Adult Occupant Protection 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		●	●				

No state adopted a primary enforcement seat belt law in 2008.

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.

25 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 2008.

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.

17 states have neither law. (AZ, AR, CO, FL, ID, KS, MN, MT, NH, ND, OH, PA, RI, SD, UT, WI and WY).

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

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

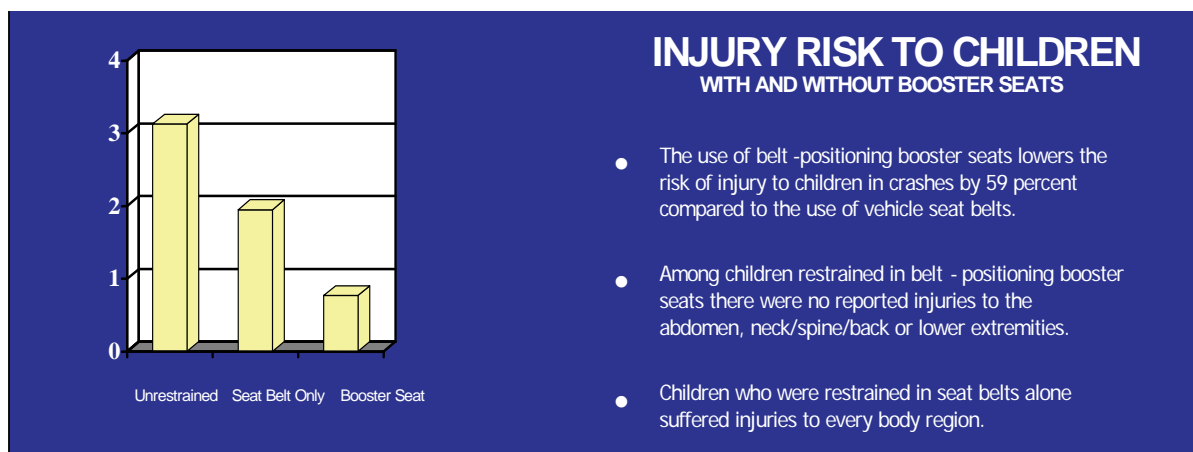
BOOSTER SEAT LAWS

In 2007, 376 children ages four through seven died and 50,000 others were injured 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 59 percent in children ages four through seven, 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 at all. A 2004 Harris poll found that 84 percent of Americans support all states having booster seat laws protecting children ages 4 to 8.

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, 42 states and DC have enacted booster seat laws. Only 21 of those states and DC have laws that provide protection for children ages four through seven, as recommended by Advocates, NTSB, NHTSA, and other child advocacy organizations. Twenty-one states with booster seat laws cover children only up to age five, six or seven. Eight 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 to those states whose laws do not cover children through age seven. Ironically, nearly every state (48) has a law requiring children to wear life jackets while boating to protect them from the third leading cause of preventable death - drowning.

Critics of comprehensive booster seat laws cite potential financial burdens of purchasing booster seats as a barrier to enacting such laws. In 2005, an incentive grant program was passed by Congress in the SAFETEA-LU Act for the purpose of purchasing booster seats to be given to low-income families in states that pass booster seat laws.



Partners for Child Passenger Safety, 2003

BOOSTER SEAT LAWS RATING CHART

Number of new Booster Seat laws since January 2008: Four Optimal Booster Seat Laws (MD, MA, MI, UT).

	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	●	●			

Four states adopted optimal booster seat laws in 2008:

Maryland, Massachusetts, Michigan and Utah adopted the recommended optimal law.

21 states and DC have an optimal booster seat law.

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

8 states have yet to adopt any booster seat law, or the law is secondary enforcement.

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

TEEN DRIVING LAWS

Motor Vehicle Crashes are the Number One Killer of American Teenagers Ages 15 to 20

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, 7,512 people were killed in crashes involving young drivers in 2007. Of that number, 3,108 of those killed were young drivers and 1,967 were passengers of teen drivers.

Graduated driver licensing (GDL) programs introduce teens to the driving experience gradually by phasing in full driving privileges over time and in lower risk settings, and have been effective in reducing teen crash deaths. In this report, Advocates has defined what it considers to be the optimal GDL program, making specific recommendations for each of five components of GDL.

Advocates supports the recommendations of the National Transportation Safety Board 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 times.

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, while 37 percent rated text messaging as “extremely” or “very distracting.”

The public supports GDL programs for teen drivers. According to a 2004 survey conducted by the American Automobile Association, 73 percent of Americans think that public officials should do more to improve the safety of drivers between the ages of 15 to 19. On the following page, the five major provisions of Advocates’ optimal GDL program are explained. In this report, each provision is counted as its own law. To date, only Delaware has all five optimal provisions recommended by Advocates. However, several states (ID, IL, ME, MN, NC, OR, TN) are very close to achieving an optimal GDL program.



TEEN DRIVING: ADVOCATES' OPTIMAL GRADUATED DRIVER LICENSING (GDL) PROGRAM

Learner's Stage

1. Six-Month Holding Period

Advocates' optimal learner's stage graduated driver licensing (GDL) program includes a minimum 6-month holding period during which an adult licensed driver must supervise a new driver at all times. If the new driver remains citation-free for 6 months, he or she may progress to the intermediate stage. States are not credited if their 6-month holding period law allows a reduced holding period for those who take a drivers' education course.

6 states do not have an optimal six-month holding period.

2. 30-50 Hours of Supervised Driving

Advocates' optimal learner's stage GDL program requires a new driver to complete a minimum of 30-50 hours of behind-the-wheel training with an adult licensed driver. Advocates does not give credit to states if their law requiring 30-50 hours of supervised driving includes a reduction in the required hours of supervised driving for those who take a drivers' education course.

16 states do not have an optimal 30-50 hours of supervised driving requirement.

Intermediate Stage

3. Nighttime Restriction

Advocates' optimal intermediate stage GDL program restricts teen driving at night. Under this program, unsupervised driving is prohibited from at least 10:00 p.m. to 5:00 a.m. Half credit is awarded for nighttime restrictions that do not fully meet Advocates' optimal criteria. No credit is given if law allows secondary enforcement.

43 states and DC do not have an optimal nighttime restriction.

4. Passenger Restriction

A passenger restriction law under the intermediate stage of Advocates' optimal GDL program limits the number of teenage passengers that may accompany a teen driver without adult supervision to one non-familial teenager. Half credit is awarded for passenger restrictions that do not fully meet Advocates' optimal criteria. No credit is given if law allows secondary enforcement.

26 states do not have an optimal passenger restriction.

5. Cell Phone Restriction

A cell phone restriction law under Advocates' optimal GDL program limits all cell phone use (including hands-free devices) for the duration of the GDL program (both learner's and intermediate stages), except in the case of an emergency. No credit is given for cell phone restrictions that allow hands-free devices or that are effective for less than the entire duration of the GDL program. No credit is given if law allows secondary enforcement.

40 states and DC do not have an optimal cell phone restriction for teen drivers.

