



ADVOCATES
for Highway & Auto Safety

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New report finds nationwide stagnation in filling hundreds of lethal loopholes in vital state highway safety laws

Safety advocates urge Congress and President-Elect Obama to compel states to enact low-dollar, high-results uniform traffic safety laws to reduce annual 41,000 deaths and \$230 billion economic losses.

WASHINGTON, D.C. (Monday, January 12, 2009) – As state legislatures across the nation open their 2009 sessions this month, Advocates for Highway and Auto Safety (Advocates) today unveiled its 2009 Roadmap to State Highway Safety Laws report that graded each state and the District of Columbia on their passage of 15 model traffic safety laws related to teen driving, drunk driving and the required use of seat belts, child booster seats, and motorcycle helmets.

The sixth annual Roadmap Report found that no state in the nation has adopted all 15 proven-effective measures to reduce traffic crash deaths and injuries, and that a total of only 11 new laws out of 344 existing legislative gaps were enacted by the states in 2008. Go to www.saferoads.org for the complete 2009 report.

The 2009 report graded states on their adoption of 15 model laws divided into four issue categories:

Adult Occupant Protection (2 laws)

- * Primary enforcement seat belt law that allows law enforcement officers to stop and ticket someone for violating the seat belt law rather than a weaker secondary enforcement law that requires the officer to observe another traffic violation first.
- * All-rider motorcycle helmet law that requires motorcyclists of all ages to wear a helmet.

Child Passenger Safety (1 law)

- * Child booster seat law that requires children from age 4 through age 7 to be placed in a booster seat.

Teen driving Graduated Driver Licensing (GDL) law that phases in the full driving privilege in a three stage process and allows for primary enforcement of the law: (5 laws)

- * Learner's Stage: A six-month "holding period" that requires beginning teen drivers to be supervised by an adult licensed driver at all times and to be citation-free before graduating to the provisional or intermediate stage
- * Learner's Stage: A minimum 30-50 hours of adult supervised driving with no reduction in required behind-the-wheel practice time for teens who take a drivers education course.
- * Intermediate Stage: A nighttime driving restriction provision that prohibits unsupervised driving from 10:00 p.m. to 5:00 a.m.
- * Intermediate Stage: A passenger restriction of no more than one non-family teen passenger.
- * Learner's and Intermediate Stages: A cell phone restriction that prohibits the use of cellular devices (handheld and hands-free) by novice teen drivers, except in the case of an emergency.

Impaired Driving (7 laws)

- * Child endangerment law for driving drunk with children in the motor vehicle.
- * Repeat offender penalties that comply with federal standards in the Transportation Equity Act for the 21st Century, which include a minimum one year license suspension, motor vehicle impoundment or installation of an ignition interlock system, and alcohol addiction assessment.

- * Open container ban in the passenger area of motor vehicles. The state law must match the requirements put forth in the federal TEA-21 law, which includes possession and consumption and allowing for primary enforcement.
- * High blood-alcohol concentration (BAC) drivers would be subject to stronger penalties for exceeding a .15 BAC.
- * Mandatory BAC testing for all drivers – killed or surviving – in crashes involving death or serious injury.
- * Sobriety checkpoints that are authorized by state law and conducted by law enforcement agencies.
- * Ignition Interlock Device law that mandates their installation in vehicles of all drunk driving offenders – first-time and repeat offenders.

In each of the four issue categories, states were given one of three ratings based on how many optimal laws they have: Green (Good); Yellow (Caution - state needs improvement); and Red (Danger - state falls dangerously behind). Placement in one of the three ratings was based solely on whether or not a state had adopted a law as defined in the report, and not on any evaluation of a state's highway safety education-enforcement program or on fatality rates.

Only 11 optimal highway safety laws enacted in 2008:

- * No state passed a primary enforcement seat belt law;
- * No state passed an all-rider motorcycle helmet law in spite of the fact that motorcyclist fatalities have more than doubled over the past 10 years. 12 states unsuccessfully tried to repeal their helmet law;
- * Only four states adopted optimal booster seat laws protecting children through age 7 – Maryland, Massachusetts, Michigan, and Utah;
- * Only 4 of the 116 gaps in teen graduated driver’s licensing (GDL) laws were filled legislatively in the nation – Connecticut (supervised driving), Louisiana (supervised driving), Minnesota (teen passenger restriction), Virginia (supervised driving); and,
- * Other than the three ignition interlock device laws enacted by Alaska, Nebraska and Washington, no state passed any other of Advocates’ basic impaired driving laws.

“This is a very dangerous and deadly broken record and the wait is literally killing us,” said Judith Lee Stone, President of Advocates. “Another year has passed during which more than 41,000 people perished and millions suffered injuries in traffic crashes, and again we find that state legislatures have obstructed adoption of proven effective highway safety laws to help bring this public health and safety epidemic under control.”

The 2009 report found that four states – Arkansas, North Dakota, South Dakota and Wyoming – were the worst performing states (red) because they have the fewest of the most fundamental lifesaving laws. Additionally, 14 of the 31 states in the yellow category are perilously close to being rated as poor. These states on the edge are Arizona, Kansas, Idaho, Iowa, Minnesota, Mississippi, New Hampshire, Ohio, Pennsylvania, Rhode Island, Texas, Vermont, West Virginia, and Wisconsin.

Several states have achieved green ratings over the years by adopting most of Advocates' basic model laws (AL, CA, DE, DC, HI, IL, LA, ME, MD, MI, NJ, NY, NC, OR, TN and WA). However, progress has slowed in most of the green states in recent years.

Green States need a Boost:

The following states have green ratings, but still have serious gaps in several of the 15 optimal highway safety laws. No action has been taken in these states over the past three years to close those remaining loopholes:

- * Alabama: Needs an optimal booster seat law, and has several gaps in teen and impaired driving laws
- * District of Columbia: Has several gaps in teen and impaired driving laws
- * New Jersey: Has several gaps in teen and impaired driving laws
- * New York: Needs an optimal booster seat law, and has several gaps in teen and impaired driving laws
- * North Carolina: Has gaps in teen and impaired driving laws
- * Tennessee: Has several gaps in teen and impaired driving laws
- * Washington: Has several gaps in teen and impaired driving laws

“This year’s report is not as much about ‘green-yellow-red states’ as it is about how little progress there has been in plugging legislative loopholes and coming together as a nation to wage a serious battle against tragic and costly traffic deaths,” said Advocates president Stone.

