

Testimony in Support of Senate Bill 43
Before Senate Judiciary Committee
Room 303

Bill No. 13
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Bill No. 5643

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Thank you Mr. Chairman. My name is Ken Crippen. I am CEO of American Trucking and Transportation Insurance Company, a Risk Retention Group ("ATTIC"). ATTIC is a captive insurance company formed in Montana in 2002. We insure the operating liability of 2,000 trucks, including the 700 trucks operated by Watkins and Shepard Trucking of Helena and Missoula. I am here testifying in support of Senate Bill 43 and urge the Committee to pass the bill through to the full Senate.

Senate Bill 43 is first and foremost about the promotion of public health and safety, particularly that of our younger generations. Seat belts are required in all vehicles for one reason – they can save lives and prevent serious bodily injuries in motor vehicle accidents. The very essence of all our traffic laws is the promotion of public health and safety. Like posted speed limits a primary seat belt law promotes public health and safety. Consider the following facts:

FACT: **70% of Montana Fatalities not wearing a Safety Belt** -- In 2003, almost 7 out of every 10 vehicle occupants who died in Montana were not wearing safety belts. And remember, even if you're a good driver, wearing your safety belt is your best defense against drunk, drowsy, and aggressive drivers. *Source: Calculated from data accessed from 2003 Motor Vehicle Crash Data from FARS and GES*

FACT: **If Montana passes a Primary Law we can.....** -- If Montana can raise its safety belt use rate 11 percentage points by passing a primary belt use law, it is estimated that 40 lives could be saved in Montana annually, with a substantial reduction in severe injuries. *Source: Data accessed from the National Highway Traffic Safety Administration web site September 10, 2002. Calculated from data accessed from Montana Department of Transportation "Traffic Safety Problem Identification" dated July 9, 2003.*

FACT: **After A Primary Law Passes.....** -- During the first full year after enforcement of belt laws, fatality rates dropped 21 percent in five primary states compared to only 7 percent in 11 secondary law states. During the same period there was a 24 percent reduction in fatality rates for persons under 21 years old in the primary states compared to a 3 percent reduction for that age group in the secondary law states. *Source: Traffic Tech Technology Transfer Series Number 93, May 1995. National Highway Traffic Safety Administration.*

FACT: **Saving Children's Lives Saves Parent's Lives** -- Primary safety belt laws also help save the lives of children. Citizens are much more likely to buckle up and place their children in child safety seats when there is the possibility of receiving a citation for not

doing so. NHTSA and State surveys have repeatedly and consistently shown that adult safety belt use is a strong predictor of whether children are appropriately restrained. However, in 2000, one out of every three children 5 to 15 years of age was unrestrained and traffic crashes are the leading cause of death among children in this age group. *Source: Kahane, Charles J. Fatality Reduction by Safety Belts For Front-Safety Occupants of Cars And Light Trucks; National Highway Traffic Safety Administration, December 2000; DOT HS 809 199.*

FACT: **Seatbelt Usage Up in Primary Law States** -- Primary safety belt laws have a proven track record of increasing a State's safety belt use rate: In June 2002, the average safety belt use rate in States with primary enforcement laws was 11 percentage points higher

than in States without primary enforcement laws. (Safety belt use was 80 percent in primary law States versus 69 percent in States without primary enforcement.) *Source: The Economic Impact of Motor Vehicle Crashes 2000. National Highway Traffic Safety Administration; DOT HS 809 446, p. 1.*

FACT: **A Primary Law Bumps Up Safety Belt Usage** -- Primary safety belt laws have a proven track record of increasing a State's safety belt use rate: In June 2002, the average safety belt use rate in States with primary enforcement laws was 11 percentage points

higher than in States without primary enforcement laws. (Safety belt usage was 80 percent in primary law States versus 69 percent in States without primary enforcement.) *Source: The Economic Impact of Motor Vehicle Crashes 2000. National Highway Traffic Safety Administration; DOT HS 809 446, p. 1.*

I personally compare the primary seat law to that of another law protecting public health and safety. When my wife and I left the hospital with our first child in 1993, the nurse would not allow us to take our daughter home unless we showed her that we had the right car seat and we knew how to strap it in our car properly. I must admit that I was somewhat miffed that she treated us so childishly, but reflecting at the time, I had very rarely used a seat belt myself. That cold January winter morning, it hit home that seat belt use was important and that if I was to set a good example for my children in the years to come, I had to start with myself. Ever since I routinely "buckle up" when leaving home. My four children now routinely do the same.

