

Child Fatality Task Force



**Our Children, Our Future,
Our RESPONSIBILITY**

Unintentional
Death Prevention
Committee
Meeting
December 7, 2020

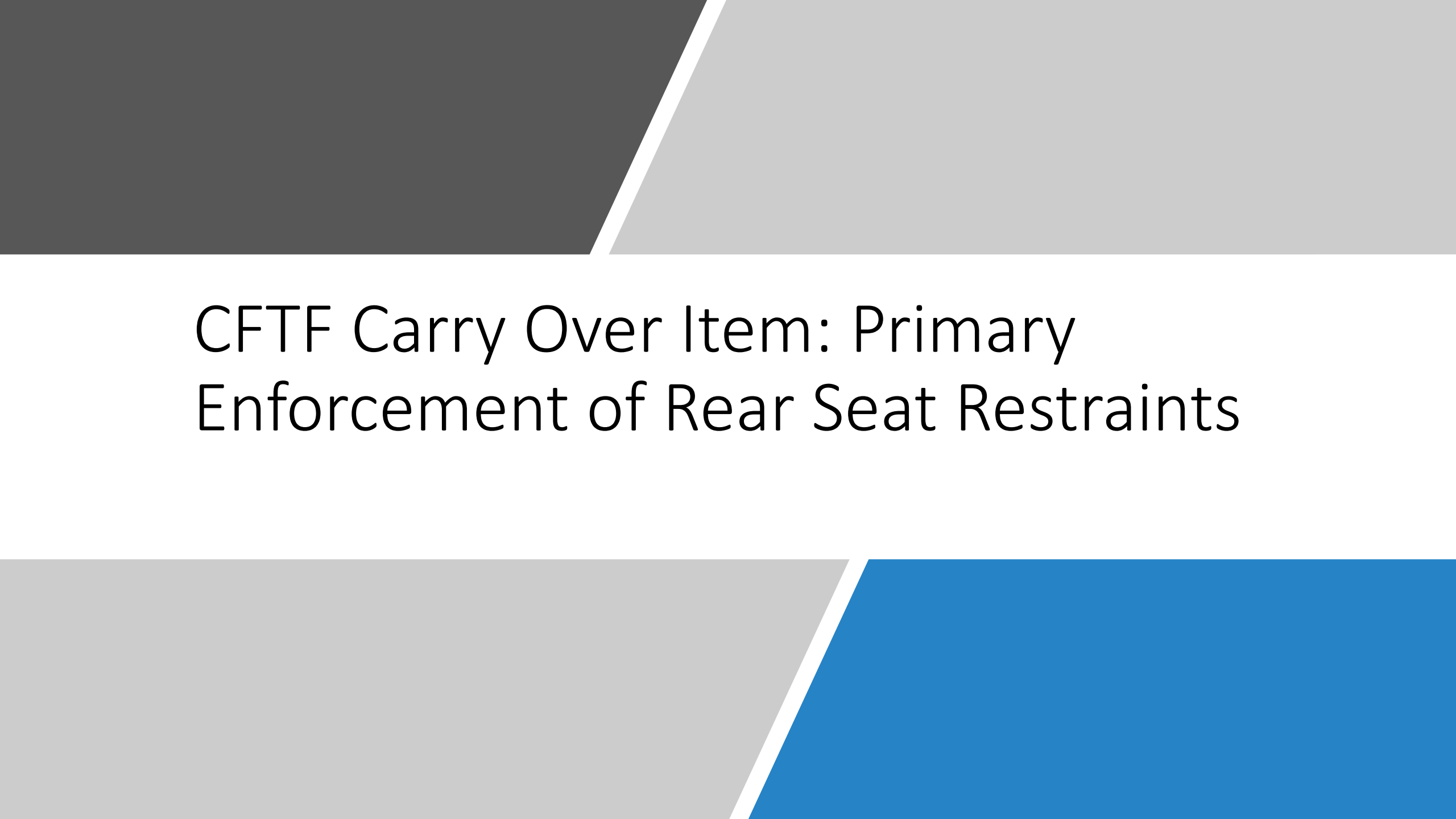
Welcome and Roll Call Attendance

Approval of Minutes from meeting on 10/26/2020

Unapproved minutes from meeting on 10/26/2020 sent to committee members, linked to on the meeting agenda, and are posted on the CFTF website:

<https://www.ncleg.gov/DocumentSites/Committees/NCCFTF/Unintentional%20Death/2020-2021/agenda,%20minutes,%20and%20roster/UD%20minutes%2010-26-2020%20unapproved.pdf>





CFTF Carry Over Item: Primary Enforcement of Rear Seat Restraints

Where We've Been With the Rear Seat Issue

2016, 2017, 2018, 2019: This recommendation was on the CFTF Action Agenda as a legislative recommendation: *Support legislation allowing for primary enforcement of all unrestrained back seat passengers and increase fine for unrestrained back seat passengers from \$10 to \$25.*

2017: Bill was introduced that addressed this recommendation (HB 672); had a favorable report from the House Judiciary II Committee, but did not advance further.