In 2007:

- * Highway crashes continued to be the leading cause of death of Americans ages 4 to 34 as another 41,059 people were killed and nearly 2.5 million others were injured.
- * More than half (54%) of passenger vehicle occupants killed were unbuckled.
- * 6,552 fatal crashes involved young drivers ages 15-20, resulting in 7,512 deaths.
- * Motorcycle deaths increased for the 10th year in a row as 5,154 motorcyclists died – the highest number since 1975. This rapidly escalating death toll now accounts for 13 percent of all traffic fatalities.
- * 1,233 children and youth ages 8 through 15 were killed in motor vehicle crashes.
- * 376 children ages 4 through 8 were killed and another 50,000 were injured in crashes.

“The lack of any real progress in reducing death and injury as lifesaving bills are abandoned and junked year after year in state capitals points to the critical need for federal leadership,” said Jacqueline Gillan, Vice President of Advocates. “At critical times over the past three decades, when states ignored proven public health measures to reduce highway deaths and injuries, Congress and the White House exhibited bipartisan leadership to bring about uniformity in state traffic safety laws.”

In 1984, Congress passed and President Reagan signed the National Uniform Minimum 21 Drinking Age law. In 1995, Congress and President Clinton closed a loophole in underage drinking and driving by enacting the Zero Tolerance Blood Alcohol Concentration (BAC) law. And, in the year 2000, Congress and President Clinton established a nationwide uniform .08 percent blood-alcohol limit in every state.

“All three federal measures, with the political muscle of a sanction within a reasonable time frame, resulted in each state quickly adopting these laws and no state losing a single dollar of federal funds,” Gillan said.

The unfinished agenda in 2009:

- * 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 primary enforcement booster seat law covering children ages 4 through 7;
- * 49 states and DC do not protect teen drivers with an optimal graduated driver’s licensing program; and,
- * 36 states and DC are missing more than one critical impaired driving law.

"Passing highway safety laws is not only socially responsible, it is fiscally prudent. They are highly effective public health interventions that shield vehicle occupants from death and injury in crashes." Linda C. Degutis, DrPH, the Immediate Past President of the American Public Health Association, Board Member of Advocates for Highway and Auto Safety, and Associate Professor of Surgery and Public Health at Yale University.

“The 400,000 lives claimed in just the past 10 years is a chilling reminder of the scope of this epidemic,” Dr. Degutis said. “There are few public health problems that are this large, and when you add in injuries at a rate 62.5 times fatalities, the annual number of tragic and largely preventable incidents is in the multi-millions. We have a perfect blueprint for reformers in the incoming Administration. Adoption of these basic laws in each state will lower health and other economic costs at no financial cost to taxpayers or governments.”

Patty French is a Fredericksburg, Virginia, mom who spoke of her repeated efforts to urge the Virginia General Assembly to pass a primary enforcement seat belt law after her son Greg, age 23, died at Christmas 1994 following a 3-1/2 year coma caused by a car crash in which he was not buckled up. The Virginia legislature has yet to approve this lifesaving law.

“In addition to this indescribable loss, costs to the state for Greg’s medical care were nearly \$1 million. It took us ten years to pay back what we owed, between \$75-100,000,” French said. “I have spent too many winters in our state capital pushing the Virginia General Assembly to pass a primary enforcement seat belt law because primary enforcement – rather than a weaker secondary enforcement law – results in far more people buckling up and far fewer people dying. Yet, only half the states and DC have enacted this lifesaving law. Last year, no state – including my own --adopted this law, even with the promise of extra federal funds to reward states that pass it.”

French pointed out that between 1996 and 2003, 4200 people were killed on Virginia’s roads. A primary enforcement seat belt law in Virginia would have prevented an estimated 300 of those deaths.

“We are now at a crossroads. And while some state legislators 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 another 10, 20, or 30 years when millions of lives are at stake,” said Advocates vice president Gillan. “Federal incentive grants alone are not working and there is an urgent need for bold new federal action and leadership,” Gillan said, as Congress this year takes up multi-year, multi-billion dollar surface transportation legislation frequently referred to as the SAFETEA-LU Act (Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users).

“During the five-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,” Gillan said. “Any significant reduction in motor vehicle deaths and injuries will require 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.”

Also addressing the National Press Club news conference today were two of the nation’s most respected traffic safety law enforcement leaders. Captain Thomas Didone is a veteran Montgomery County (Maryland) Police Department district commander who has dedicated much of his career to highway safety law enforcement and education. On October 20, 2008, Commander Didone’s son Ryan, age 15, was killed as a passenger in a crash involving a newly-licensed 17-year-old classmate who lost control of his car and struck a tree before catching fire. Ryan was not wearing his seat belt.

Assistant Chief Patrick Burke of the Metropolitan Police Department in Washington, D.C. is the leading voice for traffic safety laws and their enforcement in the nation’s capital. “This new report is an important and well-taken reminder that those that are green can be greener and there’s plenty of room for improvement for the Yellow and Red states,” said Chief Burke. “Together, we can save a lot more lives, prevent a lot of needless misery, and preserve those precious budgetary dollars – especially in these tough economic times -- that are sorely needed to build healthier communities across our country.”

Advocates today publicly thanked a “Legislative Honor Roll” of state legislators who introduced and committees that acted on optimal highway safety legislation in their 2008 sessions. The list of legislators, along with the complete 2009 Roadmap to State Highway Safety Laws report, an electronic version of the entire press kit, and the replay of today’s webcasted news conference can be found at the Advocates for Highway and Auto Safety website: www.saferoads.org.

Advocates for Highway and Auto Safety is a coalition of insurance, consumer, health, safety and law enforcement organizations that work together to advance state and federal highway and vehicle safety laws, programs and policies.

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The 2009 Roadmap Report to State Highway Safety Laws

National Press Club • Washington, D.C.