Key Facts Regarding Teen Drivers

- In 2007, 7,512 people were killed in crashes involving young drivers ages 16-20; 3,108 of them were young drivers and 1,967 were passengers of teen drivers.
- Comprehensive graduated driver licensing (GDL) programs are associated with reductions of approximately 20 percent in 16-year-old drivers' fatal crash involvement rates.
- 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 higher at all times of the day for 16-year-olds than for older drivers, but in any given mile driven, teens are twice as likely to crash at night (9 pm to 6 am) as during the day. Forty-two percent of young teens' nighttime crashes occur before midnight. (IIHS, Fatality Facts 2005: Teenagers)
- The percent of fatal crashes involving 16-year-olds carrying three or more passengers was reduced by half between 1996 and 2005. Researchers suggest this is attributable to the success of graduated driver licensing laws.
- An analysis of fatal crash rates for drivers aged 15-17 in states with different minimum learner's permit and intermediate license ages found that as these ages decrease, fatal crash rates increase. The earlier young people are allowed to learn and the earlier they become licensed are both associated with higher fatal crash rates.
- In 2004, 62 percent of the young drivers who were killed in crashes were unrestrained. (NHTSA, 2005)
- Ten percent of young drivers involved in fatal crashes in 2007 had a BAC above .08 percent.
- 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 in 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 with a less restrictive intermediate stage. In California, teenager 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)

TEEN DRIVING LAWS RATING CHART

Number of New Laws Adopted Since January 2008: **NO** nighttime restrictions; Three 30-50 hours supervised driving provisions (CT, LA, VA); **NO** 6-month holding period provisions; One passenger restriction provision (MN); **NO** cell phone restrictions.

	6-Month Holding Period	30-50 Hrs. Supervised Driving	Nighttime Restriction	Passenger Restriction	Cell Phone Restriction	Teen Driving Law Rating		6-Month Holding Period	30-50 Hrs. Supervised Driving	Nighttime Restriction	Passenger Restriction	Cell Phone Restriction	Teen Driving 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 has all five provisions of Advocates' optimal GDL program.

11 states have only one of the five optimal provisions.

16 states have two of five optimal provisions.

17 states and DC have three of five optimal provisions.

5 states have four of five optimal provisions.

Holding Period -
6 states have no holding period; 44 states and DC have optimal provisions.

Supervised Driving -
16 states have none; 34 and DC have an optimal provision.

Nighttime Restriction -
15 states have none; 7 have an optimal provision.

Passenger Restriction -
22 states have none; 24 and DC have an optimal provision.

Cell Phone Restriction -
10 states have an optimal restriction.

- All 5 optimal provisions
- 2-4 optimal provisions
- Less than 2 of the optimal provisions

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

IMPAIRED DRIVING

Child Endangerment

High BAC

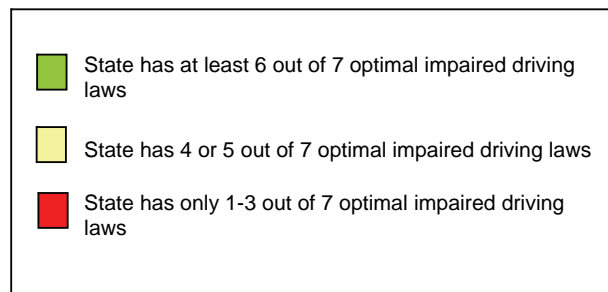
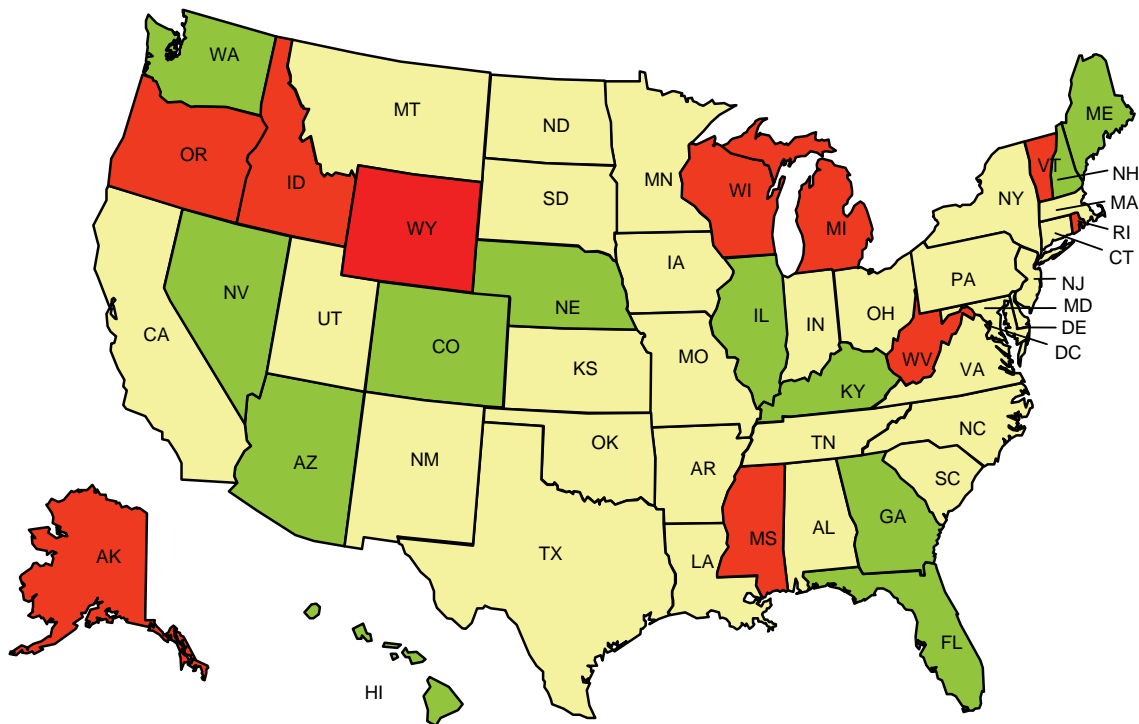
Mandatory BAC Test

Open Container

Repeat Offender

Sobriety Checkpoints

Ignition Interlocks



IMPAIRED DRIVING LAWS

In 2007, 32 percent of all fatal crashes were alcohol-related, and 12,998 people were killed in alcohol-impaired driving crashes. Clearly, more needs to be done to reduce the number of impaired drivers on our roadways. Alcohol-impaired motorcycle riders increased by 10 percent in 2007 — the only category of alcohol-impaired drivers to show an increase.

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 lifesaving 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.

The chart on page 33 shows which states have open container and repeat offender laws that meet federal requirements, and which states lag behind.

Additionally, documented successes in reducing drunk driving have resulted from the enactment of high BAC laws; laws requiring mandatory BAC testing for those drivers either killed or those who survive a crash in which a death occurs; laws requiring sobriety checkpoints; laws penalizing impaired drivers who have one or more children in the car; and, laws requiring ignition interlock devices for convicted drunk drivers.

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

- **Child Endangerment**
- **High BAC**
- **Mandatory BAC Test – Killed and Mandatory BAC Test – Surviving (considered as one law, for evaluation purposes)**
- **Open Container**
- **Repeat Offender**
- **Sobriety Checkpoints**
- **Ignition Interlocks**

In the chart, states have been rated as:

- “Good” for having at least six of the seven laws necessary for reducing drunk driving.
- “Caution” for having four or five of the optimal laws.
- “Danger” for having fewer than four of these lifesaving laws.