2020: Administrative support to continue efforts to gather information on the potential for future legislation that allows for primary enforcement of all unrestrained back seat passengers with the intent to bring this item back for consideration by the Unintentional Death Prevention Committee prior to the 2021 legislative long session.

Today: Determine whether to repeat, revise, or discontinue this recommendation.

Current law

- Passengers in all positions of a vehicle are required to be restrained;
- however, failure to wear a seatbelt *in the back seat* by those **16 and up cannot be justification for a traffic stop,**
- so it is a “**secondary enforcement**” (as opposed to “primary” or “standard” enforcement) offense.

Evidence supporting change

(details have been presented to CFTF multiple times)

- **Primary/standard enforcement seat belt laws** lead to higher usage rates
 - ❖ **Seat belt use is the most effective way to prevent fatalities and injuries in a motor vehicle crash.**
- Data clearly shows **unrestrained passengers in the back seat are a danger to themselves and to others** they may be projected into during a crash.
- In North Carolina, **a greater percentage of fatal and serious injuries occur to unrestrained rear seat occupants than to unrestrained front seat occupants**
 - ❖ **Odds of driver death are higher with an unrestrained rear seat occupant who could become a projectile during a crash.**
- An estimated **10 to 30 lives per year** would be saved in North Carolina with standard/primary enforcement of rear seat restraints.

2019 CFTF Fact sheet:

<https://www.ncleg.gov/DocumentSites/Committees/NCCFTF/Past%20Information/Fact%20Sheets/Rear%20Seat%20Restraint%20Fact%20Sheet%20CFTF%202019.pdf>

Video showing impact of no rear seat restraints: https://www.youtube.com/watch?v=bdW_3oQFO0c

CFTF presentation on study by the Institute for Transportation Research and Education, NC State University, Dr. Daniel Findley:

https://www.ncleg.gov/DocumentSites/Committees/NCCFTF/Presentations/2018-2019/RearSeatBelts_ITRE_20181021.pdf



Child Fatality Task Force Recommendation:

Support legislation allowing for primary enforcement of all unrestrained back seat passengers, and increase the fine for unrestrained back seat passengers from \$10 to \$25

The leading cause of injury-related death among children in North Carolina is motor vehicle crashes. Currently, NC law requires passengers in all positions of a vehicle to be restrained; however, failure to wear a seatbelt *in the back seat* by those 16 and up cannot be justification for a traffic stop, so it is a “secondary enforcement” (as opposed to primary enforcement) offense.ⁱ Also, the fine for adults being unrestrained in the back seat is currently \$10, while it is \$25.50 for the front seat.

According to the National Highway Traffic Safety Administration (NHTSA), **primary enforcement seat belt laws lead to higher usage rates, and seat belt use is the most effective way to prevent fatalities and injuries in the event of a motor vehicle crash.**ⁱⁱ In fact, NHTSA has formally urged North Carolina to close this gap in its passenger safety law.ⁱⁱⁱ Also, the North Carolina Executive Committee for Highway Safety, chaired by the NC Secretary of Transportation and comprised of leading highway safety experts and stakeholders, approved a resolution in 2018 in support of this recommendation.

In North Carolina, motor vehicle crashes are the leading cause of death for teens ages 15 to 17,^{iv} and children ages 15 to 18 are significantly more affected by motor vehicle injuries in deaths, hospitalizations, and emergency department visits than other age groups 18 and under.^v From 2009 to 2013, an average of 52% of teen motor vehicle fatalities in the U.S. were to kids not buckled up.^{vi} For 0 to 17-year-olds who were rear seat occupants in fatal collisions from 2011 to 2015 in NC, the survival rate of those who were restrained in a fatal collision was 89%, while the survival rate of those unrestrained was 62%.^{vii}

Data clearly illustrates the dangers of passengers being unrestrained in the back seat, not only causing injury to the person who is unrestrained but to other passengers as well. In North Carolina, a greater percentage of fatal and serious injuries occur to unrestrained rear seat occupants than to unrestrained front seat occupants,^{viii} and the odds of driver death in the presence of unrestrained rear seat occupants are much higher than when rear seat occupants are restrained.^{ix} Many may not realize that an unrestrained rear seat passenger can be a source of injury to a front seat passenger in the event of a crash.

Besides the human toll of vehicle crashes there is a large economic toll as well. Enacting primary enforcement of rear seat restraints is expected to result in reduced motor vehicle fatalities in North Carolina that could yield economic savings estimated at nearly \$100 million annually.^x

The leading cause of injury-related death among children in North Carolina is motor vehicle crashes.

This recommendation would close a gap in North Carolina's seat belt law that safety experts have urged NC to address.