Monday, January 12, 2009

Speakers Agenda

Judith Lee Stone, President, Advocates for Highway and Auto Safety

Jacqueline Gillan, Vice President, Advocates for Highway and Auto Safety

Advocates for Highway and Auto Safety is a Washington, D.C.-based 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.

Patty French (Fredericksburg, Virginia)

In May 1991, Patty French's son Greg, age 20, was critically injured in a motor vehicle crash in which he was not buckled up. The crash took place in Virginia where the seat belt law is only a secondary enforcement violation. Greg spent 3-1/2 years in a coma until he died Christmas 1994. Since Greg's death, Patty has repeatedly campaigned for the Commonwealth of Virginia to enact a primary enforcement seat belt law, and each time the state legislature killed the bill.

Assistant Police Chief Patrick Burke, Metropolitan Police Department (Washington, DC), Homeland Security Division.

Over his two decades with the MPD, Assistant Chief Pat Burke has been the leading voice for traffic safety laws and their enforcement in the nation's capital. Most recently, he commanded the Homeland Security and Special Operations Division. During his MPD career, Burke has served in four of the seven police districts, the Special Operations Division, Operations Command, and the Field and Tactical Support Unit.

Captain Thomas Didone, 5th District Commander, Montgomery County (Maryland) Police Department

During his 22 years with the MCPD, Captain Tom Didone has served as Director of Alcohol Initiatives and the Special Operations Division. He is widely recognized for his traffic safety enforcement leadership and for innovative educational programs he developed to prevent underage drinking. In January 2007, he was assigned as Commander of the 5th District (Germantown). On October 20, 2008, his son Ryan, age 15, was killed as a passenger in a car driven by a newly-licensed 17-year-old classmate.

Linda C. Degutis, DrPH, MSN, Yale University (New Haven, Connecticut)

Dr. Degutis is the Immediate Past President of the American Public Health Association, a Board Member of Advocates for Highway and Auto Safety, and an Associate Professor of Surgery (Emergency Medicine) and Public Health at Yale University, whose research and practice interests have focused on injury prevention and control as a means to save lives and cut health care costs.

REMARKS BY JUDITH LEE STONE, President
Advocates for Highway and Auto Safety
On the Release of the
2009 Roadmap to State Highway Safety Laws
January 12, 2009

Welcome to the 6th annual Roadmap to State Highway Safety Laws report that is compiled by Advocates for Highway and Auto Safety. My name is Judie Stone. I am the President of Advocates for Highway and Auto Safety, which is an alliance of consumer, medical, safety and insurance organizations that has been advancing state and federal highway and vehicle safety laws, programs and policies since we were founded 20 years ago in 1989.

Welcome to those of you who have joined us here at the National Press Club in Washington, D.C. and to those of you who are watching via our webcast at www.saferoads.org.

We are joined today by:

Advocates' Vice President Jackie Gillan

Patty French, a Fredericksburg, Virginia, resident who has been lobbying for her state to enact a primary enforcement seat belt law since her son Greg tragically died in a crash in which he was not buckled up.

Next will be two of the top cops in the nation when it comes to traffic safety law advocacy and law enforcement:

Commander Tom Didone of the Montgomery County, Maryland, Police Department, and

Assistant Chief Patrick Burke of the Metropolitan Police Department here in Washington, D.C.

And, Dr. Linda Degutis, who is the Immediate Past President of the American Public Health Association, an Advocates' Board Member, and an Associate Professor of Surgery and Public Health at Yale University in New Haven, Connecticut.

After we present the key findings in our 2009 Roadmap Report and hear from each of our speakers, we will welcome some questions from reporters here and from journalists tuned into our live webcast who are invited to email us their questions.

This year's report is a review and rating of state legislative activity in 2008 of 15 basic highway and traffic safety laws that fall in four main categories –

The first category is adult occupant protection, including a primary enforcement seat belt law and an all-rider (meaning, all ages) motorcycle helmet law,

The second category is child passenger safety, specifically booster seat laws.

The third category is teen driving safety, which includes five key features of a model Graduated Drivers Licensing law.

And the fourth category focuses on five impaired driving laws.

A few disclaimers up front:

-- Advocates believes that the 15 laws under these four categories are essential basic statutes for all states to adopt to effectively save lives, prevent injuries and reduce health care and other costs. They do not comprise, however, the entire list of effective public policy interventions that states should take to reduce motor vehicle deaths and injuries.

-- States are rated only on whether or not they have each of these laws on their books, not on how they enforce their laws or educate their citizens, or on the number of fatalities. This primary focus of the annual Roadmap Report is on the need for states having in place proven, effective public policies upon which to build education and enforcement campaigns that will lead to the prevention of death and injury and the reduction related economic costs.

Each of the past five years, we have stood here and reported that well over 40,000 people die each year on our nation's highways, and two to three million more are injured. Sadly, that is still the case today as we look back on the most recent year when statistics are available, 2007.

We know that the 15 basic highway safety laws we have been advocating for years can significantly reduce this tragic death toll, and the annual Roadmap Report is one way that we can hold our Governors and state legislatures accountable.

That is why is it is very discouraging when the tally is done at the end of each year to see how few states have adopted this blueprint for action, especially when so much personal suffering, family devastation, budgetary and taxpayer expenditures could be prevented by doing so. This year is no different, with 41,059 lost across the nation in 2007, and only 11 laws out of 344 needed passed in 2008 in all 50 states and DC. This is half the number of laws passed in 2007.

We are likely to see a drop in highway deaths and injuries when the 2008 figures come in later this year, but in all likelihood it will be due to the drop in vehicle miles traveled because of the high cost of gasoline last year.

We agree with President-elect Obama in his remarks to the nation's Governors in December 2008, when he said, "We are not going to be hampered by ideology in trying to get this country back on track. We want to figure out what works."

In the highway safety field, the nation's top experts have figured out which laws work to save the most lives. And while these legislative matters are usually the domain of the states, in the face of years of state inaction, Advocates today is calling on Congress to attack head-on this public health epidemic that is an emotional, physical and financial

drain on our society. The sanction approach – withholding a percentage of Highway Trust Funds until the state passes the law – has worked well in the past and it will work well for us now. We can no longer afford to wait for the states to act.

