



ADVOCATES  
FOR HIGHWAY  
& AUTO SAFETY

June 17, 2024

The Honorable Cindy Abrams, Chair  
The Honorable Josh Williams, Vice Chair  
The Honorable Richard D. Brown, Ranking Member  
House Criminal Justice Committee  
Ohio House of Representatives  
77 South High Street  
Columbus, Ohio 43215

Dear Chair Abrams, Vice Chair Williams, and Ranking Member Brown:

Advocates for Highway and Auto Safety (Advocates), an alliance of consumer, safety, medical, public health and law enforcement groups and insurance companies working together to pass highway and auto safety laws that prevent crashes, save lives, reduce injuries, and contain costs, supports House Bill (HB) 536 to upgrade the seat belt, child booster seat and child restraint for children who outgrow a booster seat laws to primary enforcement. These changes are a timely improvement, supported by research and experience to save lives.

The benefits of being properly restrained - wearing a seat belt or use of a child passenger safety seat - are well documented. For seat belts, from 1975 to 2019, seat belts prevented over 403,000 fatalities and saved society approximately \$2.5 trillion in economic costs.<sup>i</sup> As the first line of defense in a crash, seat belt use is essential to keeping occupants in their seats, for their own safety as well as their fellow passengers, and the driver retaining control of the vehicle. An unrestrained occupant can become a deadly projectile in a crash. Air bags are also designed to be optimized with a properly seat belted occupant, and the combination of an air bag plus a lap and shoulder belt reduces the risk of death in frontal crashes by 61 percent, compared with a 50 percent reduction for belts alone and a 34 percent reduction for air bags alone.<sup>ii</sup>

In frontal crashes, wearing a lap and shoulder belt reduces the risk of occupant death by 50 percent.<sup>iii</sup> In fatal crashes in 2022, 83 percent of passenger vehicle occupants who were totally ejected from a vehicle were killed.<sup>iv</sup> In 2022, only one percent of occupants reported to have been using restraints were totally ejected from a vehicle, compared with 26 percent of the unrestrained occupants.<sup>v</sup>

Seat belts are only effective when they are used, and the best way to get people to buckle up is to require use by every occupant, in every seating position and on every trip. Enacting comprehensive, clear and enforceable laws that require them to do so is a proven lifesaver. When drivers and occupants believe that a penalty for lack of seat belt use will be incurred, it deters them from this dangerous behavior. Seat belt use is higher in states with primary enforcement laws compared to those with secondary enforcement laws or no seat belt use law. Some states have experienced a 10 to 15 percent increase in seat belt use rates when primary laws were enacted.<sup>vi</sup> Moreover, a study conducted by the Insurance Institute for Highway Safety (IIHS) found that when states strengthen their laws from secondary to primary enforcement, driver death rates decline by seven percent.<sup>vii</sup>

Seat belt usage is exceptionally low in Ohio,<sup>viii</sup> at only 80.8 percent, and significantly lower than the national average of 91.9 percent.<sup>ix</sup> Alarming, usage in the Buckeye State has declined more than five percent since 2019 despite increasing nationally during the same period.<sup>x xi</sup> The seat belt use rate in Ohio ranks in the bottom 10 of states.<sup>xii</sup>

In 2022, 1,275 people were killed in traffic crashes in the state according to the National Highway Traffic Safety Administration (NHTSA), a 29 percent increase since 2013.<sup>xiii</sup> NHTSA data for 2022 reveal that half of people killed in traffic crashes in Ohio, when restraint use was known, were not restrained at the time of the crash.<sup>xiv</sup>

Similarly, primary enforcement of the booster seat and child seat belt use law is needed to promote proper restraint of young passengers. Motor vehicle crashes are a leading cause of death for children in the United States.<sup>xv</sup> An average of

over three children under age 14 were killed and about 445 were injured every day in traffic crashes in 2022 – amounting to a total of 1,129 fatalities, and 156,502 others are injured.<sup>xvi</sup> Improperly restrained children traveling in vehicles present a serious yet fixable public health problem. Using a booster seat with a seat belt instead of a seat belt alone reduces a child's risk of injury in a crash by 45 percent, according to the Center for Injury Research and Prevention, Children's Hospital of Philadelphia, and the Center for Clinical Epidemiology and Biostatistics, University of Pennsylvania.<sup>xvii</sup>