Child Endangerment Laws

In 2007, 1,670 children under age 14 were killed in motor vehicle crashes. Approximately 15 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)/Driving Under the Influence (DUI) penalties for someone who drives 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 put a child – who rarely has a choice in who gets behind the wheel – in potentially serious danger.

While many states have existing child endangerment laws to address child abuse, many 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 the 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.

The U.S. Centers for Disease Control and Prevention (CDC) studied crashes involving impaired drivers and found that in 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 died in a crash were more likely to have had a prior license suspension or had been previously convicted for driving while intoxicated. These problem drivers continue to take risks with their own lives, as well as with a child's.

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 put in place to encourage people to consider the consequences before they get behind the wheel 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, 38 states have enacted child endangerment laws that increase penalties for people who drive while impaired with children in their vehicles. **Twelve (12) states and DC need to enact these laws. No state enacted a child endangerment law in 2008.**

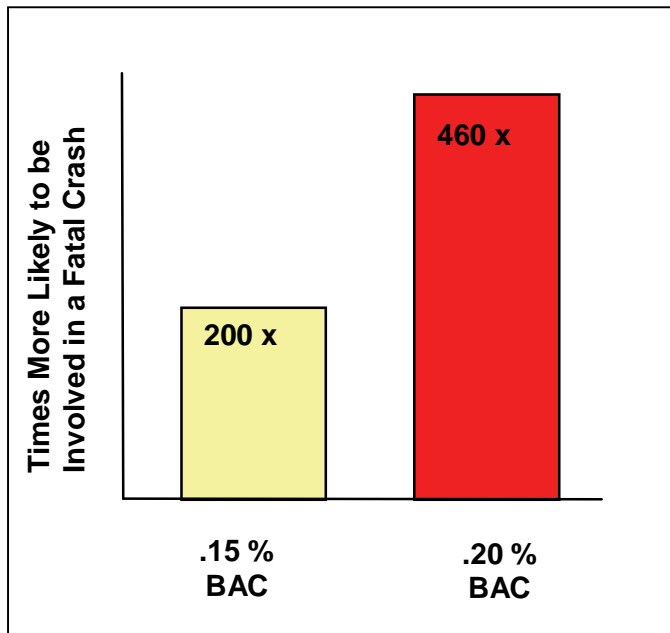
High BAC Laws

According to NHTSA, the median blood alcohol concentration (BAC) for drivers involved in a fatal crash is .16 percent. This far exceeds the limit set by federal law at .08 percent, and statistics indicate that drivers with such high BACs are an even greater danger on the road.

The National Hardcore Drunk Driver Project estimates that one percent of drivers on a normal weekend night are driving with a BAC of .15 percent or more. Shockingly, these “super drunk” drivers account for nearly 60 percent of all fatal crashes during this period. In fact, 8,698 alcohol-related fatalities in 2007 were caused by a driver with a .15 percent BAC or higher.

A high BAC statute provides for stiffer penalties for drivers convicted of a Driving While Impaired (DWI)/Driving Under the Influence (DUI) offense when their BAC exceeds a certain threshold. For example, conviction under a high BAC law could result in longer, more intense compulsory alcohol education or treatment, stronger driver penalties – jail, license revocation or fines, or stronger vehicle sanctions – license plate impoundment or ignition interlock.

High BAC laws have proven to reduce repeat offenses. A study of enhanced sanctions for high BAC drivers in Minnesota found that offenders who received enhanced sanctions as a result of their high BAC had lower rates of recidivism than those who had slightly lower BACs and did not receive enhanced sanctions.



Most states have enacted some form of a high BAC law. Advocates regards an optimal high BAC law to be one that sets the threshold at .15 percent BAC or lower. High BAC laws are an important deterrent, especially for drivers likely to repeat an impaired driving offense. Currently, 38 states and DC have high BAC laws in place. **Twelve (12) states need to enact these important, lifesaving statutes. No state enacted a High BAC law in 2008.**

Mandatory BAC Test Laws For Drivers Killed in Fatal Crashes and For Drivers Who Survive Fatal Crashes

Unfortunately, data on deaths in crashes involving an impaired driver 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 blood alcohol concentration (BAC) test results reported in the Fatal Analysis Reporting System (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.

There are generally two provisions of law that are needed for accurate and full reporting to FARS on impaired driving and crash fatalities: mandatory BAC testing for drivers who are killed in a fatal crash and mandatory BAC testing for drivers who survive a crash in which there is a fatality. 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.

In this report, Advocates reviews both of these laws. Currently, 37 states require drivers who are killed in a fatal crash to be tested for the presence of alcohol. Thirteen (13) states and DC do not have a law. Thirty-eight (38) states and DC require that surviving drivers of a crash involving a death have their BACs tested. Twelve (12) states have no such provision.

In total, 28 states require that both killed and surviving drivers be tested, and three states do not require BAC testing in either instance. No state adopted either of these laws in 2008.

Open Container Laws That Meet Federal Requirements

Drinking and driving is dangerous, deadly and destructive, and impaired driving deaths are not going down significantly. There is a stalemate in combating the problem, coupled with state legislative inaction. 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 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, etc.;
- 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.

Eleven 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 ineffective as an incentive for states to enact a strong open container law.

On the impaired driving chart in this report, Advocates gives credit only to states with 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 2008.**

Repeat Offender Laws That Meet Federal Requirements

In 2007, eight percent of all alcohol-impaired drivers also had a prior driving while intoxicated (DWI) conviction within the previous three years from the date of the crash. Repeat offenders are also increasingly likely to be driving with a higher blood alcohol concentration (BAC) and are 40 percent more likely to be involved in a fatal crash.

Repeat offender laws apply to impaired drivers with previous impaired driving convictions. They generally include stiffer penalties for individuals that are convicted of an impaired driving offense for the second, third, or fourth time. Tough penalties are an important deterrent to a repeat impaired driving offense.

Federal law mandates that states enact repeat offender laws that include the following provisions, or be subject to redirection of a portion of annual highway funds:

- A minimum one-year license suspension for repeat intoxication;
- All motor vehicles of the offender be impounded for a specified period or require the installation of an ignition interlock system;
- Mandatory assessment of alcohol abuse and referral to treatment; and,
- Establishment of a mandatory minimum sentence for repeat offenders of at least five days of imprisonment or 30 days of community service for the second offense, and at least ten days of imprisonment or 60 days of community service for the third or subsequent offense.

Redirected funds in non-compliant states have three percent of a portion of their annual federal highway funds diverted to highway safety programs that fund alcohol-impaired driving countermeasures and law enforcement activities.

Only those states that fully comply with all provisions of the federal law are listed as in compliance in this report. **To date, 39 states and DC get credit for having this law. Eleven (11) states are not in compliance with the federal repeat offender provision. No state adopted a federally-compliant repeat offender law in 2008.**

Sobriety Checkpoint Laws

According to NHTSA, in the United States, only one arrest is made for every 772 impaired driving trips. In response to this startling statistic, most states have authorized the use of sobriety checkpoints, which are traffic stops where law enforcement officers systematically select drivers to assess their level of alcohol impairment. Law enforcement officers use sobriety checkpoints as a highly visible tool for deterring impaired driving. The publicity garnered coupled with the visibility of sobriety checkpoints increase the perceived risk of arrest within the communities for which they are conducted.