To understand how rear seat restraints make a difference in safety for ALL passengers, watch this video from the Insurance Institute for Highway Safety: https://www.youtube.com/watch?v=bdW_3oQFO0c&feature=youtu.be

Changing the NC law to standard enforcement of rear seat restraints has been recommended by others:

The National Highway Traffic Safety Administration

The North Carolina Executive Committee for Highway Safety (per 2018 resolution)





Committee discussion and determination of how to proceed on the issue of primary enforcement of rear seat restraints

2019 Recommendation: *Support legislation allowing for primary enforcement of all unrestrained back seat passengers, and increase fine for unrestrained back seat passengers from \$10 to \$25.*



Follow Up on 2020 Administrative Item Addressing Child
Passenger Safety and Report from NC Child:

Information from Occupant Protection Task Force

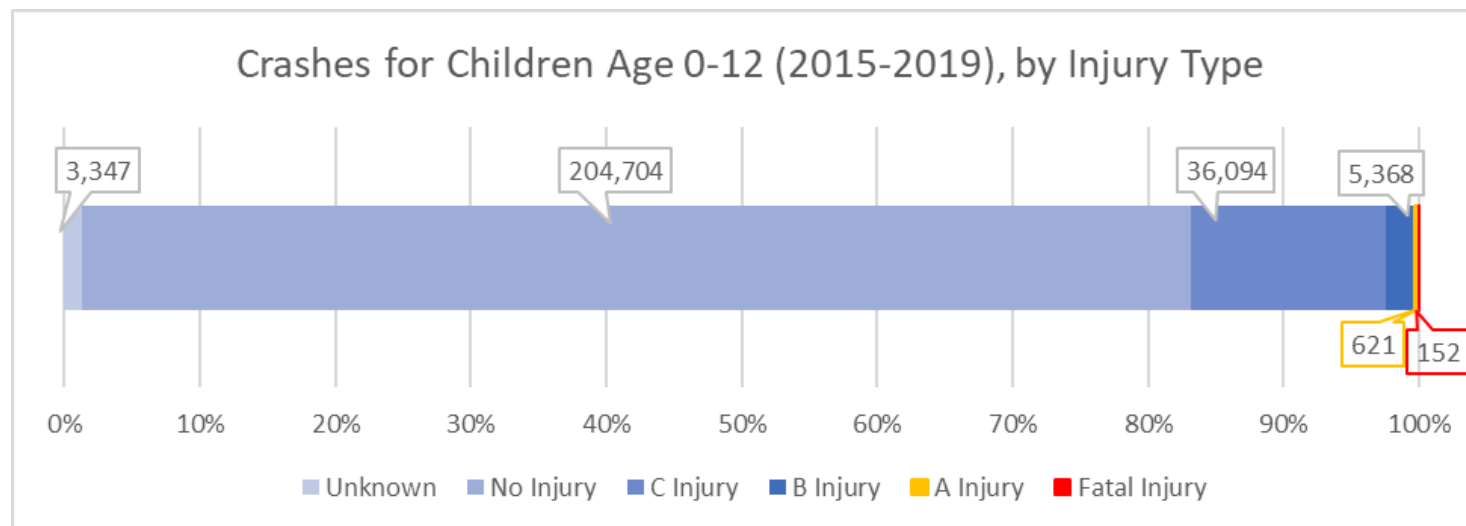
NC Child Passenger Safety Law: NC Crash Data Analysis & Policy Updates

