

Unintentional Death Committee
N.C. Child Fatality Task Force
Minutes – September 13, 2010

In attendance: Peter Morris, Martha Sue Hall, Sen. Austin Allran, Cliff Braam, Rachel Dooley, Deanna Fleming, Rep. Dale Folwell, Rob Foss, Martha Guttu, Sean Holmes, Jani Kozlowski, Andrea Lewis, Gerri Mattson, Beau Memory, Scott Proscholdbell, Kelly Ransdell, Krista Ragan, Sarah Rhyne, Pam Seamans, Jeff Tsai, Tom Vitaglione

By phone: Tonya Roberts, Ruth Spaulding, Stacie Thomas, Sherri Troop, Janice Williams, Leanne Winner.

Summary with Action Steps

This meeting focused on driving issues that were not related to impairment. There was consensus on likely issues to bring to the full CFTF for support or endorsement:

- Support – raising fine for speeding in school zones from \$25 to \$250
- Endorse – piloting cameras for speeding in school zones on highways

Some issues will be further explored by staff:

- Use of a cell phone with a child in the car
- Smoking with a child in the car
- Back seat-belt use

More Detailed Minutes

Peter Morris called the meeting to order and welcomed participants.

Upon movement by Tom Vitaglione, the February minutes were approved.

Elizabeth Hudgins updated the group on the legislative success related to the Unintentional Death recommendation adopted by the full Child Fatality Task Force. A bill sponsored by Senator Jones and championed by Rep. Weiss in the House increases the fee paid by a driver to restore his/her license after suspension due to conviction of impaired driving. The fee will allow Forensics Tests for Alcohol to continue their work to deter, detect and convict impaired driving, such as drunk driving. Many partners were critical to this success, including AAA, Nationwide, the Insurance Confederation, Safe Kids, DHHS and the Injury Section at DPH.

School Zone Safety

Recently, the media have reported that some students have been injured by vehicles in school zones. The School Board Association has asked the CFTF to look at the possibility of raising the fine paid by people speeding in school zones from \$25 (current maximum) to \$250 (consistent with fine for speeding in a construction zone).

Currently, signs may have small print, be hard to read, and, at least in Wake County, no longer accurate. A Department of Transportation study found that putting flashing lights on signs did little to increase compliance. Making the school zone reduced-speeds effective 24 hours per day garnered little interest.

There was general consensus that enforcement not punishment is what provided the most effective deterrence. Rep. Folwell provided the example that law enforcement in the Winston-Salem area was making such speeding a very public enforcement issue. However, there did seem to be interest in supporting a proposal to increase the fine to put student safety on par with road worker safety.

The School Board Association will be seeking legislation on a pilot program testing use of enforcement cameras on highways with a portion of the fines being used to support the costs of the program.

Stop Arm Violations

Jeff Tsai with the Institute for Transportation Research and Education presented on stop-arm violations. Nationally, about 39% of school-bus-related deaths are due to illegal passing of school buses. In North Carolina, point-in-time, bus-driver-reported data reveal about 2000 stop arm violations daily. However, there are only about 2,200 charges each year related to the offense and far fewer convictions (600 to 1000). Legislation such as the 2009 Nicholas Adkins Act has helped, but prosecution is still low. Cameras on buses tend to capture the photo of the license plate but not the driver of the vehicle, making prosecution more difficult. Also, it is difficult to change the cameras from one bus to another meaning the bus has to switch routes rather than cameras rotating among buses.

One approach for reducing illegal passing of stopped buses deal is technology – more cameras, flashing lights, etc. The other approach would be more legislative and include such options as imposing civil penalties on the owner of the vehicle, DMV sending warning letters to the owner of the car, or changing the prima facie assumption so that the owner of the car is assumed to be the driver unless s/he can prove differently.

Sen Allran wondered if an awareness campaign akin to Safe Sleep to promote safe driving around school buses would be warranted. Martha Sue Hall said she could explore the possibility of local PR campaigns with the League of Municipalities.

Rep. Folwell suggested a range of options. A small portion of accidents may be related to bus-driver error; thus more training, including proper use of the arm, may be indicated. Bus routes could be more safely drawn to avoid stops on four-lane roads. Lights on the stop-arms could be switched away from yellow and red to blue and red. (Rep. Folwell explored this option but understands that the Sheriff's Association is understandably protective of the use of blue and red flashing lights on roads.) He also floated the possibility of equipping stop arms with a flexible (perhaps fiberglass) "rod" with a flag at the end that would go across the windshield of passing cars serving as a notice/reminder that the driver just passed a stopped school bus. He also wondered about the option urging local organizations, such as rotary clubs, to sponsor school bus safety features.

There was consensus to continue to track the issue and be supportive, but no specific policy changes to forward to the CFTF at this point.