Today you will hear from speakers whose personal stories and professional experiences have brought them together here today in support of Advocates' position that the next step is for nationwide uniformity in state highway safety laws.

First, we will hear from Jackie Gillan, the Vice President of Advocates for Highway and Auto Safety, who will present the key findings of the Roadmap report, then I will be back to introduce the rest of the speakers before we take media questions.

STATEMENT OF JACQUELINE GILLAN, VICE PRESIDENT
On the Release of
Advocates for Highway and Auto Safety's
2009 Roadmap to State Highway Safety Laws
National Press Club, Washington, D.C.
January 12, 2009

I am Jacqueline Gillan, vice president of Advocates for Highway and Auto Safety. Let me briefly highlight the key findings of this year's report and discuss the next steps to advance highway safety laws.

This year's report cover depicts a large and growing junkyard of battered, beaten and abandoned vehicles piled up before our United States Capitol. We chose this cover because it aptly illustrates the fate of hundreds of highway safety laws each year in state capitals across the country. The legislative junkyard of rejected bills to upgrade seat belt laws, require the use of motorcycle helmets, toughen drunk driving laws, and protect new teen drivers continues to pile up despite any significant progress in reducing more than 41,000 deaths and over 2.5 million injuries annually. Motor vehicle crashes continue to be the leader in fatalities for all Americans ages 4 to 34 but the biggest loser in capturing the attention of state legislatures.

One year ago, when our Roadmap Report looked at the degree to which the 50 states and DC enacted 15 proven-effective traffic safety laws, we found 344 legal loopholes that needed urgent legislative attention. The new Roadmap Report that we are releasing today found that only 11 optimal traffic safety laws out of these 344 were adopted in 50 state legislatures and the District of Columbia in 2008. This is less than half the number of laws enacted in 2007.

In 2007, more than half of those killed in crashes were not wearing a seat belt and yet no state passed a primary enforcement seat belt law in 2008 even though \$100 million was available in federal incentive grant money. Today, only 25 states and DC have enacted primary seat belt laws. At this rate it will likely be 2034 before all states have this law.

In 2007, over 5,100 motorcycle riders were killed, about 100 deaths a week. This represents a seven percent jump from 2006 and the tenth year in a row that motorcycle deaths have increased. Yet, no state has enacted an all rider motorcycle helmet law since Louisiana re-instated its law in 2004. In fact, twelve state legislatures considered repealing their motorcycle helmet laws even though head injury is the leading cause of death in motorcycle crashes.

Last year, 376 children ages four through seven died and 50,000 others were injured in motor vehicle crashes. Research shows that booster seats reduce the risk of injury by 59 percent for this age group compared to using seat belts alone. Yet, only four states adopted optimal child booster seat laws last year. There are still 21 states with gaps in their booster seat laws and eight states with no booster seat law at all, even with a federal incentive grant available to states.

7,512 people were killed in crashes involving young drivers ages 16 to 20 in 2007. Research conclusively and convincingly shows that strong teen driving laws that prescribe minimum hours of supervised driving, require a mandatory waiting period, and impose nighttime and passenger restrictions were associated with reductions of 16 to 21 percent in fatal-crash rates of 16-year old drivers. Yet, only 4 states last year passed laws strengthening their teen driving laws.

The lack of uniform teen driving laws across the country has parallels to the patchwork quilt of minimum drinking age laws in the 1980s that created so-called “blood borders” between states. These different drinking ages resulted in teens traveling to adjoining states to drink, drive and too often die on the trip home.

Drunk driving remains one of the most frequently committed violent crimes in our country. Last year, nearly 13,000 people were killed in alcohol-related crashes. Despite the availability of proven technology to deter drunk drivers from getting behind the wheel, only seven states require the installation of ignition interlock devices for first time offenders. Furthermore, basic drunk driving laws protecting children, increasing penalties for “super drunks” and repeat offenders and prohibiting open containers continue to languish in state legislatures.

This year’s report shows that four states – Arkansas, North Dakota, South Dakota and Wyoming are the worst performing states indicated by the color red because these states lack so many essential highway safety laws. However, there are 14 states, nearly half in the yellow category, showing moderate performance, that are dangerously close to being rated as poor. These states are Arizona, Kansas, Idaho, Iowa, Minnesota, Mississippi, New Hampshire, Ohio, Pennsylvania, Rhode Island, Texas, Vermont, West Virginia, and Wisconsin.

Today, as we release this report, there is still not a single state that has all 15 optimal traffic safety laws. Even some states that continue to rate in our top tier green category are suffering from legislative lethargy. For three years now Alabama, New Jersey, New York, North Carolina, Tennessee and Washington State have all failed to close any remaining dangerous gaps in their traffic safety laws.

The lack of any real progress in reducing highway deaths and injuries, unacceptable delays in state legislatures, and lifesaving bills abandoned and junked for years and years in state capitals points to the need for federal leadership.

At critical times over the past three decades, when states ignored or delayed proven public health measures to reduce highway deaths and injuries, Congress and the White House exhibited bi-partisan leadership to bring about uniformity in state traffic safety laws. In 1984, Congress passed and President Reagan signed into law the National Uniform Minimum 21 Drinking Age. In 1995, Congress and President Clinton closed a loophole in underage drinking and driving by enacting the Zero Tolerance Blood Alcohol Concentration (BAC) law. And, in the year 2000 Congress and President Clinton established a nationwide uniform .08 percent blood-alcohol limit in every state.

All three federal measures, with the political muscle of a sanction within a reasonable time frame, resulted in every state quickly adopting the law and no state losing a single dollar of federal funds.

We are at a crossroads again. It is time for this new Congress and the new Administration to apply this same successful and sensible approach to spur state action on highway safety laws. While there are many state legislators and governors who have tried to push passage of safety laws, the pace is too slow, the petty political obstacles too large, and the problem too great to wait any longer. The health and safety of millions of Americans are at risk every day, every week and every year state legislatures fail to act on seat belt, motorcycle helmet, teen driving, drunk driving and child safety laws. In fact, the wait is killing us.