Kristel Robison & Bevan Kirley

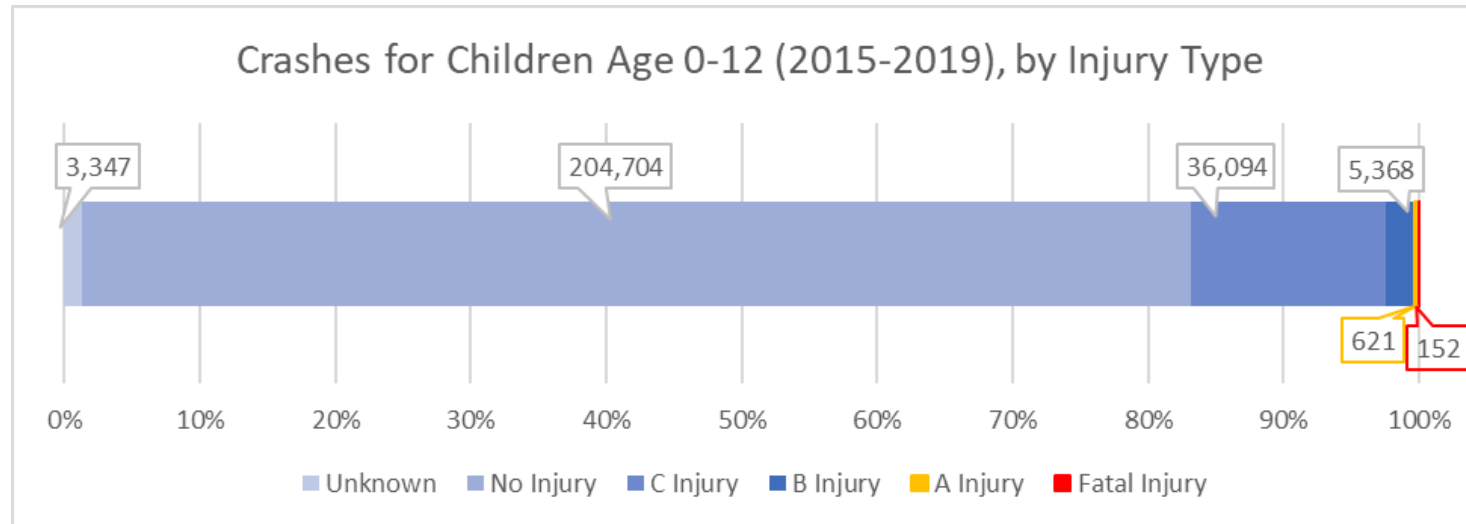


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Kids in Crashes - Overall



Kids in Crashes - Overall



Injury Scale

- A-level Injury = suspected serious injury
 - Severe laceration
 - Broken or distorted extremity (arm or leg),
 - Crush injuries
 - Suspected skull, chest or abdominal injury
 - Significant burns
 - Unconsciousness
 - Paralysis

Rear Seat Requirement

Who would be impacted?

AAP Best Practice Recommendation (2011*):

All children <13 years of age should be restrained in the rear seats of vehicles for optimal protection.