Traffic crashes are not only physically and emotionally devastating, but they are also costly. Seat belt use curbs medical care costs for Ohio residents and the state government. Unbelted crash victims have medical bills that are 55 percent higher than belted victims, and society bears most of the cost through increased insurance premiums, taxes and health care costs.<sup>xviii</sup> The annual cost of traffic crashes in Ohio has surpassed \$12 billion – amounting to a “crash tax” of \$1,036 on each Ohioan, according to a 2019 analysis.<sup>xix</sup> Enacting a primary enforcement all-occupant seat belt law is a crucial step towards preventing crash-related deaths and injuries and decreasing associated costs.

Effective enforcement of seat belt and booster seat laws is vital to ensure the health and safety of Ohio families and visitors traveling on state roads. Advancing HB 536 will help to meet this goal. We urge your support.

Sincerely,



Catherine Chase  
President

cc: House Criminal Justice Committee Members

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<sup>i</sup> NHTSA. 2023. The Economic and Societal Impact of Motor Vehicle Crashes, 2019 (Revised), available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403>.

<sup>ii</sup> Lives Saved by Vehicle Safety Technologies and Associated Federal Motor Vehicle Safety Standards, 1960 to 2012, Passenger Cars and LTVs, With Reviews of 26 FMVSS and the Effectiveness Of Their Associated Safety Technologies in Reducing Fatalities, Injuries, and Crashes; NHTSA, Jan. 2015, DOT HS 812 069, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812069.pdf>.

<sup>iii</sup> *Ibid.*

<sup>iv</sup> Traffic Safety Facts: 2022 Data, Occupant Protection in Passenger Vehicles, NHTSA, DOT HS 813 573, May 2024, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813573>.

<sup>v</sup> *Ibid.*

<sup>vi</sup> *Ibid.*

<sup>vii</sup> Farmer, Charles and Williams, Allen, Effect on Fatality Risk of Changing from Secondary to Primary Seat Belt Enforcement, Insurance Institute for Highway Safety (IIHS), 2005, available at <https://www.iihs.org/topics/bibliography/ref/1807>.

<sup>viii</sup> State Traffic Safety Information for Massachusetts, NHTSA, available at <https://cdan.dot.gov/stsi.htm>.

<sup>ix</sup> Seat Belt Use in 2023 – Overall Results, NHTSA, February 2024, DOT HS 813 543, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813543>.

<sup>x</sup> State Traffic Safety Information for Ohio, NHTSA, available at <https://cdan.dot.gov/stsi.htm>.

<sup>xi</sup> Seat Belt Use in 2023 – Overall Results, NHTSA, February 2024, DOT HS 813 543, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813543>.

<sup>xii</sup> *Ibid.*

<sup>xiii</sup> State Traffic Safety Information for Ohio, NHTSA, available at <https://cdan.dot.gov/stsi.htm>.

<sup>xiv</sup> *Ibid.*

<sup>xv</sup> WISQARS, Leading Causes of Death Reports, 1981-2020, 2020, Top 10 leading causes of death, Ages 1 to 14, available at <https://wisqars.cdc.gov/fatal-leading>.

<sup>xvi</sup> Traffic Safety Facts 2022 Data: Children, NHTSA, June 2024, DOT HS 813 575, available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813575>.

<sup>xvii</sup> Kristy B. Arbogast, Jessica S. Jermakian, Michael J. Kallan and Dennis R. Durbin, “Effectiveness of Belt Positioning Booster Seats: An Updated Assessment,” *Pediatrics* 2009;124:1281, October 19, 2009, available at <https://pediatrics.aappublications.org/content/124/5/1281>.

<sup>xviii</sup> State Traffic Safety Information for Ohio, NHTSA, available at <https://cdan.dot.gov/stsi.htm>.

<sup>xix</sup> NHTSA. 2023. The Economic and Societal Impact of Motor Vehicle Crashes, 2019 (Revised), available at <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813403>.