Checkpoints have a predetermined set of rules as to whom an officer may stop in order to identify impairment. Publicized, frequent and long-term checkpoints create a convincing threat for drivers not to get behind the wheel impaired. This tool has proven to deter drunk or drugged people from driving under the influence and has removed impaired drivers from the roads.

According to NHTSA, studies indicate that large-scale sobriety checkpoint programs alone can reduce alcohol-related crashes by 20 percent.

In this report, Advocates has given credit to states that have enacted laws with guidelines for enforcement officials to run sobriety checkpoints throughout the state. To date, 38 states and DC have laws on their books that authorize them to run checkpoints. Of those, only 12 states and DC conduct sobriety checkpoints twice a month.

Sobriety checkpoints reduce impaired driving, lower the incidence of fatal crashes and garner a great deal of support from the public. A 2004 Lou Harris poll shows strong public support — 80 percent — for police checkpoints to spot drunk drivers. According to the U.S. Centers for Disease Control and Prevention (CDC), sobriety checkpoints at 23 locations across the nation resulted in an average decline of fatal crashes by 22 percent.

Advocates encourages all states that have laws allowing for sobriety checkpoints to make them a key part of their efforts to reduce impaired driving, and urges those **12 states without these laws to enact them. No state adopted a sobriety checkpoint law in 2008.**

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 who has a certain level of alcohol in the bloodstream from driving the vehicle. 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.

Equally important are laws that address the "super-drunk" driver (those drivers who are caught driving with a BAC level twice the legal limit or more) and repeat offenders. Advocates has given half credit to those states that require the installation of IIDs for repeat and high BAC offenders.

In November 2006, Mothers Against Drunk Driving (MADD) announced a national campaign advocating mandatory IID installation for all first offenders. In an effort to combat the nearly 13,000 annual deaths each year related to drunk driving, the campaign's goal is to apply new technology and tougher laws to deter drunk driving.

Advocates has also chosen to evaluate whether states' ignition interlock laws apply to both first-time offenders, and repeat and high BAC offenders. Currently, only seven states (**AK, AZ, IL, LA, NE, NM, WA**) require the installation of ignition interlock devices for first-time offenders. These state laws offer the most effective means for denying drunk drivers the opportunity to get behind the wheel. Advocates has given full credit to these states.



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

IMPAIRED DRIVING LAWS RATING CHART

Number of new laws since January 2008: **NO** Open Container; **NO** child endangerment; **NO** high BAC; **NO** BAC testing; **NO** open container; **NO** repeat offender; **NO** sobriety checkpoint; and, three ignition interlocks (AK, NE, WA) laws were passed in 2008.

	Child Endangerment	High BAC	Mandatory BAC Test	Open Container	Repeat Offender	Sobriety Checkpoint	Ignition Interlocks	Impaired Driving Rating		Child Endangerment	High BAC	Mandatory BAC Test	Open Container	Repeat Offender	Sobriety Checkpoint	Ignition Interlocks	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 ● = Good (6) ● = Caution (4-5) ● = Danger (Less than 4)
○ = Law does not satisfy Advocates' recommendation (half-credit)

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 or not 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 has. This weighting is to emphasize the significance of primary enforcement seat belt laws in saving lives and reducing injuries.

Important Changes:

This year the grading system was improved and strengthened. As a result, some states have lower grades than they have obtained in previous reports. Credit is no longer given to states with:

- pick-up truck exemptions in the primary enforcement seat belt law (GA);
- a booster seat law that is secondary enforcement (PA);
- Graduated Driver Licensing (GDL) provisions that are secondary enforcement (AZ, CA, CO, GA, KY, MD, MA, NE, NV, OH, TX, UT, VA, WA, WV); require less than a 6-month holding period (CT, SD); require less than 30 hours of supervised driving (AL, AZ, NE, WA); and half-credit only to cell phone bans that do not include text messaging (IL, RI, TN);
- a child endangerment law that applies only to drivers who age 21 and younger (ID, ND, SC); and,

Also, enactment of an ignition interlock law has been fully counted into the rating.

(Please refer to page 4 for definitions of the optimal 15 lifesaving laws)

RATINGS CHART		
Color	Number of Points	Definition
Green	11 to 15, with primary enforcement law, or nine, including both primary enforcement and all-rider helmet laws	State is significantly advanced toward adoption of all Advocates' recommended optimal laws
Yellow	Six to ten, with primary enforcement law, or seven to 13, without primary enforcement law	State is advancing but has numerous gaps in its highway safety laws.
Red	Less than seven, without primary enforcement law	State falls dangerously behind in adoption of key laws.

● = Optimal law (given 1 point)

○ = Half credit given because law does not fully satisfy Advocates' recommendations (given .5 points)

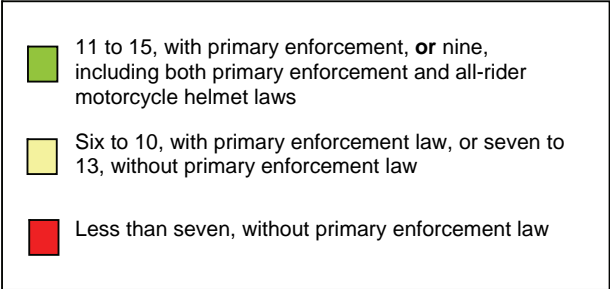
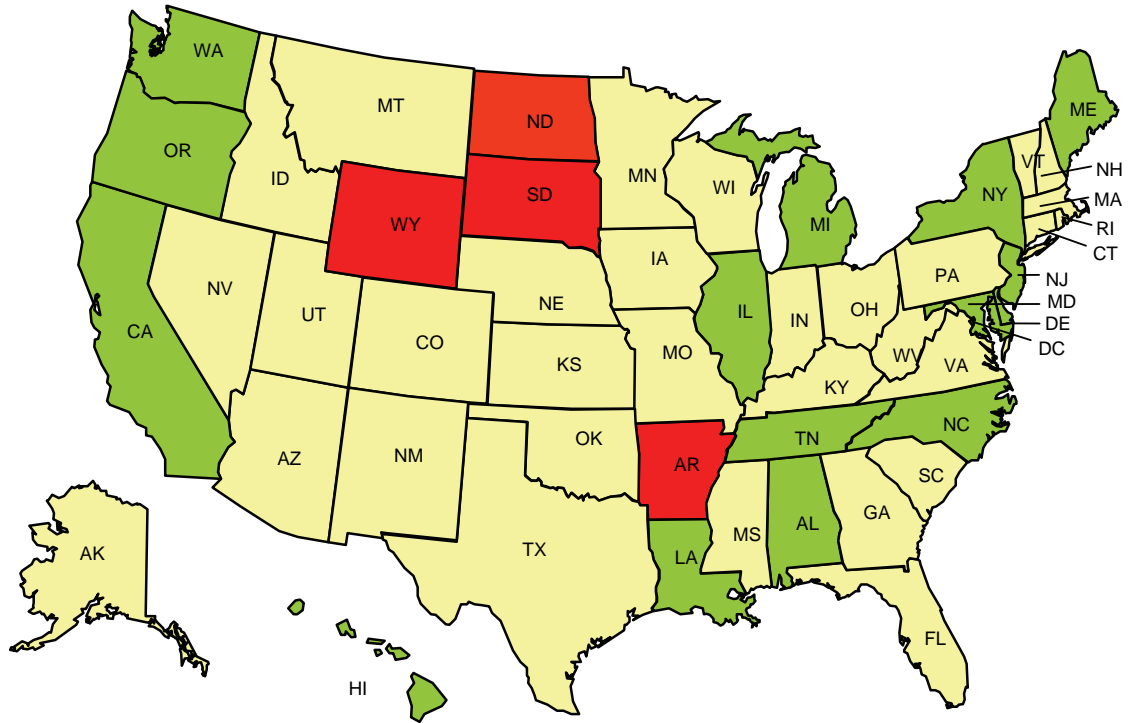
OVERALL RATING BASED ON NUMBER OF SAFETY LAWS