This year Congress will be taking up several bills to improve our roads and bridges. An economic stimulus package and a must-pass, multi-year, multi-billion dollar surface transportation bill, the reauthorization of SAFETEA-LU, are legislative priorities for this new Congress.

The Congress also should adopt a safety stimulus package to seriously address this public health epidemic and spur state legislative action. Increased federal spending on roads and bridges is not enough to advance highway safety. We need more.

When it comes to aviation safety, automobile safety, and rail safety the federal government does not sit back and let the states decide what to adopt and what to ignore. The same with clean air, water, food and drug safety.

We say it is time for renewed federal leadership in highway safety. Federal financial investments in our roadway infrastructure should also be accompanied by political investments in proven highway safety measures. We need to protect every family in every state on every road and highway. This strategy will save lives and precious health dollars.

So, today we begin a new effort to urge the Congress and White House to take the lead. We urge the American public to join in this effort by acting now as if your life depended on it, because it does. We invite the public to learn more about this by going to our website: www.saferoads.org

Thank you very much.

Remarks of Patty French, Fredericksburg, Virginia
On the Release of
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Thank you for inviting me to speak today. I do this despite the pain it causes me each time I do. It's my way of saving at least one other family from suffering as our family has.

On May 25, 1991, almost 18 years ago, my 20-year-old son, Greg, left our house for a friend's house, his car left the road one-half mile from our home, and hit a tree. Greg was, unfortunately, unbuckled and his head hit the mirror and steering wheel. The Rescue Squad had him airlifted to the Washington Hospital Center; he was in a coma.

We were notified a few hours after all this happened. For six months Greg stayed at the Washington Hospital Center in coma, after which he had to move to a rehab center in Pennsylvania. Since there was no sign of improvement or any recovery, six weeks later, Greg was moved to another rehab center in Richmond. We were informed that Greg was in a Permanent Vegetative State, we needed to accept it, and that this was as good as he would ever be.

Soon followed a nursing home in Richmond, then another nursing home in Burke, Virginia.

Greg made numerous trips to various hospitals for a wide range of illnesses over time, forcing my husband and me to make daily payments of \$350 to the nursing homes to hold his bed so he would have a place to return to. In 1994, Greg was moved to a nursing home in Fredericksburg, the only place that would accept him. It is hard to find places in nursing homes for young patients who are expected to live a long time.

On December 22, 1994, Greg died of a massive staph infection. His death was sudden and came on with no warning. We buried Greg on Christmas Eve.

In addition to this indescribable loss, costs to the state for Greg's medical care were in the range of \$1 million. It took us ten years to pay back what we owed, between \$75-100,000.

I have spent too many winters in Richmond pushing the Virginia General Assembly to pass a PRIMARY enforcement seat belt law. Study after study shows that a primary enforcement seat belt law – rather than a weaker secondary enforcement law – results in far more people complying with the law. Yet, only half the states and DC have enacted this lifesaving law. Last year, no state – including my own --adopted this law, even with the promise of extra federal funds to reward states that pass this law.

Between 1996 and 2003, 4200 people were killed in car crashes in Virginia alone. If we had a primary enforcement seat belt law in place, nearly 300 of those deaths could have been prevented.

Greg might still be here today, able to watch his son, Stephen, grow up to be a successful and wonderful 18-year-old. Stephen never had a chance to know his father as he should have.

Time and time again this legislation has been rejected in Virginia, usually because of one or two individuals who are philosophically opposed to it (why anyone could be, I will never know.) The Senate has been more receptive than the House of Delegates. If the government can tell us to vaccinate our children to protect them from diseases, I do not understand why states cannot pass a bill that protects people from dying on our roadways, which is the number killer of people under the age of 34.

I stand here today in support of anything the federal government can do direct my legislature to do the right thing. We need the intervention of federal legislation. Nothing else has worked. Nothing else will work. The youth of today are the leaders and hope for tomorrow.

The pain and suffering from these events is more than can be described. The shock waves can be felt from family members and friends to the police and paramedics on the front lines. Think how they must feel while they ring the door bell.

It is time for the new Congress and new President to answer the call by using their influence to get all of the states to uniformly enact a primary enforcement seat belt law. President Reagan was right when he used the federal stick to uniformly raise the drinking age to 21. And President Clinton was right to use the same approach when it came to teen drinking and driving and the national .08 drunk driving standard. All the states quickly enacted these laws after years of bills dying in committee.

Take it from this mother and grandmother, this is truly a matter of life or death for thousands of Americans every year and an important opportunity to contain health care costs.

REMARKS OF DR. LINDA C. DEGUTIS, DrPH, MSN
On the Release of
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My career in public health spans 25 years during which I have witnessed the constant drumbeat of unnecessary destruction as a result of an enormous fatality and injury toll in motor vehicle crashes, year in and out. As an emergency and trauma nurse, I came to the conclusion that the violence of these all-too-common events leading to injuries and deaths has to be prevented in some way – the costs to families and communities are just too overwhelming.

Think about it – this graph showing well over 400,000 people's lives have been claimed in just ten years is a chilling reminder of the scope of this epidemic. There are few public health problems in our nation that are this large, and if you add injuries, at a rate 62.5 times fatalities, the annual number of tragic and largely preventable incidents is in the multi-millions.

Sometimes we struggle for solutions to public health problems. In this case, we have known the solutions for many years, and therefore, have no excuse for inaction. The 2009 Roadmap to State Highway Safety Laws is documentation that a kind of lethargy has taken hold in state legislatures when it comes to adoption of proven, effective highway safety laws.

My research at Yale University involves many areas of injury prevention, including the role of laws in reducing deaths, injuries and associated costs, at the same time contributing to reform of our health care system. This prevention message seems often lost in policy debates about what to do to curb gargantuan, ever-escalating health costs. On our doorstep, in January 2009, lies a perfect blueprint for reformers in the incoming Administration. Adoption of these simple, basic laws in every state will lead to lower health and other economic costs across the nation, and at no financial cost to taxpayers or governments.

We need more and better traffic safety laws across all 50 states and DC, and this is why the public health community supports federal legislation that will bring the necessary uniformity in state traffic safety laws, from the ground up, resulting in fewer deaths and injuries, and cost control that is so desperately needed.