In the last 24 months, there have been four separate instances involving accidents with trucks we insure where the use of a seatbelt by the driver of the motor vehicle involved in the accident most certainly saved their lives and prevented serious bodily injury. In three of those four instances the person driving the motor vehicle was the cause of the accident but walked away from a severe truck-car impact that without the use of a seat belt may have made the accident a fatality.

In addition to promoting public health and safety, a primary seat belt law will save Montana consumers money. Consider the enormous cost of motor vehicle accidents, particularly those

involving fatalities or serious bodily injury. A recent Yellowstone County study on crashes in 2003 revealed quite alarming facts. Unbelted crash occupants were 25 times more likely to die in a crash than those using seatbelts. And unbelted crash occupants were 7 times more likely to require inpatient hospitalization. Moreover, the average charge for a belted inpatient hospitalization was \$20,709 while the average charge for an unbelted inpatient was \$48,691.

Medical care, lost wages and lost productivity coupled with the low threshold of required liability insurance create a cost to Montana consumers in the millions each year. Who ultimately pays the cost of medical care, lost wages and lost productivity? The answer is the consumer and the employers of the consumer in the form of higher insurance rates. This bill can have a significant impact on insurance premiums if the experiences of other states hold true in Montana. Consider the following:

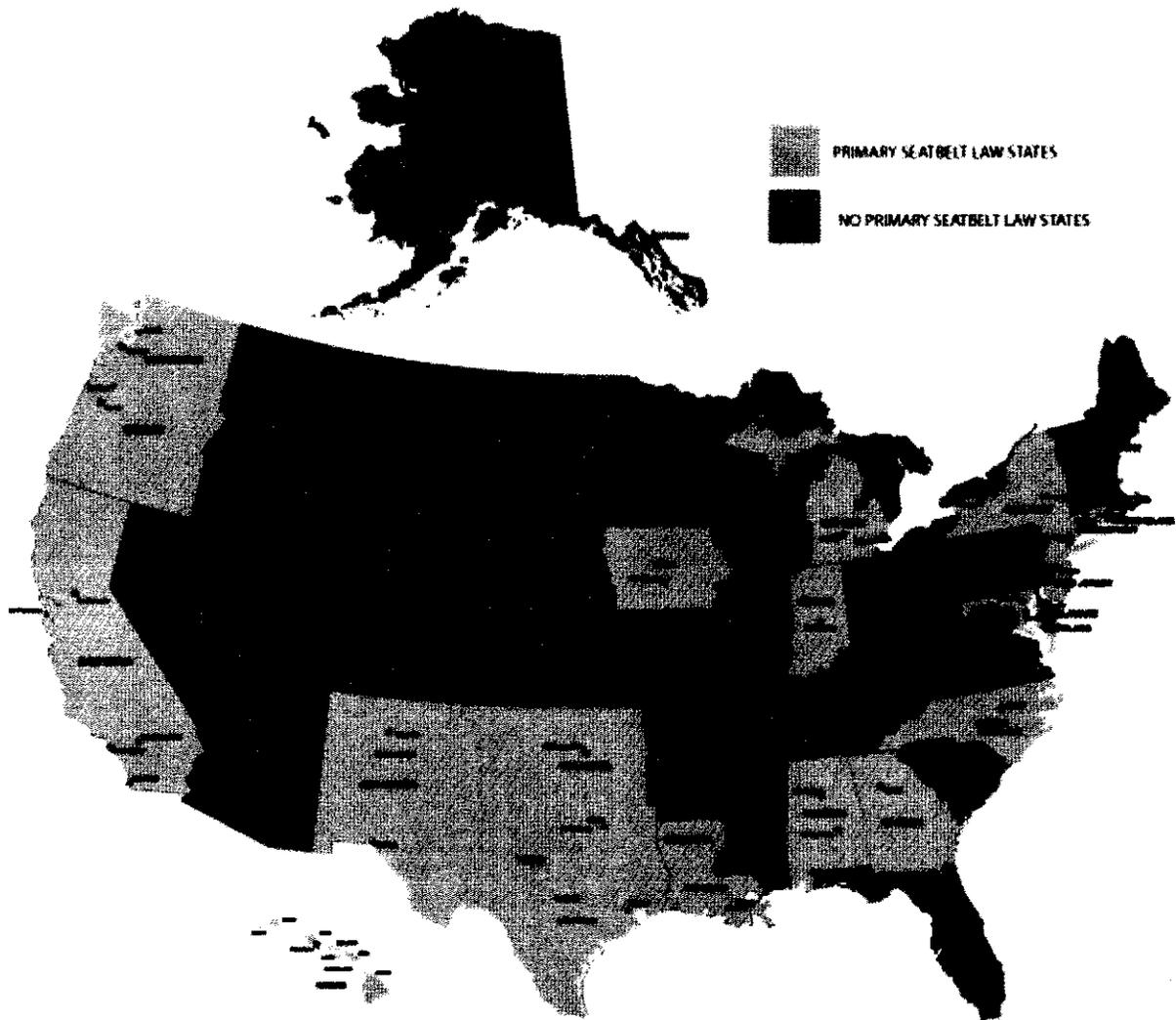
FACT: **The Cost to Society** -- Now let's address the economic costs of not wearing safety belts. The National Highway Traffic Safety Administration (NHTSA) published a report on the economic impact of crashes for 2000 and found the following: In 2000, safety belt use saved about \$50 billion in medical care, lost productivity, and other injury related costs. Conversely, safety belt non-use cost society about \$26 billion (Cost categories included are medical costs, EMS, vocational rehabilitation, market productivity, household productivity, insurance administration, workplace costs, legal/court costs, and premature funeral costs). *Source: The Economic Impact of Motor Vehicle Crashes 2000. National Highway Traffic Safety Administration; DOT HS 809 446, pp. 5-7.*

FACT: **Seatbelts Saves Lives Nationwide** -- Safety belts save lives: In 2000, safety belts prevented 11,889 fatalities and approximately 325,000 serious injuries. Conversely, safety belt non-use represents an enormous lost opportunity for injury prevention. In 2000 alone, more than 9,200 persons were killed and 143,000 were injured unnecessarily because they failed to wear their safety belts. *Source: The Economic Impact of Motor Vehicle Crashes 2000. National Highway Traffic Safety Administration; DOT HS 809 446, p. 54.*

FACT: **Safety Belts Reduces the Risk of Death** -- But are safety belts really effective in reducing deaths and injuries in vehicle crashes? Safety belts reduce the risk of death to front safety passenger car occupants by 45 percent and the risk of moderate to critical injury by 50 percent. For light truck occupants, safety belts reduce the risk of death by 60 percent and moderate to critical injury by 65 percent. *Source: Data on lives saved, injuries prevented, and cost savings due to estimated increases in safety belt use among secondary law States if legislation were upgraded to primary are available from NHTSA.*

It is time that Montana join the other 19 states (see below) which have adopted primary seat belt laws. Those states with a primary seat belt law have lowered fatality rates and the incidents of serious bodily injury because their motoring citizens are buckling up more than ever. These states are promoting the public health and safety of their citizens while saving them

money. This is a good thing.



Thank you for your due consideration of this important bill. I respectfully urge the Committee to vote to send this bill to the full Senate for its consideration.

Sincerely,

Ken Crippen