NC Law:

*In vehicles equipped with an active passenger-side front air bag, if the vehicle has a rear seat, **a child less than five years of age** and less than 40 pounds in weight **shall be properly secured in a rear seat**, unless the child restraint system is designed for use with air bags.*

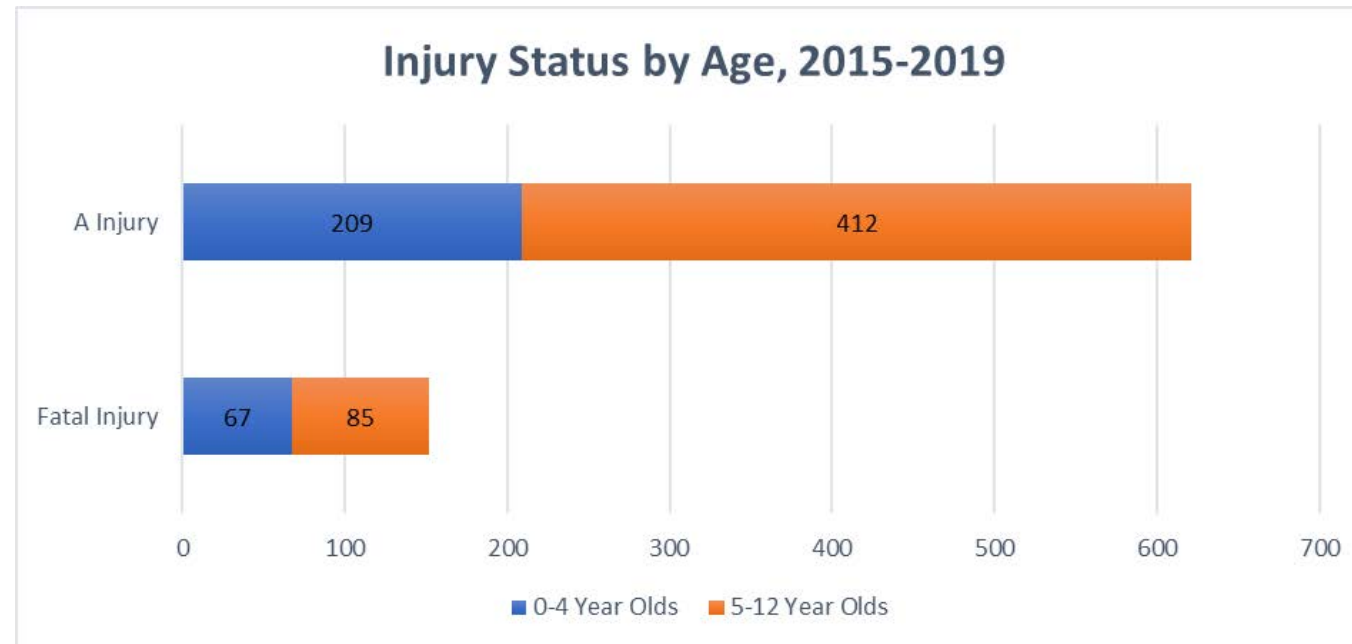
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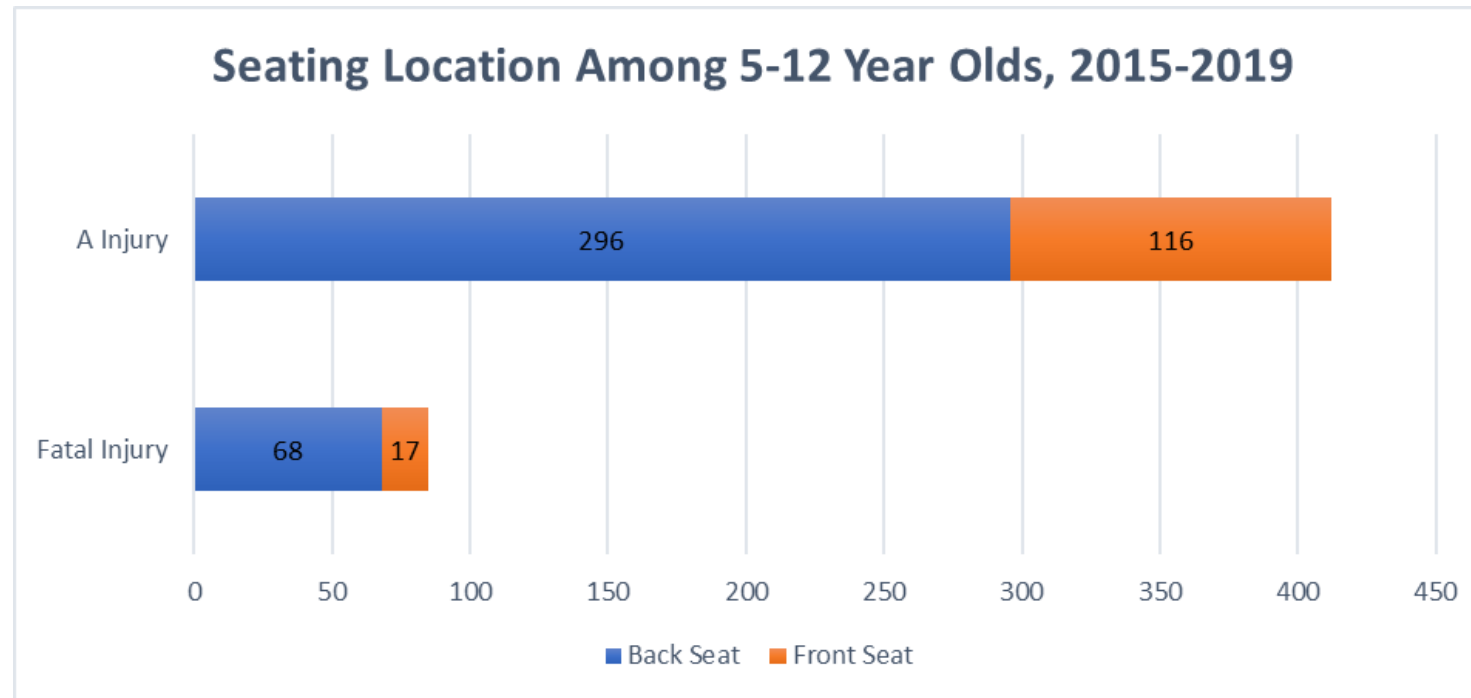
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Where are these children sitting?