STATE PERFORMANCE IN 2008

This year only 11 new laws were passed throughout the nation, cutting the already small number of laws passed last year in half. In Advocates' judgment, no state qualifies to be a "best" performer in 2008.

The Roadmap Report contains raw data about those states passing the most laws, the least, and those in between, resulting in a "green-yellow-red" grade. Over the years, some states have performed well in adopting many of Advocates' basic laws (AL, CA, DE, DC, HI, IL, LA, ME, MD, MI, NJ, NY, NC, OR, TN AND WA) although relatively little activity has occurred in these "green" states recently. This year, however, is not so much about "green-yellow-red" as it is about how little progress there has been in advancing proven safety countermeasures and coming together as a nation to wage a serious battle against tragic and costly traffic deaths. Standing still in these rankings hardly constitutes progress.

Worst Performing States (In Red category, or in Yellow category close to Red- with no laws passed in 2008.)

ARKANSAS ●

- Only 6.5 of Advocates' 15 recommended laws (lacking primary enforcement and all-rider motorcycle helmet laws; has only 1 of 5 optimal teen driving laws and is missing 2 of 7 impaired driving laws)

NORTH DAKOTA ●

- Only 6.5 of Advocates' 15 recommended laws (lacking primary enforcement and all-rider motorcycle helmet laws; has only 1 of 5 teen driving laws and is missing 2 of 7 impaired driving laws)

SOUTH DAKOTA ●

- Only 5 of Advocates' 15 recommended laws (lacking primary enforcement, all-rider motorcycle helmet and child booster seat laws; has only 1 of 5 teen driving laws and is missing 3 of 7 impaired driving laws)

WYOMING ●

- Only 5 of Advocates' 15 recommended laws (lacking primary enforcement and all-rider motorcycle helmet laws; has only 3 of 5 teen driving laws and is missing 5 of 7 impaired driving laws)

ARIZONA ●

- Only 7.5 of Advocates' 15 recommended laws – 1 point from Red; lacking primary enforcement, all-rider motorcycle helmet and child booster seat laws; has only 1 of 5 teen driving laws.

KANSAS ●

- Only 7 of Advocates' 15 recommended laws – 1 ½ points from Red; lacking primary enforcement and all-rider motorcycle helmet laws; has 2 of 5 teen driving laws and is missing 2 of 7 impaired driving laws.

IDAHO ●

- Only 8.5 of Advocates' 15 recommended laws – 2 points from Red; lacking primary enforcement and all-rider motorcycle helmet laws; has 4 of 5 teen driving laws and is missing 5 of 7 impaired driving laws.

IOWA ●

- Only 7.5 of Advocates' 15 recommended laws – 2 points from Red; lacking all-rider motorcycle helmet law; has only 2 of 5 teen driving laws and is missing 2 of 7 impaired driving laws.

MINNESOTA ●

- Only 8 of Advocates' 15 recommended laws – 1 ½ points from Red; lacking primary enforcement, all-rider motorcycle helmet law and child booster seat laws; has only 4 of 5 teen driving laws and is missing 3 of 7 impaired driving laws.

MISSISSIPPI ●

- Only 7.5 of Advocates' 15 recommended laws – 2 points from Red; has only 2 of 5 teen driving laws and is missing 4 of 7 impaired driving laws.

NEW HAMPSHIRE ●

- Only 8 of Advocates' 15 recommended laws – 1 ½ points from Red; lacking primary enforcement and all-rider motorcycle helmet laws; has only 2 of 5 teen driving laws and is missing 1 of 7 impaired driving laws.

OHIO ●

- Only 7.5 of Advocates' 15 recommended laws – 1 point from Red; lacking primary enforcement, all-rider motorcycle helmet and child booster seat laws; has 3 of 5 teen driving laws and is missing 2 of 7 impaired driving laws.

PENNSYLVANIA ●

- Only 8 of Advocates' 15 recommended laws – 1 ½ points from Red; lacking primary enforcement, all-rider motorcycle helmet and child booster seat laws; has 3 of 5 teen driving laws.

RHODE ISLAND ●

- Only 7.5 of Advocates' 15 recommended laws -- 1 point from Red; lacking primary enforcement and all-rider motorcycle helmet laws; is missing 4 of 7 impaired driving laws.

TEXAS ●

- Only 7.5 of Advocates' 15 recommended laws – 2 points from Red; lacking all-rider motorcycle helmet and child booster seat laws; has only 2 of 5 teen driving laws and is missing 2 of 7 impaired driving laws.

VERMONT ●

- Only 7.5 of Advocates' 15 recommended laws – 1 point from Red; lacking primary enforcement law; has 3 of 5 teen driving laws and is missing 4 of 7 impaired driving laws.

WEST VIRGINIA ●

- Only 8 of Advocates' 15 recommended laws – 1 ½ points from Red; lacking primary enforcement law; has 3 of 5 teen driving laws and is missing 2 of 7 impaired driving laws.

WISCONSIN ●

- Only 8 of Advocates' 15 recommended laws – 1 ½ points from Red; lacking primary enforcement and all-rider motorcycle helmet laws; has 4 of 5 teen driving laws and is missing 3 of 7 impaired driving laws.



