



ADVOCATES
FOR HIGHWAY
& AUTO SAFETY



January 27, 2020

The Honorable Liz Krueger, Chair
Senate Finance Committee
The Honorable Helene E. Weinstein, Chair
Assembly Ways and Means Committee
The Honorable Timothy M. Kennedy, Chair
Senate Transportation Committee
The Honorable William B. Magnarelli, Chair
Assembly Transportation Committee

RE: Joint Legislative Hearing on Transportation

Via email: financechair@nysenate.gov and wamchair@nyassembly.gov

Dear Chairperson Krueger, Chairperson Weinstein, Chairperson Kennedy and Chairperson Magnarelli:

As you know, New York has a proud history of being a traffic safety leader by enacting the nation's first primary enforcement seat belt law for drivers and front seat passengers in 1984. Considering more than 37 percent of the passenger vehicle occupants killed in New York in 2018 were unrestrained when restraint use was known, it is time to renew New York's commitment to improve safety by closing loopholes in the seat belt law. Seat belts are proven life-savers having protected the lives of 396 people on New York roads in 2017. Yet, 41 more lives could have been saved that year if everyone had buckled up (National Highway Traffic Safety Administration (NHTSA)).

We urge you to support extending the primary enforcement front seat belt law to include rear seat belt use. A seat belt law covering both front and rear seat passengers will improve seat belt use and the safety of all occupants. When a passenger is ejected from the vehicle, their chances of survival are greatly diminished. In fatal crashes 83 percent of passenger vehicle occupants who were totally ejected from the vehicle were killed (NHTSA). Restraint use greatly reduces the likelihood that an occupant will be ejected. Only one percent of the occupants reported to have been using restraints were totally ejected, compared with 30 percent of unrestrained occupants. Moreover, 56 percent of unrestrained rear seat passenger vehicle occupants were killed in 2017 (NHTSA). In fact, unbelted rear seat passengers are three times more likely than belted rear seat passengers to die in a crash.ⁱ

Research by the Center for Transportation Injury Research at the University of Buffalo found unbelted rear seat passengers pose a serious threat to the driver and other vehicle occupants, as well as themselves. Unbelted rear seat passengers are known as "back seat bullets" because they can be thrust at high rates of speed into the driver resulting in loss of control of the vehicle and into other occupants causing fatalities and serious injuries. The chance of death for a belted driver seated directly in front of an unrestrained passenger in a serious head-on crash was "2.27 times higher than if seated in front of a restrained passenger."ⁱⁱ

Lack of a rear seat belt law particularly impacts our most vulnerable passengers, children. Teens and children comprise the majority of rear seat occupants, and studies have shown that seat belt usage by teens and young adults (age 16 – 24) is among one of the lowest segments of society. Seat belt use by adults also impacts child passenger safety. Children are 40 percent less likely to be properly restrained when parents don't buckle up (NHTSA).

When strong and clear traffic safety laws are passed, the public heeds them accordingly. A poll released by the Insurance Institute for Highway Safety (IIHS) found that nearly 40 percent of people surveyed said they sometimes don't buckle up in the rear seat because there is no law requiring it. If such a law existed, 60 percent of poll respondents said it would convince them to do so.ⁱⁱⁱ Furthermore, seat belt use in the rear seat is vital as the safety infrastructure built into the vehicle is not as developed in the rear seat as it is in the front seat.^{iv}

Thirty-six years ago, the New York Legislature took a bold move to improve safety on its roads. In 2018, 943 people were killed on New York roads. We urge you to take the next logical step and advance this commonsense upgrade to save lives and prevent injuries.

Sincerely,

Catherine Chase
President
Advocates for Highway and Auto Safety

Janette Fennell
President and Founder
KidsAndCars.org

ⁱ Hedlund, James, *Unbuckled in Back: An Overlooked Issue in Occupant Protection*. November, 2015. Governor's Highway Safety Association. Available at: https://www.drivingskillsforlife.com/images/pressrelease/pdf/RearBelts_FINAL.pdf

ⁱⁱ Mayrose, James, *Influence of the Unbelted Rear-seat Passenger on Driver Mortality: "The Backseat Bullet"*, Academic Emergency Medicine, Volume 12, Issue 2. Article first published online: 28 June 2008.

ⁱⁱⁱ Status Report, Unbelted, Vol. 52 No. 5, "Adults admit they often skip belts in rear seats", IIHS. August 3, 2017.

^{iv} Sahraei et al. *Reduced Protection for Belted Occupants in Rear Seats Relative to Front Seats of New Model Year Vehicles*, Proc AAAM, 2010.