Despite no legal requirement to do so, the majority (81.9%) of all crash-involved children between ages 5-12, were sitting in the back seat.

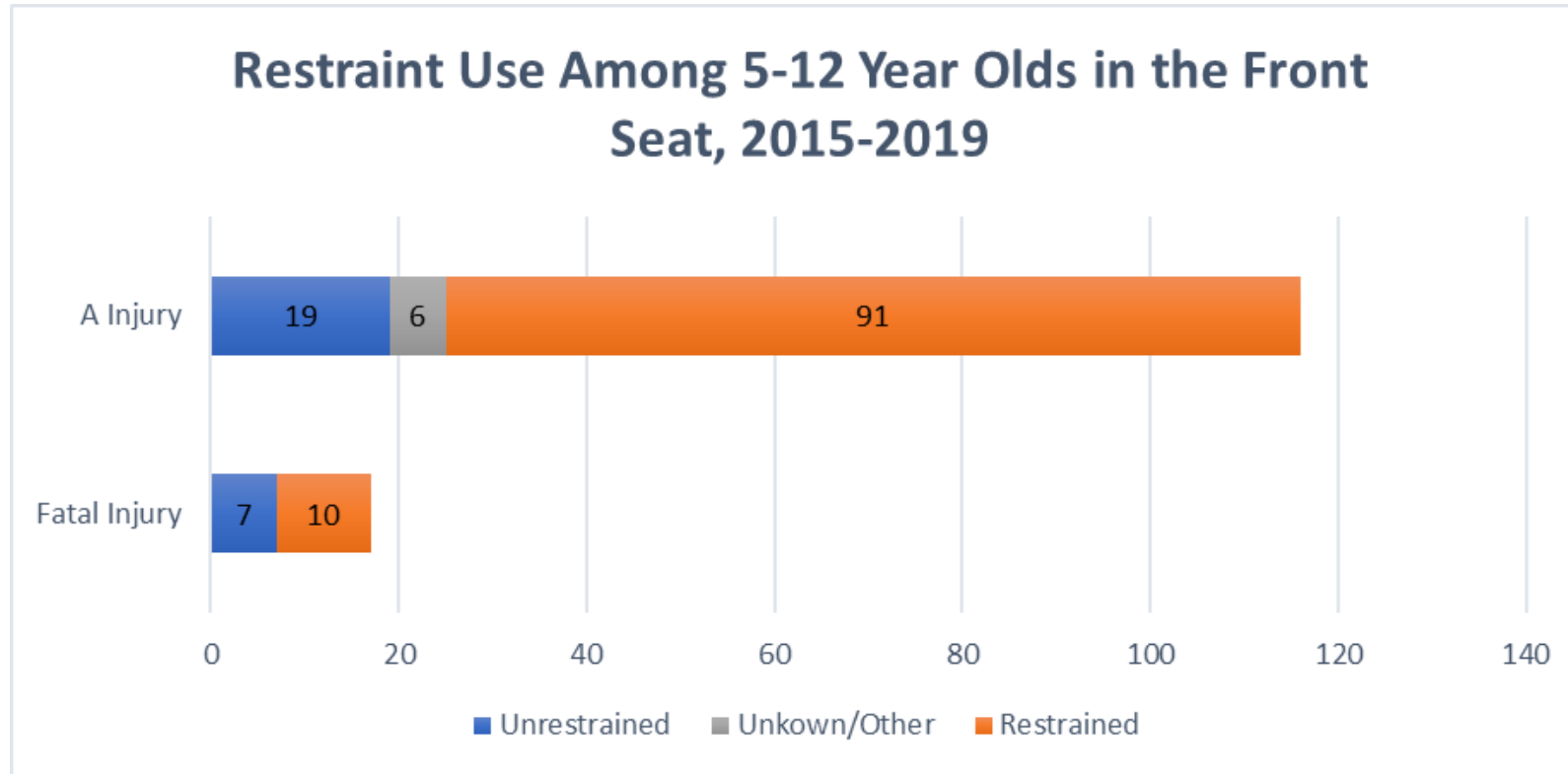


A note on restraint use

It's complicated:

- Limited restraint choices on crash form
 - None used
 - Lap belt only
 - Shoulder and lap belt
 - Shoulder belt only
 - Child restraint
 - Helmet (motorcyclist or non-motorist)
- Correct restraint use cannot be determined
- The lesser the injury, the less reliable the restraint use data

Restraint use



What do we know about these crashes?

Crashes were severe

- Rollovers
- Hitting fixed objects

Contributing factors

- Distraction/drowsy driving
- Alcohol/drug-involved

Better outcome in the back seat?

Vehicle Technology Advancing Quickly

- Research on newer vehicles suggest rear seat safety not advancing as quickly as front seat.
- Recent study showed that 9-12 year-old children may be safer in the front seat of more modern vehicles*
- 7 of the 10 fatalities were in pre-2007 vehicles

*Durbin, Dennis & Jermakian, Jessica & Kallan, Michael & McCartt, Anne & Arbogast, Kristy & Zonfrillo, Mark & Myers, Rachel. (2015). Rear seat safety: Variation in protection by occupant, crash and vehicle characteristics. Accident; analysis and prevention. 80. 185-192. 10.1016/j.aap.2015.04.006.

Rear-facing Requirement

Who would be impacted?

AAP Best Practice Recommendation (2018):

All infants and toddlers should ride in a rear-facing CSS as long as possible, until they reach the highest weight or height allowed by their CSS's manufacturer.

NC Law:

*A child less than eight years of age and less than 80 pounds in weight **shall be properly secured in a weight-appropriate** child passenger restraint system.*