CHANGES IN ADVOCATES RATING OF 15 BASIC LAWS FROM 2008 TO 2009

State	# Laws Credited			Laws Adopted or Newly Credited in 2008	Laws That No Longer Receive Credit *
	2008	2009	+/-		
Alabama	9.5	9	-0.5		Graduated Drivers Licensing (GDL): supervised driving
Alaska	7	8	+1	Ignition Interlock Device (IID)	
Arizona	10	7.5	-2.5		GDL: supervised driving GDL: night GDL: passenger
Arkansas	5.5	6.5	+1	Child endangerment	
California	12	10.5	-1.5		GDL: night GDL: passenger
Colorado	10	9	-1	IID	GDL: night GDL: passenger
Connecticut	9	9		GDL: supervised driving	GDL: 6 mo. holding period
Delaware					
District of Columbia					
Florida	8.5	9	+0.5	IID	
Georgia	12.5 (G)	10 (Y)	-2.5		Primary Enforcement (PE) GDL: night GDL: passenger
Hawaii	10.5	11	+0.5	IID	
Idaho	9.5	8.5	-1		Child endangerment
Illinois	13.5	13	-0.5		GDL: cell
Indiana	9.5	9	-0.5		GDL: 6 mo. holding period
Iowa	8	7.5	-0.5		GDL: supervised driving
Kansas					
Kentucky	10.5 (G)	10 (Y)	-0.5	Child Booster Seat (Booster)	GDL: passenger
Louisiana	9	10	+1	GDL: supervised driving	
Maine					
Maryland	12	10.5	-1.5	Booster	GDL: passenger GDL: cell
Massachusetts	10	11	+1	Booster	
Michigan	8 (Y)	9 (G)	+1	Booster	
Minnesota	7	8	+1	GDL: passenger	
Mississippi	7	7.5	+0.5	Booster	
Missouri					
Montana	10.5	9.5	-1		Child endangerment
Nebraska	11	8.5	-2.5	IID	GDL: supervised driving GDL: night GDL: passenger GDL: cell

Nevada	11.5	9.5	-2		GDL: night GDL: passenger
New Hampshire	8.5	8	-0.5		GDL: supervised driving
New Jersey	11.5	10.5	-1		GDL: cell
New Mexico					
New York	10	9	-1		GDL: 6 mo. holding period
North Carolina					
North Dakota	7.5 (Y)	6.5 (R)	-1		Child endangerment
Ohio	8	7.5	-0.5		GDL: night
Oklahoma					
Oregon					
Pennsylvania	9	8	-1		Booster
Rhode Island	8	7.5	-0.5		GDL: cell
South Carolina	11 (G)	10 (Y)	-1		Child endangerment
South Dakota	5.5	5	-0.5		GDL: 6 mo. holding period
Tennessee	11.5	11	-0.5		GDL: cell
Texas	9	7.5	-1.5		GDL: night GDL: passenger
Utah	10	10		Booster	GDL: passenger
Vermont					
Virginia	11	9.5	-1.5	GDL: supervised driving	GDL: night GDL: passenger
Washington	11	11.5	-0.5	IID	GDL: night GDL: passenger
West Virginia	9	8	-1	IID	GDL: supervised driving GDL: cell
Wisconsin					
Wyoming	4.5	5	+0.5	Child endangerment	GDL: 6 mo. holding period

***NOTES:**

- 1) 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, NJ, 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); and
 - a child endangerment law that applies only to drivers who age 21 and younger (ID, ND, SC).

Also, enactment of an ignition interlock law has been fully counted into the rating. Last year, the ignition interlock law was added to the list of laws rated, but no state's grade was affected by the status of this legislation.

- 2) Category was downgraded from GREEN to YELLOW for 3 states (GA, KY, SC).
- 3) Category was downgraded from YELLOW to RED in one state (ND).
- 4) Category was upgraded from YELLOW to GREEN in one state (MI).



ADVOCATES
for Highway & Auto Safety

GREEN STATES NEED A BOOST

The following states have a green rating, but still have gaps in several of the 15 laws recommended by Advocates. No action has been taken in the last 3 years to close those gaps.

Alabama	Needs an optimal booster seat law, and has several gaps in teen and impaired driving laws
District of Columbia	Has several gaps in teen and impaired driving laws
New Jersey	Has several gaps in teen and impaired driving laws
New York	Needs an optimal booster seat law, and has several gaps in teen and impaired driving laws
North Carolina	Has gaps in teen and impaired driving laws
Tennessee	Has several gaps in teen and impaired driving laws
Washington	Has several gaps in teen and impaired driving laws



ADVOCATES
for Highway & Auto Safety

When Congress Acts, States React and Lives are Saved

Three times in the past 25 years Congress has stepped in to urge states to enact crucial highway safety laws. In all three cases, **Congress acted, and within a short period of time every state had enacted the law:**

