
Buckle Your Seatbelts And Using Air Bag Battles

Abstract

This paper details the politics and controversy surrounding seat belt and air bag enforcement. Findings from research show that implementing traffic safety laws has been a long, grueling process because of its complexity. It is no question that air bags and seat belts save lives and reduce injury in motor accidents but enforcing the use of these technologies originally faced backlash from the auto industry and the public. To best serve public safety needs, many groups have had to conduct research on the best ways to enforce vehicle safety. It should be noted that some research can be flawed as it does not take into account other factors that the law does not directly influence, like current economy. This brings a question of validity when observing the successfulness of laws directed towards individual behavior.

Seat Belt and Air Bag Battles of 1970s-80s:

Politics and Controversy on Cost vs Lives

What's the first thing you do when you get in a car? Buckle up. While its habit for many nowadays, we don't often remember that buckling a seatbelt was once something overlooked. In fact, laws surrounding seat belts and air bags are relatively recent in American history. When oil was first used for automobiles, the majority of users were thinking about how cool they would look, their newfound freedom, and all the new possibilities their lifestyle could entail. The use of vehicles brought a whole new level of independence to society and the use of safety features was not a huge concern for the average consumer. As the use of vehicles picked up, accidents occurred, consequentially death and injury rates spiked causing a public safety issue too big to ignore. To combat this, manufacturers researched and developed different safety measures that could be take. Despite the evidence that seat belts save lives and help in preventing serious industries, very few Americans used them. Other solutions were introduced such as air bags and automatic safety belts, however these cost more money for the manufacturer and weren't always reliable. Many consumers were afraid if they had a car with an air bag it would deploy unexpectedly, causing more harm than good.

With mortality and injury rates still rising as a result of auto accidents, legislators found themselves in the difficult position. Public safety was obviously an issue, but when does the line of what's best for the public cross over into controlling personal decisions? In 1970, the National Highway Traffic Safety Administration (NHTSA) declared that passive restraints would be required in all new vehicles by January 1 1973 (Kneuper & Yandle 1996). This ruling caused a lot of backlash in the motor industry. At the time, passive restraints, which mainly included automatic seat belts and airbags, were not as technically advanced as they are now. Passive restraint systems were relatively new and were not widely trusted by consumers. Motor industries were against requiring these systems because they were very expensive and not entirely reliable. There also was not much consumer demand for air bags at this point in time, so motor industries were afraid of losing money with the new ruling. Auto insurance companies, however, heavily supported the ruling. The pushback from the auto industry made legislators realize they needed strong and effective tactics to make a difference in auto safety and get the

public, as well as the auto industry on board for seat belt and passive restraint enforcement.

Influencing Behavior

In *Injury Epidemiology: Research and Control Strategies*, Robertson focuses on how laws affect individual behavior (2007). Robertson stated that “The high infant and toddler mortality rate in motor vehicles during the 1970s were used to persuade legislators to enact laws requiring restraint use among younger children” (2007). This key observation shows how powerful tapping into parental emotion is. “For children under five years of age, about 90 percent of the deaths and 70 percent of the severe injuries from car crashes could have been prevented by using infant or child safety seats” (NHTSA 1982). A parent wants nothing more than to protect their child. It’s easy to say that one might not care about their own personal safety because they do not feel as if an accident will happen. Having someone else to protect changes human behavior. When you’re young, rules don’t carry the same weight, you’re invincible! However, when you don’t have to just care about yourself, rules suddenly matter, and you realize they’re there to protect you. A parent will most likely care much more about their kid’s safety than their own. Legislators were smart enough to tap into that protective sense. A specific example of this is Tennessee acting as a predecessor to child restraint laws. “No one familiar with the strong antigovernment sentiment in Tennessee politics would have expected that state to be the first to enact a law requiring children to be restrained in cars” (Robertson 2007). This sanctioning was actually due to pediatricians and citizens lobbying tirelessly.

The Effectiveness of Safety Belt Use Laws: A Multinational Examination was an impactful workshop consisting of “80 experts from 14 nations... directed at determining the effectiveness of SBU laws” (NHTSA 1995). According to the workshop participants, the goal of the project was to establish ways safety belt programs could be the most effective (NHTSA 1986). The workshop conducted four different sessions tackling different aspects of safety belt enforcement. These four sessions were Safety Belt Use Laws, Safety Belt Use Rates, Casualty Reductions Resulting from Safety Belt Use Laws, and Rear Seat belt Use and Child Restraints (NHTSA 1986). The researchers found that to conduct a successful safety belt program, it was necessary to have “(a) the availability of well-designed safety belts, (b) a clear, simple safety belt use law and (c) a commitment to enforce the law” (NHTSA 1986). One interesting finding was that there were indications showing it was a common problem for consumers to use the seat belt incorrectly, which showed how important instructional programs were in addition to using properly made restraints for children and adults (NHTSA 1986). Enforcement alone is not enough; public education programs and legislative support are important parts to the equation. It was also discovered that there were limited studies on rear passenger safety belt usage, but the evidence that was found implied that seat belts did reduce injuries for rear passengers as well as decrease the hazard to those riding in the front (NHTSA 1986). The deductions from this research became instrumental in further enhancing educational programs and seat belt legislation. By examining the United Kingdom, Australia, and Germany, jurisdictions that had achieved a 90% rate for the use of seat belts, the researchers determined that “governments should strive to raise safety belt usage to the highest possible levels” (NHTSA 1986). The NHTSA has used this conclusion to determine that primary laws are more effective for seat belt safety than secondary laws.