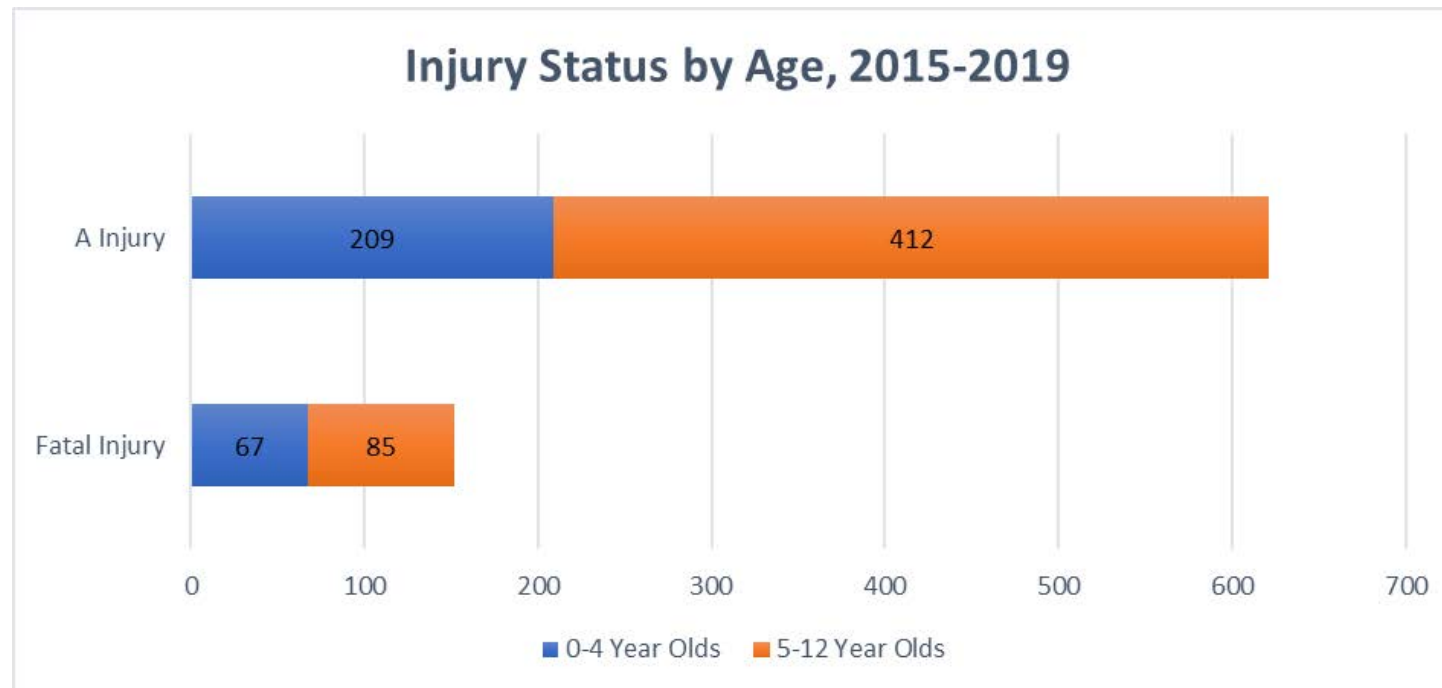
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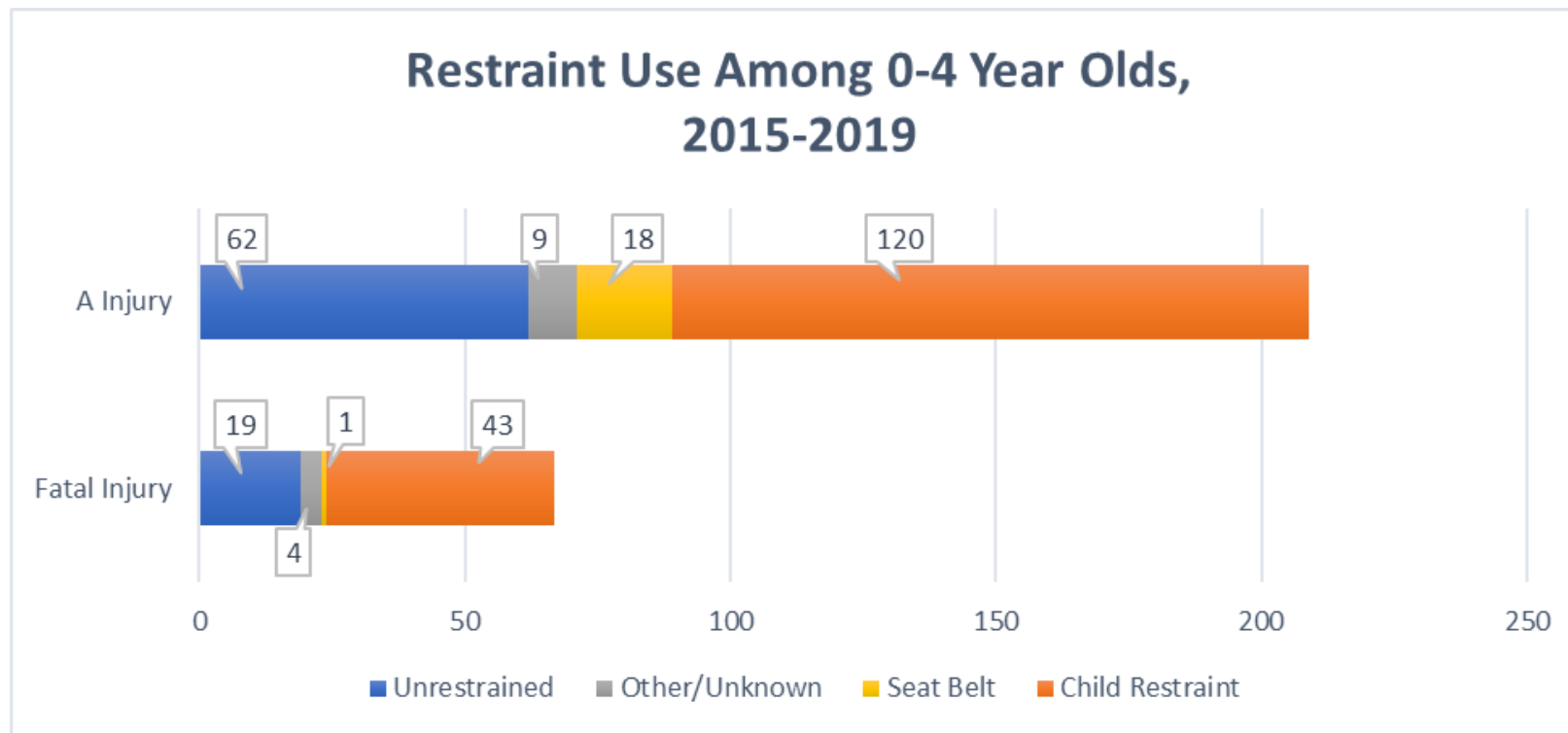
*A child less than eight years of age and less than 80 pounds in weight **shall be properly secured in a weight-appropriate** child passenger restraint system.*