Seat Belts on School Buses

In 2008, the CFTF issued a report on seat belts in school buses (<http://www.ncleg.net/DocumentSites/Committees/NCCFTF/Reports%20and%20Data/Seatbelts%20on%20Buses.pdf>). In summary, the report found that deaths and injuries on school buses were fairly rare, research was not clear that providing seat belts would improve safety much and that they may be ways to better spend \$6 to \$8 million per year. Also, fewer children may "fit" on a bus equipped with

seatbelts leading the possible need to buy more buses. Last year, the legislature did not fund replacement school buses at all. Other recent changes on a national level include a tax incentive for school buses with seat belts in Connecticut and a study showing about half of students wore belts when they were available in Alabama, with variation by day of the week and age of the student. Kelly Ransdell noted that most students were injured getting on or off of the bus, not while riding. Ruth Spaulding added that NJ requires seat belts and has an excellent safety record and that Buffalo recently saved money when they put out for bid providing seat-belt equipped buses.

There was consensus that issue remained of concern and should be monitored but that no policy recommendations would likely be forthcoming to the full CFTF for the upcoming legislative session.

Cell Phone Usage

Rob Foss reported that banning cell phone use just when driving a child would be unlikely to make a difference in cell phone use because the message is complicated and it's hard to enforce. However, the national trend is towards restricting cell phone use by drivers and such laws offer a way to get the public engaged. Currently about two-thirds of adults support some sort of ban. (The ultimate "fix" will likely to be technological and related to cell phones not working in moving cars, he noted)

It was generally agreed that passage of such a restriction might be challenging.

Sen. Allran questioned if cell phone use is up and dangerous, why are highway fatalities at a record low. Dr. Foss explained it was related to less recreational driving due the weak economy and higher cost of gasoline.

Sen. Dannelly may again propose legislation to ban hands-held cell phones while driving.

There was consensus to keep this issue on our short list and continue to explore.

Smoking with a Child in the Car

A brief video demonstrated that air quality in the backseat of a car with the driver smoking quickly reached hazardous levels, regardless of whether or not the windows were rolled up or down. Four states ban smoking with a child in the car.

Sen. Allran noted that while the space was private, another person – a child - was involved in the smoking. Tom Vitaglione added that the child has no choice and that the CFTF often spoke for the child. Scott Proscholdbell pointed out recent public policy restricted public smoking to protect workers from second-hand smoke so the same logic should apply to children. However, the political viability of such a proposal was questioned.

There was consensus to continue to explore the issue.

Backseat Seatbelt Use

Cliff Braam for the Department of Transportation presented data showing 17% of youth killed in motor vehicle crashes are unbelted backseat passengers. The NC Executive Committee for Highway Safety recommendations include options such mandating seat belt usage in all vehicles; making failure to wear a back seatbelt a primary offense; increasing the fine for non-compliance to \$100; assessing one driver's license point to the operator license for non-compliance; assessing one insurance point to the operator license for non-compliance; adding assurance that seat belts are operational to the vehicle inspection process.

A brief video showed how backseat passengers can essentially become projectiles during a crash and injure or kill passengers in the front seat with the force of their unrestrained weight flying forward.

Janice Williams noted about half of their MVC trauma patients were unbelted. Scott Proscholdbell announced this issue was a concern for the Injury and Violence Prevention Branch. Tom Vitaglione added that this issue was a priority for Safe Kids and the Department of Insurance. There were concerns about the technical issues related to enforcement of specific suggestions. (How do assess license points to a passenger?)

The consensus was to track and possibly endorse legislation.

Toxins

Tom Vitaglione recapped that the CFTF had sent a letter to our Congressional Delegation in March 2010 calling for consideration of legislation to better protect children from toxins, including by assuring chemicals are safe before they go on the market (rather than waiting for them to be proven unsafe later). Specific legislation is being drafted at the federal level and we may want to weigh in again in the future.

Sports Injuries

Rep. Folwell noted that non-legislative measures were being used to deal with concussions. The Wake Forest football team will have helmet sensors and if players are hit with a certain amount of force, they will come out of the game. Martha Guttu noted that sports physicals for school sports may sometimes emphasize quick over thorough. Dr. Morris mentioned the challenge as a physician of doing such physicals when no condition precluded involvement, but could result in overuse or other unhealthy conditions/injury over time. Gerri Mattson added that a recent journal article talked about sports physicals for children with special needs, a welcome topic. Also, such physicals in general offered an opportunity to deliver a preventative health message with a population who might not otherwise see a doctor regularly.

School Start Date

Rep. Folwell provided information on the recent change barring younger children from starting kindergarten that went into effect for the current school year. He had recently learned that children entering school too young was contributing substantially to children being over-diagnosed with ADHD and overprescribed medications.

Next Meeting Date

The next meeting of the Unintentional Death Committee will be October 18th at 1:30 in Room 1027 of the Legislative Building.