	Primary Enforcement Seat Belt Law	All-Rider Motorcycle Helmet Law	Booster Seat Law	GDL: 6 Mo. Holding Period	GDL: 30-50 hrs. Supervised Driving	GDL: Nighttime Restriction	GDL: Passenger Restriction	GDL: Cell Phone Restriction	Child Endangerment Law	High BAC Law	Mandatory BAC Test	Open Container Law	Repeat Offender Law	Sobriety Checkpoint Law	Mandatory Ignition Interlock	Total Credit for Number of Laws 2008	Overall Safety Rating 2008
Alabama	●	●	○	●		○	○		●		○	●	●	●		9	●
Alaska	●			●	●	○	●		●	●	○				●	8	●
Arizona				●					●	●	○	●	●	●	●	7.5	●
Arkansas			○	●					●	●	●		●	●		6.5	●
California	●	●	○	●	●			●	●	●	●	●		●		10.5	●
Colorado			○	●	●				●	●	●	●	●	●	○	9	●
Connecticut	●		○		●	○	●	●		●	●		●	●		9	●
Delaware	●		●	●	●	●	●	●	●	●	○		●	●	○	12	●
District of Columbia	●	●	●	●	●	○	●			●	○	●	●	●		11	●
Florida				●	●	○			●	●	●	●	●	●	○	9	●
Georgia		●	○	●	●				●	●	●	●	●	●	○	10	●
Hawaii	●		●	●		○	●		●	●	●	●	●	●	○	11	●
Idaho			○	●	●	●	●			●	○	●	●		○	8.5	●
Illinois	●		●	●	●	○	●	○	●	●	●	●	●	●	●	13	●
Indiana	●		●			○	●		●	●	○	●	●	●		9	●
Iowa	●		○	●		○			●	●	○	●	●			7.5	●
Kansas			●	●	●				●		●	●	●	●		8	●
Kentucky	●		○	●	●	○			●	●	●	●	●	●		10	●
Louisiana	●	●	○	●	●	○			●	●	●			●	●	10	●
Maine	●		●	●	●	○	●	●	●	●	●	●	●	●		12.5	●
Maryland	●	●	●	●	●	○			●		●	●	●	●		10.5	●
Massachusetts		●	●	●	●	○	●		●	●	○	●	●	●		11	●
Michigan	●	●	●	●	●	○			●		○	●	●			9	●
Minnesota				●	●		●	●	●	●	●	●				8	●
Mississippi	●	●	○	●		●					●		●	●		7.5	●
Missouri		●	●	●	●	○	●			●	●		●	●	○	10	●
Montana			○	●	●	○	●		●	●	●	●	●		○	9.5	●

OVERALL RATING BASED ON NUMBER OF SAFETY LAWS

	Primary Enforcement Seat Belt Law	All-Rider Motorcycle Helmet Law	Booster Seat Law	GDL: 6 Mo. Holding Period	GDL: 30-50 hrs. Supervised Driving	GDL: Nighttime Restriction	GDL: Passenger Restriction	GDL: Cell Phone Restriction	Child Endangerment Law	High BAC Law	Mandatory BAC Test	Open Container Law	Repeat Offender Law	Sobriety Checkpoint Law	Mandatory Ignition Interlock	Total Credit for Number of Laws 2008	Overall Safety Rating 2008
Nebraska		●	○	●						●	●	●	●	●	●	8.5	●
Nevada		●	○	●	●				●	●	●	●	●	●		9.5	●
New Hampshire			○			○	●		●	●	●	●	●	●		8	●
New Jersey	●	●	●	●		○	●	●	●		●	●	●	●		11.5	●
New Mexico	●		○	●	●	○	●			●	●	●		●	●	10	●
New York	●	●	○			●	○		●		●	●	●	●		9	●
North Carolina	●	●	●	●		●	●	●	●	●	○	●	●	●	○	13	●
North Dakota			○	●						●	●	●	●	●		6.5	●
Ohio				●	●		●		●	●	○	●		●		7.5	●
Oklahoma	●		○	●	●	○	●			●	○	●	●	●	○	10	●
Oregon	●	●	●	●	●	○	●	●	●		○	●			○	10.5	●
Pennsylvania				●	●	○				●	●	●	●	●	○	8	●
Rhode Island			○	●	●	○	●	○	●	●		●				7.5	●
South Carolina	●		○	●	●	●	○			●	●	●	●	●		10	●
South Dakota						●				●	●	●		●		5	●
Tennessee	●	●	●	●	●	○	●	○	●	●			●	●		11	●
Texas	●			●				●	●	●	○	●	●			7.5	●
Utah			●	●	●	○			●	●	○	●	●	●	○	9.5	●
Vermont		●	●	●	●		●				○	●		●		7.5	●
Virginia		●	●	●	●			●	●	●			●	●	○	9.5	●
Washington	●	●	●	●	●				●	●	●	●	●		●	11	●
West Virginia		●	●	●		○	○		●		○		●	●	○	8	●
Wisconsin			●	●	●	○	●		●		○	●	●			8	●
Wyoming			●		●	○	●		●		○					5	●
Total Number with Optimal Law	25+ DC	20+ DC	21+ DC	44+ DC	34+ DC	7	24+ DC	10	38	38+ DC	28	39+ DC	39+ DC	38+ DC	7		
Total Number Missing Optimal	25	30	29	6	16	43+ DC	26	40+ DC	12+ DC	12	22+ DC	11	11	12	43+ DC		

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 does not have, based on Advocates' definitions on pages 4-5 and discussed in this report.
- The number of people killed in motor vehicle crashes in each state for the year 2007, as reported in the Fatality Analysis Reporting System (FARS) of 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 8)
- The state's background color represents its overall rating (Green, Yellow, or Red) based on the chart on pages 35 and 36 of this report.

States are credited with having laws only if their laws meet Advocates' optimal criteria.