Once a safety belt law is officially put in place, it is either classified as primary enforcement or secondary enforcement. Primary enforcement means that that an officer can issue a citation if

they see driver or passenger is not wearing a seat belt. Secondary enforcement means that a citation for not wearing a seat belt can only be issued if the officer has already stopped the vehicle for a different reason. Based on studies, it has been concluded that states with primary laws will generally “have significantly higher safety belt use rates and experience greater reductions in fatality and injury rates”. Additionally, surveys suggest that primary laws enhance “the perceived importance of the law by both the public and the police, which ultimately leads to greater compliance with the law” (NHTSA 1995). As of 1995, 99% of the US population lives in states with seat belt laws, of these 32% are primary enforcement and 67% are secondary enforcement” (NHTSA 1995). Many research groups including The National Research Council (1989), The United States General Accounting Office (1992), The National Committee for Injury Prevention and Control (1989), and The Organization for Economic Cooperation and Development (1984) conclude that primary law enforcement increases effectiveness and should be implemented over secondary laws.

The process of turning the seat belt legislation into a primary law is a complex combination of many different elements. The book, *Legislative History of Recent Primary Safety Belt Laws* by Russell, Dreyfuss & Cosgrove, outline these features. Russell, Dreyfuss & Cosgrove analyze a study sponsored by NHTSA that records “strategies that supported or opposed new legislative provisions and the barriers encountered in modifying safety belt laws” (1999). The study objectives were to “document the roles, strategies, resources and arguments used in efforts to pass primary safety belt laws prior to December 1997” and “Compare the findings and conclusions among the states with new primary laws, in order to anticipate legislative efforts and politics” (Russell, Dreyfuss & Cosgrove, 1999). There were six jurisdictions involved in the study: California, Louisiana, Georgia, District of Columbia, Maryland and Oklahoma. Different solutions were implemented in each jurisdiction, but there were similarities in the opposition for safety belt laws. Two main objections to seat belt legislation were “the potential for minority harassment and the infringement on individual rights” (Russell, Dreyfuss & Cosgrove, 1999). These apprehensions were generally brought to attention by individual representatives, not organizations. To address the concerns surrounding minority harassment, there were several provisions added to bills ensuring that the potential for harassment would be securitized and watched over carefully. Minority legislators and officials also eased worries for harassment by publicly endorsing bills (Russell, Dreyfuss & Cosgrove, 1999). The other major concern of safety belt laws infringing on personal freedom was a big concern because it addressed the possibility of government intrusion. This was addressed with statistics showing that public health costs would be reduced with increased belt use, leading to lower taxes and “the public value of saving lives was argued to be a higher priority and good public policy” (Russell, Dreyfuss & Cosgrove, 1999). Russell, Dreyfuss & Cosgrove outlined major players in passing legislation which include, the Governor, Legislation Sponsors, Committee Chair, Law Enforcement Officials, Statewide Traffic Safety Groups, National Safety Advocacy Groups, Lobbyists, Media, and the NHTSA. The study established that “each jurisdiction’s political situation demanded a unique solution and response to opponents’ positions” and so passing a primary law could take several years.

Enforcement and Education Strategies

Over the years, several promotional programs were introduced to encourage seat belt use in the United States. In 1982, NHTSA released a Leaders Guide titled *Get It Together: Safety Belt and Child Safety Seat Educational Program*. “Get It Together” became a national campaign

informing the public on why it is important to buckle up and promote communities to use seat belts. The guide acts as a manual for leaders to present on seat belt safety within their community. It lists several topics and suggestions for how a meeting should successfully run, described by NHTSA as “an all-encompassing educational program, in a nationwide effort to promote safety belt and child safety seat use through public and private sector initiatives, is considered to be our best approach to solving this dilemma” (1982). Embedded in the program is another campaign titled “Make It Click”, a pledge that encourages participants to buckle up for two weeks straight so they can see how simple it really is. The guide uses many discussion techniques and provided videos and figures to make the learning process robust and establish that safety belts do make a difference. One persuasion technique is a discussion based around child safety seats and combatting any opposition a parent might have to them. An example from the guide is: “‘My child would be restless in a safety seat.’ (Studies show that most children are actually more comfortable, and certainly better behaved when they ride in a safety seat)” (NHSTA, 1982). The NHSTA puts opposing views in perspective and come up with logical rebuttals that presenters can respond with.

In 1997, President Clinton, the Secretary of Transportation, Rodney Slater, and a NHTSA Administrator, Ricardo Martinez planned a “national initiative to increase safety belt use to 85% of all Americans by the Year 2000 and to 90% by the Year 2005” (Russell, Dreyfuss & Cosgrove, 1999). The campaign to try to reach that goal became known as “Buckle Up America”. Buckle Up America emphasized the fact that buckling your seat belt is the most effective way to protect yourself in the case of a motor accident. The use of seatbelts save countless lives and are 45% effective when used (Robertson 2007).

By far, the “Click It or Ticket” campaign had the most impact seat belt use. In 1994, North Carolina implemented the “Click It or Ticket” campaign to increase belt use. This program consisted of a three-week long education campaign and amplified law enforcement. “Law enforcement officers conducted 2938 checkpoints statewide from July 11 to July 31. At these checkpoints ... officers issued 22,010 safety belt and 1,463 child safety seat citations” this resulted in “increasing North Carolina’s safety belt use to an historic level” (NHTSA 1995). The campaign was mainly targeted towards a young adult demographic and the number of citations given raised seat belt use so much that many other states adopted the campaign. Part of the reason Click It or Ticket was so successful was because it was used with primary enforcement of safety belt laws, which caused the public and law enforcement to take the law more seriously (NHTSA 1995).