National Uniform 21 Drinking Age Act of 1984

1984: 16 states had law

1988: *All 50 states and DC*

Zero Tolerance Youth Drinking-Driving Act of 1995

1995: 17 states had law

1998: *All 50 states and DC*

National .08 Blood-Alcohol-Concentration Standard of 2000

2000: 17 states and DC had law

2004: *All 50 states and DC*

FEDERAL ACTION NEEDED TO SPUR STATE ACTION

Every state but Delaware missing a key element of teen GDL law

Only 25 states and DC have a primary enforcement seat belt law

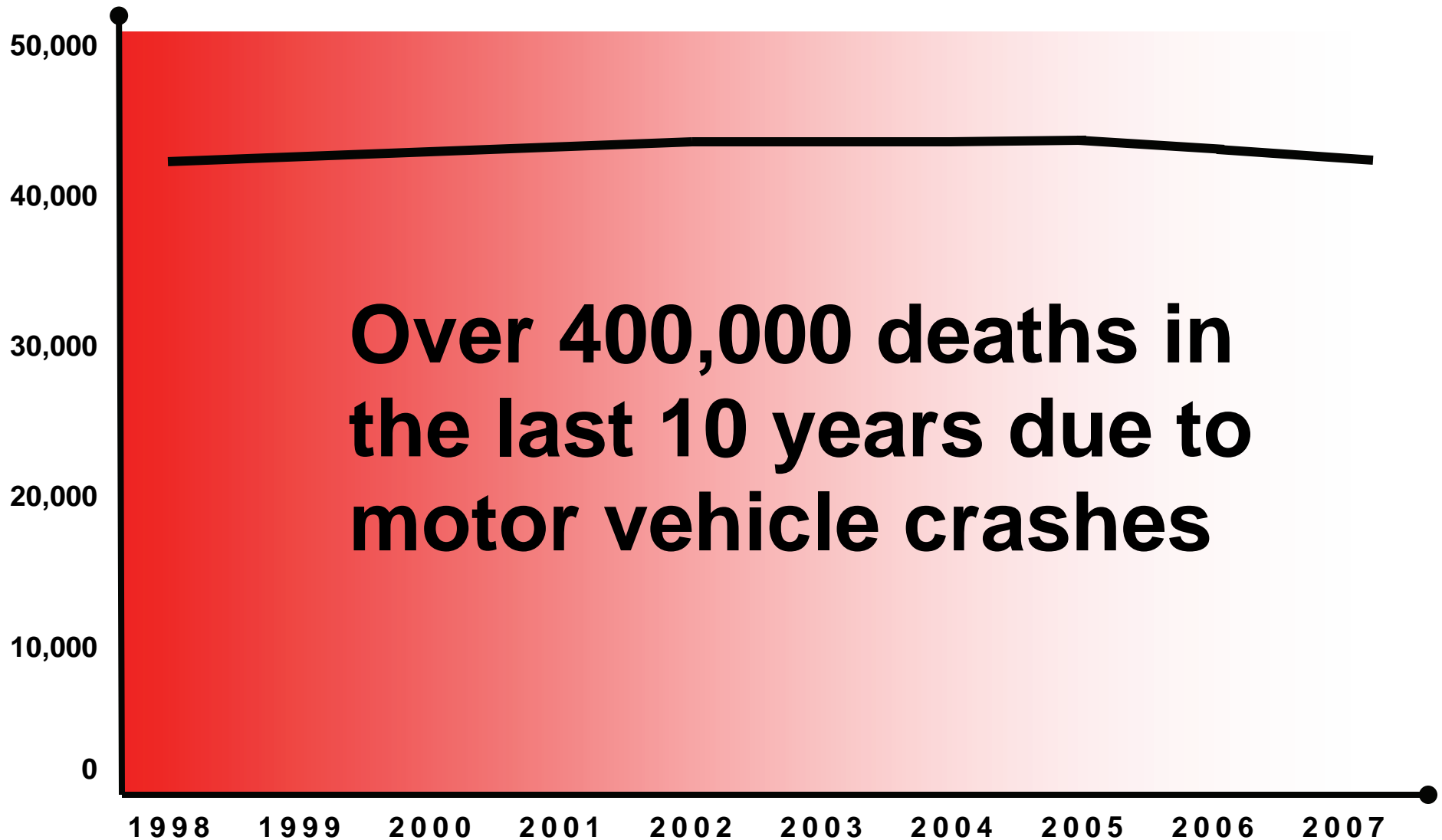
Only 20 states and DC have an all-rider motorcycle helmet law



ADVOCATES
for Highway & Auto Safety

Motor Vehicle Crash Fatalities

1998-2007





ADVOCATES
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LEGISLATIVE HONOR ROLL

State legislators who introduced and committees that acted on optimal highway safety legislation in the 2008 session. Those laws enacted are in bold.

Graduated Driver Licensing

AL: Rep. H. Mac Gipson, Jr. (R)

AZ: Rep. Steve Farley (D)

CT: Governor's Teen Driving Task Force

FL: Criminal Justice Committee (Sen. Evelyn Lynn-R and Sen. Ronda Storms-R)

HI: Rep. Cindy Evans (D)

IA: Sen. Robert Hogg (D)

KS: Transportation Committee

LA: Sen. Mike Walsworth (R)

MA: Sen. Richard Tisei (R)

MD: Del. William Bronrott (D), Sen. Mike Lenett (D), and Sen. Roy Dyson (D)

MI: Rep. Edward Gaffney (R)

MN: Rep. Kim Norton (D)

MO: Sen. Tom Dempsey (R) and Rep. Judy Baker (D)

NH: Rep. Sherman Packard (R)

PA: Rep. Josh Shapiro (D), Rep. Eugene DePasquale (D), Rep. Katharine Watson (R), Rep. Chelsa Wagner (D), and Rep. Joseph Markosek (D)

SC: Rep. Lanny Littlejohn (D)

VA: Del. Matthew Lohr (R)

WA: Sen. Ed Murray (D)

Primary Enforcement of Seat Belts

AZ: Rep. Linda Lopez (D)

FL: Rep. Richard Glorioso (R) and Sen. Nan Rich (D)

MA: Rep. Michael Festa (D) and Sen. Mark Montigny (D)

MN: Sen. Steve Murphy (D) and Rep. Paul Thissen (D)

NE: Sen. Lowen Kruse

RI: Sen. John Tassoni, Jr. (D), Sen. David Bates (R), Rep. Peter Ginnitt (D), and Rep. William McManus (R)

VT: Sen. Claire Ayer (D) and Rep. Harry Chen (D)

VA: Del. Bill Barlow (D)

Booster Seats

AK: Sen. Hollis French (D)

AZ: Rep. Steve Farley (D) and Rep. Martha Garcia (D)

FL: Sen. Bill Posey (R)

MD: Sen. Jennie Forehand (D) and Del. William Bronrott (D)

MA: Sen. Steven Baddour (D) and Sen. Anthony Petrucelli (D)

MI: Sen. Michelle McManus (R)

SD: Rep. Mary Glenski (D)

UT: Rep. Tim Cosgrove (D)

All-Rider Motorcycle Helmets

DE: Sen. F. Gary Simpson (R)

KS: Transportation Committee

OK: Rep. Skye McNiel (R)

PA: Rep. Dan Frankel (D)

Impaired Driving

AK: Rep. Kevin Meyer (R)

AL: Sen. Rusty Glover (R) and Rep. Priscilla Dunn (D)

CA: Sen. Carole Midgen (D) and Assemblywoman Sharon Runner (R)

FL: House Economic Expansion and Infrastructure Council Committee and Senate Transportation Committee

HI: Sen. Clayton Hee (D), Rep. Josh Green (D), Rep. Lynn Finnegan (R), Sen. Fred Hemmings (R), Sen.

Mike Gabbard (D), Sen. Will Espero (D), Rep. Sharon Har (D), and Rep. Gene Ward (R)

KY: Sen. Julian Carroll (D)

NE: Sen. Tony Fulton

NJ: Sen. John Adler (D) and Assemblyman Eric Munoz (R)

NY: Sen. John DeFrancisco (R), Sen. Charles Fuschillo, Jr. (R), and Assemblyman Harvey Weisenberg (D)

TN: Sen. Tim Burchett (R)

VT: Sen. Richard McCormack (D)

VA: Del. Sal Iaquinto (R)

WA: Rep. Roger Goodman (D)