- **Only 15 states** (Alabama, California, Delaware, Hawaii, Illinois, Louisiana, Maine, Maryland, Michigan, New Jersey, New York, North Carolina, Oregon, Tennessee, and Washington) and DC **received a "Green" rating, showing significant advancement toward adopting all of Advocates' recommended optimal laws.**
- **31 states** (Alaska, Arizona, Colorado, Connecticut, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Massachusetts, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Texas, Utah, Vermont, Virginia, West Virginia, and Wisconsin) **received a "Yellow" rating, showing moderately positive performance but with numerous gaps still in their highway safety laws.**
- **4 states** (Arkansas, North Dakota, South Dakota, and Wyoming) **received a "Red" rating, indicating a poor performance because of a dangerous lack of basic laws.**

ALABAMA

2007 Fatalities: **1,110**

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



Highway Safety Laws Needed in Alabama:

Booster Seat Law Through Age 7
GDL - 30-50 Hours Supervised Driving Provision
GDL - Nighttime Restriction Provision
GDL - Passenger Restriction Provision
GDL - Cell Phone Restriction Provision
High BAC Law
Mandatory BAC Test Law - Drivers Killed
Ignition Interlock Law

ALASKA

2007 Fatalities: **84**

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



Highway Safety Laws Needed in Alaska:

All-Rider Motorcycle Helmet Law
Booster Seat Law Through Age 7
GDL - Nighttime Restriction Provision
GDL - Cell Phone Restriction Provision
Mandatory BAC Test Law - Drivers Killed
Open Container Law
Repeat Offender Law
Sobriety Checkpoints Law

ARIZONA

2007 Fatalities: **1,066**

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



Highway Safety Laws Still Needed in Arizona:

Primary Enforcement Seat Belt Law
All-Rider Motorcycle Helmet Law
Booster Seat Law Through Age 7
GDL - 30-50 Hours Supervised Driving Provision
GDL - Nighttime Restriction Provision
GDL - Passenger Restriction Provision
GDL - Cell Phone Restriction Provision
Mandatory BAC Test Law - Drivers Who Survive

ARKANSAS

2007 Fatalities: **650**

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



Highway Safety Laws Still Needed in Arkansas:

Primary Enforcement Seat Belt Law
All-Rider Motorcycle Helmet Law
Booster Seat Law Through Age 7
GDL - 30-50 Hours Supervised Driving Provision
GDL - Nighttime Restriction Provision
GDL - Passenger Restriction Provision
GDL - Cell Phone Restriction Provision
Open Container Law
Ignition Interlock Law

CALIFORNIA

2007 Fatalities: **3,974**

Annual Economic Cost Due to Motor Vehicle Crashes:
\$20.66 Billion



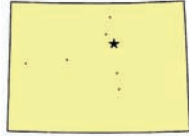
Highway Safety Laws Still Needed in California:

- Booster Seat Law Through Age 7
- GDL - Nighttime Restriction Provision
- GDL - Passenger Restriction Provision
- Repeat Offender Law
- Ignition Interlock Law

COLORADO

2007 Fatalities: **554**

Annual Economic Cost Due to Motor Vehicle Crashes:
\$3.28 Billion



Highway Safety Laws Still Needed in Colorado:

- Primary Enforcement Seat Belt Law
- All-Rider Motorcycle Helmet Law
- Booster Seat Law Through Age 7
- GDL - Nighttime Restriction Provision
- GDL - Passenger Restriction Provision
- GDL - Cell Phone Restriction Provision
- Ignition Interlock Law

CONNECTICUT

2007 Fatalities: **277**

Annual Economic Cost Due to Motor Vehicle Crashes:
\$3.60 Billion



Highway Safety Laws Still Needed in Connecticut:

- All-Rider Motorcycle Helmet Law
- Booster Seat Law Through Age 7
- GDL - 6-Month Holding Period Provision
- GDL - Nighttime Restriction Provision
- Child Endangerment Law
- Open Container Law
- Ignition Interlock Law

DELAWARE

2007 Fatalities: **117**

Annual Economic Cost Due to Motor Vehicle Crashes:
\$706 Million



Highway Safety Laws Still Needed in Delaware:

- All-Rider Motorcycle Helmet Law
- Mandatory BAC Test Law - Drivers Killed
- Open Container Law
- Ignition Interlock Law

DISTRICT OF COLUMBIA

2007 Fatalities: **44**

Annual Economic Cost Due to Motor Vehicle Crashes:
\$732 Million



Highway Safety Laws Still Needed in Washington, D.C.:

- GDL - Nighttime Restriction Provision
- GDL - Cell Phone Restriction Provision
- Child Endangerment Law
- Mandatory BAC Test Law - Drivers Killed
- Ignition Interlock Law

FLORIDA

2007 Fatalities: **3,214**

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



Highway Safety Laws Still Needed in Florida:

- Primary Enforcement Seat Belt Law
- All-Rider Motorcycle Helmet Law
- Booster Seat Law Through Age 7
- GDL - Nighttime Restriction Provision
- GDL - Passenger Restriction Provision
- GDL - Cell Phone Restriction Provision
- Ignition Interlock Law

GEORGIA

2007 Fatalities: **1,641**

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



Highway Safety Laws Still Needed in Georgia:

- Primary Enforcement Seat Belt Law
- Booster Seat Law Through Age 7
- GDL - Nighttime Restriction Provision
- GDL - Passenger Restriction Provision
- GDL - Cell Phone Restriction Provision
- Ignition Interlock Law

HAWAII

2007 Fatalities: **138**

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



Highway Safety Laws Still Needed in Hawaii:

- All-Rider Motorcycle Helmet Law
- GDL - 30-50 Hours Supervised Driving Provision
- GDL - Nighttime Restriction Provision
- GDL - Cell Phone Restriction Provision
- Ignition Interlock Law

IDAHO

2007 Fatalities: **252**

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



Highway Safety Laws Still Needed in Idaho:

- Primary Enforcement Seat Belt Law
- All-Rider Motorcycle Helmet Law
- Booster Seat Law Through Age 7
- GDL - Cell Phone Restriction Provision
- Child Endangerment Law
- Mandatory BAC Test Law - Drivers Who Survive
- Sobriety Checkpoints Law
- Ignition Interlock Law

ILLINOIS

2007 Fatalities: **1,249**

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



Highway Safety Laws Still Needed in Illinois:

- All-Rider Motorcycle Helmet Law
- GDL - Nighttime Restriction Provision
- GDL - Cell Phone Restriction Provision

INDIANA

2007 Fatalities: **898**

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



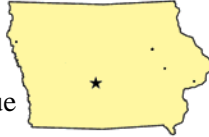
Highway Safety Laws Still Needed in Indiana:

All-Rider Motorcycle Helmet Law
GDL - 6-Month Holding Period Provision
GDL - 30-50 Hours Supervised Driving Provision
GDL - Nighttime Restriction Provision
GDL - Cell Phone Restriction Provision
Mandatory BAC Test Law - Drivers Killed
Ignition Interlock Law

IOWA

2007 Fatalities: **445**

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 - 30-50 Hours Supervised Driving Provision
GDL - Nighttime Restriction Provision
GDL - Passenger Restriction Provision
GDL - Cell Phone Restriction Provision
Mandatory BAC Test Law - Drivers Killed
Sobriety Checkpoints Law
Ignition Interlock Law

KANSAS

2007 Fatalities: **416**

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



Highway Safety Laws Needed in Kansas:

Primary Enforcement Seat Belt Law
All-Rider Motorcycle Helmet Law
GDL - Nighttime Restriction Provision
GDL - Passenger Restriction Provision
GDL - Cell Phone Restriction Provision
High BAC Law
Ignition Interlock Law

