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**To: Members of House Judiciary Committee**

**Re: Informational Testimony for SB 300**

My name is Patty Carrell. I work as the coalition coordinator for Safe Kids Montana, (state affiliate of Safe Kids Worldwide) at Healthy Mothers, Healthy Babies-MT Coalition. I am also a certified child passenger safety (CPS) technician, as well as, an instructor for the 4-day Certification CPS Course.

Any CPS technician will tell you that the question we often hear when consulting with parents about how to properly restrain their children, is "What is the law?" As Montana law does not provide optimum safety for children in motor vehicles, we spend a lot of time explaining why. While we always welcome that opportunity, we often worry about parents who consult Montana law alone for guidance in how to restrain their children, and who we might never have the opportunity to talk to, and who may never be exposed to the public education and information we strive to provide.

Fact Sheet attached for latest information regarding:

Primary versus Secondary Enforcement  
Child Restraints Through Age 8

Reliable studies and data can effectively be used to authenticate the life-saving effects of primary enforcement of laws requiring every occupant be properly restrained in a vehicle and with children in safety restraints through age 8.

Reliable studies and data can also be used to clarify what's truly at stake.

Thank you Madam Chair and Members of the Committee.

Provided to the Members:

- 1) Partners for Child Passenger Safety's CPS Issues Report, March 2007
- 2) Statement of the National Transportation Safety Board on SB 300
- 3) Copy of Patty Carrell's testimony and fact sheet

Motor vehicle crashes are the leading killer of Americans, ages 4-34, and among the leading causes of death for all other ages. Over 43,000 Americans were killed, last year, and more than 2.8 million were injured. Many of these deaths could have been avoided and injuries prevented or reduced in severity, through correct restraint selection and use, so this is a serious issue for Montana and beyond. The below facts are based on peer-reviewed studies and published information from accepted national sources.

### **Primary versus Secondary Enforcement**

*Using seat belts and child restraints has been shown to be the most effective currently accessible and available way to save lives and reduce or prevent injuries from motor vehicle crashes. Strong seat belt laws with visible enforcement have also been shown to increase usage rates.*

- 73% of people who died in Montana, in 2005, were unrestrained.
- Montana seat belt usage rates decreased in 2005 and 2006, to the lowest level since 2002.
- States with secondary enforcement have a 17% higher fatality rate per 100 million miles traveled than states with primary enforcement.
- States with secondary enforcement also have a 23% higher fatality rate per 100,000 population than states with primary enforcement.
- The average seat belt usage rate is 10% higher in primary enforcement states than in secondary enforcement states.
- An 8-year study (1996-2003; IIHS) showed that 75 of the 1070 people killed in Montana traffic crashes would not have died, had there been a primary enforcement seat belt law.
- 49 states and DC allow primary enforcement of child restraint laws. Montana is the only state that currently has secondary enforcement.
- 25 states and DC allow primary enforcement of adult seat belt laws.

### **Child Restraints Through Age 8**

*Children are not fully protected by seat belts until they fit correctly on the strong parts of the body. Booster seats raise the child and guide the lap and shoulder belts to their correct position. This prevents injuries to the abdomen, internal organs, head, neck, spine and lower extremities, while making the child comfortable.*

- Parents rely on the state law to guide them in their choice of child restraint. This is most prevalent among parents that prematurely restrain their children with seat belts and justify this based on the law.
- Children ages 4 through 7 in states with booster seat laws are 39% more likely to be appropriately restrained than children in other states.
- For children ages 6 through 7, when compared with no booster law, laws up to age 8 are most effective. Montana border states, Idaho and North Dakota cover to age 7, Wyoming to age 9 and nearby Washington to age 8.
- The likelihood of injury is 59% lower for children ages 4 through 7 using belt-positioning boosters than it is for those using seat belts alone.
- Premature graduation to seat belts results in a 350% risk of significant injury and a 400% risk of significant head injury, when compared with appropriately restrained children.
- Children should ride in booster seats until they can sit all the way back on the vehicle seat, with knees bent naturally over the seat edge, the lap belt snug across the leg or hip bones, and the shoulder belt against the chest and shoulder. Correct seat belt fit is likely to occur between ages 8 and 11, depending on a specific child's body proportions and the specific vehicle design.

- The average cost of a booster seat is \$30. Some models are available for as little as \$15. Including the cost of purchasing, maintaining and using a booster, statistical analysis of the injury prevention value shows a 9.4 to 1 return on investment. When the costs of passing and implementing a mandatory law are added, injuries prevented still yield an 8.6 to 1 return.
- Fewer than 20% of children ages 4 through 7 use boosters, and 22% ride completely unrestrained.