KENTUCKY

2007 Fatalities: **864**

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 - Nighttime Restriction Provision
GDL - Passenger Restriction Provision
GDL - Cell Phone Restriction Provision
Ignition Interlock Law

LOUISIANA

2007 Fatalities: **985**

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



Highway Safety Laws Needed in Louisiana:

Booster Seat Law Through Age 7
GDL - Nighttime Restriction Provision
GDL - Passenger Restriction Provision
GDL - Cell Phone Restriction Provision
Open Container Law
Repeat Offender Law

MAINE

2007 Fatalities: **183**

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



Highway Safety Laws Needed in Maine:

All-Rider Motorcycle Helmet Law
GDL - Nighttime Restriction Provision
Ignition Interlock Law

MARYLAND

2007 Fatalities: **614**

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



Highway Safety Laws Still Needed in Maryland:

GDL - Nighttime Restriction Provision
GDL - Passenger Restriction Provision
GDL - Cell Phone Restriction Provision
High BAC Law
Ignition Interlock Law

MASSACHUSETTS

2007 Fatalities: **417**

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



Highway Safety Laws Still Needed in Massachusetts:

Primary Enforcement Seat Belt Law
GDL - Nighttime Restriction Provision
GDL - Cell Phone Restriction Provision
Mandatory BAC Test Law - Drivers Who Survive
Ignition Interlock Law

MICHIGAN

2007 Fatalities: **1,088**

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



Highway Safety Laws Still Needed in Michigan:

GDL - Nighttime Restriction Provision
GDL - Passenger Restriction Provision
GDL - Cell Phone Restriction Provision
High BAC Law
Mandatory BAC Test Law - Drivers Who Survive
Sobriety Checkpoints Law
Ignition Interlock Law

MINNESOTA






2007 Fatalities: **504**

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



Highway Safety Laws Still Needed in Minnesota:

Primary Enforcement Seat Belt Law
All-Rider Motorcycle Helmet Law
Booster Seat Law Through Age 7
GDL - Nighttime Restriction Provision
Repeat Offender Law
Sobriety Checkpoints Law
Ignition Interlock Law

<p>MISSISSIPPI</p> <p>2007 Fatalities: 884</p> <p>Annual Economic Cost Due to Motor Vehicle Crashes: \$2.11 Billion</p>		<p>Highway Safety Laws Still Needed in Mississippi:</p> <ul style="list-style-type: none"> Booster Seat Law Through Age 7 GDL - 30-50 Hours Supervised Driving Provision GDL - Passenger Restriction Provision GDL - Cell Phone Restriction Provision Child Endangerment Law High BAC Law Open Container Law Ignition Interlock Law
<p>MISSOURI</p> <p>2007 Fatalities: 992</p> <p>Annual Economic Cost Due to Motor Vehicle Crashes: \$4.74 Billion</p>		<p>Highway Safety Laws Still Needed in Missouri:</p> <ul style="list-style-type: none"> Primary Enforcement Seat Belt Law GDL - Nighttime Restriction Provision GDL - Cell Phone Restriction Provision Child Endangerment Law Open Container Law Ignition Interlock Law
<p>MONTANA</p> <p>2007 Fatalities: 277</p> <p>Annual Economic Cost Due to Motor Vehicle Crashes: \$621 Million</p>		<p>Highway Safety Laws Still Needed in Montana:</p> <ul style="list-style-type: none"> Primary Enforcement Seat Belt Law All-Rider Motorcycle Helmet Law Booster Seat Law Through Age 7 GDL - Nighttime Restriction Provision GDL - Cell Phone Restriction Provision Sobriety Checkpoints Law Ignition Interlock Law
<p>NEBRASKA</p> <p>2007 Fatalities: 256</p> <p>Annual Economic Cost Due to Motor Vehicle Crashes: \$1.63 Billion</p>		<p>Highway Safety Laws Still Needed in Nebraska:</p> <ul style="list-style-type: none"> Primary Enforcement Seat Belt Law Booster Seat Law Through Age 7 GDL - 30-50 Hours Supervised Driving Provision GDL - Nighttime Restriction Provision GDL - Passenger Restriction Provision GDL - Cell Phone Restriction Provision Child Endangerment Law
<p>NEVADA</p> <p>2007 Fatalities: 373</p> <p>Annual Economic Cost Due to Motor Vehicle Crashes: \$1.87 Billion</p>		<p>Highway Safety Laws Still Needed in Nevada:</p> <ul style="list-style-type: none"> Primary Enforcement Seat Belt Law Booster Seat Law Through Age 7 GDL - Nighttime Restriction Provision GDL - Passenger Restriction Provision GDL - Cell Phone Restriction Provision Ignition Interlock Law

NEW HAMPSHIRE

2007 Fatalities: **129**

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



Highway Safety Laws Still Needed in New Hampshire:

Primary Enforcement Seat Belt Law
All-Rider Motorcycle Helmet Law
Booster Seat Law Through Age 7
GDL - 6-Month Holding Period Provision
GDL - 30-50 Hours Supervised Driving Provision
GDL - Nighttime Restriction Provision
GDL - Cell Phone Restriction Provision
Ignition Interlock Law

NEW JERSEY

2007 Fatalities: **724**

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



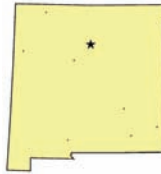
Highway Safety Laws Needed in New Jersey:

GDL - 30-50 Hours Supervised Driving Provision
GDL - Nighttime Restriction Provision
High BAC Law
Ignition Interlock Law

NEW MEXICO

2007 Fatalities: **413**

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 - Nighttime Restriction Provision
GDL - Cell Phone Restriction Provision
Child Endangerment Law
Repeat Offender Law

NEW YORK

2007 Fatalities: **1,333**

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



Highway Safety Laws Needed in New York:

Booster Seat Law Through Age 7
GDL - 6-Month Holding Period Provision
GDL - 30-50 Hours Supervised Driving Provision
GDL - Passenger Restriction Provision
GDL - Cell Phone Restriction Provision
High BAC Law
Ignition Interlock Law

NORTH CAROLINA

2007 Fatalities: **1,675**

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



Highway Safety Laws Needed in North Carolina:

GDL - 30-50 Hours Supervised Driving Provision
Mandatory BAC Test Law - Drivers Killed
Ignition Interlock Law

NORTH DAKOTA

2007 Fatalities: **111**

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 - 30-50 Hours Supervised Driving Provision
GDL - Nighttime Restriction Provision
GDL - Passenger Restriction Provision
GDL - Cell Phone Restriction Provision
Child Endangerment Law
Ignition Interlock Law

OHIO

2007 Fatalities: **1,257**

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
GDL - Nighttime Restriction Provision
GDL - Cell Phone Restriction Provision
Mandatory BAC Test Law - Drivers Who Survive
Repeat Offender Law
Ignition Interlock Law

OKLAHOMA

2007 Fatalities: **754**

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 - Nighttime Restriction Provision
GDL - Cell Phone Restriction Provision
Child Endangerment Law
Mandatory BAC Test Law - Drivers Killed
Ignition Interlock Law

OREGON

2007 Fatalities: **455**

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



Highway Safety Laws Needed in Oregon:

GDL - Nighttime Restriction Provision
High BAC Law
Mandatory BAC Test Law - Drivers Who Survive
Repeat Offender Law
Sobriety Checkpoints Law
Ignition Interlock Law

PENNSYLVANIA

2007 Fatalities: **1,491**

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
GDL - Nighttime Restriction Provision
GDL - Passenger Restriction Provision
GDL - Cell Phone Restriction Provision
Child Endangerment Law
Ignition Interlock Law

RHODE ISLAND

2007 Fatalities: **69**

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
- Booster Seat Law Through Age 7
- GDL - Nighttime Restriction Provision
- GDL - Cell Phone Restriction Provision
- Mandatory BAC Test Law - Drivers Killed
- Mandatory BAC Test Law - Drivers Who Survive
- Repeat Offender Law
- Sobriety Checkpoints Law
- Ignition Interlock Law

SOUTH CAROLINA

2007 Fatalities: **1,066**

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 - Passenger Restriction Provision
- GDL - Cell Phone Restriction Provision
- Child Endangerment Law
- Ignition Interlock Law

SOUTH DAKOTA

2007 Fatalities: **146**

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 - 6-Month Holding Period Provision
- GDL - 30-50 Hours Supervised Driving Provision
- GDL - Passenger Restriction Provision
- GDL - Cell Phone Restriction Provision
- Child Endangerment Law
- Repeat Offender Law
- Ignition Interlock Law

TENNESSEE

2007 Fatalities: **1,210**

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



Highway Safety Laws Needed in Tennessee:

- GDL - Nighttime Restriction Provision
- GDL - Cell Phone Restriction Provision
- Mandatory BAC Test Law - Drivers Killed
- Mandatory BAC Test Law - Drivers Who Survive
- Open Container Law
- Ignition Interlock Law

TEXAS

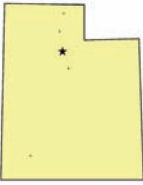




2007 Fatalities: **3,363**

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



Highway Safety Laws Needed in Texas:

- All-Rider Motorcycle Helmet Law
- Booster Seat Law Through Age 7
- GDL - 30-50 Hours Supervised Driving Provision
- GDL - Nighttime Restriction Provision
- GDL - Passenger Restriction Provision
- Mandatory BAC Test Law - Drivers Killed
- Sobriety Checkpoints Law
- Ignition Interlock Law

<p>UTAH</p> <p>2007 Fatalities: 299</p> <p>Annual Economic Cost Due to Motor Vehicle Crashes: \$1.59 Billion</p>		<p>Highway Safety Laws Needed in Utah:</p> <ul style="list-style-type: none"> Primary Enforcement Seat Belt Law All-Rider Motorcycle Helmet Law GDL - Nighttime Restriction Provision GDL - Passenger Restriction Provision GDL - Cell Phone Restriction Provision Mandatory BAC Test Law - Drivers Who Survive Ignition Interlock Law
<p>VERMONT</p> <p>2007 Fatalities: 66</p> <p>Annual Economic Cost Due to Motor Vehicle Crashes: \$221 Million</p>		<p>Highway Safety Laws Needed in Vermont:</p> <ul style="list-style-type: none"> Primary Enforcement Seat Belt Law GDL - Nighttime Restriction Provision GDL - Cell Phone Restriction Provision Child Endangerment Law High BAC Law Mandatory BAC Test Law - Drivers Killed Repeat Offender Law Ignition Interlock Law
<p>VIRGINIA</p> <p>2007 Fatalities: 1,027</p> <p>Annual Economic Cost Due to Motor Vehicle Crashes: \$5.20 Billion</p>		<p>Highway Safety Laws Needed in Virginia:</p> <ul style="list-style-type: none"> Primary Enforcement Seat Belt Law GDL - Nighttime Restriction Provision GDL - Passenger Restriction Provision Mandatory BAC Test Law - Drivers Killed Mandatory BAC Test Law - Drivers Who Survive Open Container Law Ignition Interlock Law
<p>WASHINGTON</p> <p>2007 Fatalities: 568</p> <p>Annual Economic Cost Due to Motor Vehicle Crashes: \$5.31 Billion</p>		<p>Highway Safety Laws Needed in Washington:</p> <ul style="list-style-type: none"> GDL - Nighttime Restriction Provision GDL - Passenger Restriction Provision GDL - Cell Phone Restriction Provision Sobriety Checkpoints Law
<p>WEST VIRGINIA</p> <p>2007 Fatalities: 431</p> <p>Annual Economic Cost Due to Motor Vehicle Crashes: \$1.27 Billion</p>		<p>Highway Safety Laws Needed in West Virginia:</p> <ul style="list-style-type: none"> Primary Enforcement Seat Belt Law GDL - 30-50 Hours Supervised Driving Provision GDL - Nighttime Restriction Provision GDL - Passenger Restriction Provision GDL - Cell Phone Restriction Provision High BAC Law Mandatory BAC Test Law - Drivers Who Survive Open Container Law Ignition Interlock Law

WISCONSIN

2007 Fatalities: **756**

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



Highway Safety Laws Needed in Wisconsin:

- Primary Enforcement Seat Belt Law
- All-Rider Motorcycle Helmet Law
- GDL - Nighttime Restriction Provision
- GDL - Cell Phone Restriction Provision
- High BAC Law
- Mandatory BAC Test Law - Drivers Who Survive
- Sobriety Checkpoints Law
- Ignition Interlock Law

WYOMING

2007 Fatalities: **150**

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 - 6-Month Holding Period Provision
- GDL - Nighttime Restriction Provision
- GDL - Cell Phone Restriction Provision
- High BAC Law
- Mandatory BAC Test Law - Drivers Killed
- Open Container Law
- Repeat Offender Law
- Sobriety Checkpoints Law
- Ignition Interlock Law

RESOURCES

The following resources provided data, statistical analysis, and research for this report. Additional information is available upon request.

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Williams, A.F. (2007). Contribution of the components of graduated licensing to crash reductions. *Journal of Safety Research*, 38(2), 177-184

Organizations:

American Automobile Association (AAA) Foundation for Traffic Safety
www.aaafoundation.org

American Public Health Association (APHA)
www.apha.org

Brain Injury Association of America
www.biausa.org

Governors Highway Safety Association (GHSA)
www.ghsa.org

Insurance Institute for Highway Safety (IIHS)
www.iihs.org

National Conference of State Legislatures (NCSL)
www.ncsl.org

National Safety Council
www.nsc.org

National Transportation Safety Board (NTSB)
www.nts.gov

Mothers Against Drunk Driving (MADD)
www.madd.org

Students Against Destructive Decisions (SADD)
www.sadd.org

Traffic Injury Research Foundation
www.trafficinjuryresearch.com

U.S. Centers for Disease Control and Prevention (CDC)
www.cdc.gov

Virginia Tech Transportation Institute
www.vtti.vt.edu

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Advocates for Highway and Auto Safety is an alliance of consumer, health and safety groups and insurance companies and agents working together to make America's roads safer.

Advocates encourages the adoption of federal and state laws, policies and programs that save lives and reduce injuries. By joining its resources with others, Advocates helps build coalitions to increase participation of a wide array of groups in public policy initiatives which advance highway and auto safety.

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