Restraint Use

It's even more complicated:

- crash report doesn't include type or orientation of the car seat.
- no way to determine if child met the height/weight limits of the seat
- no way to determine if the seat was installed and used correctly



What do we know?

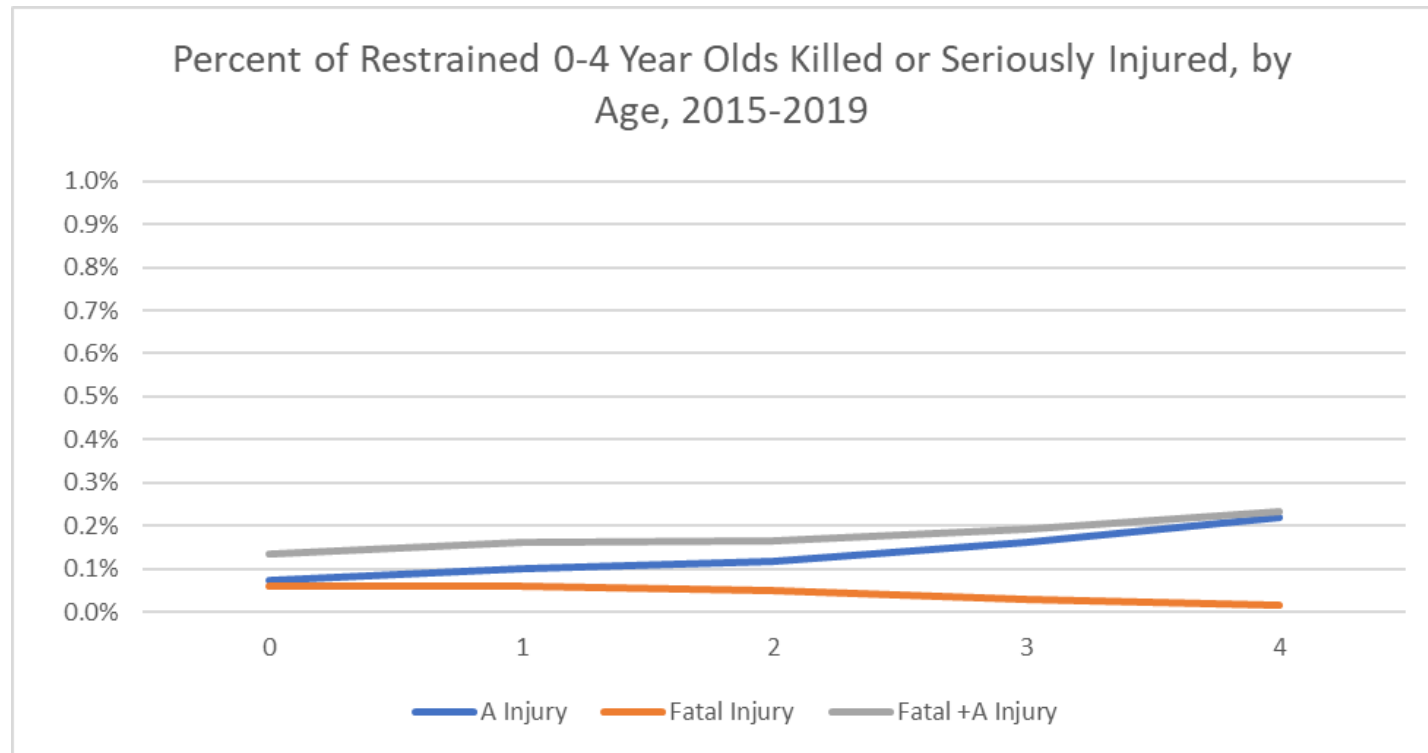
Who rides rear-facing:

- All kids <1 should be rear-facing
- Most kids should be able to continue rear-facing up until at least age 2
- Most children will transition to a forward-facing between ages 1 and 3

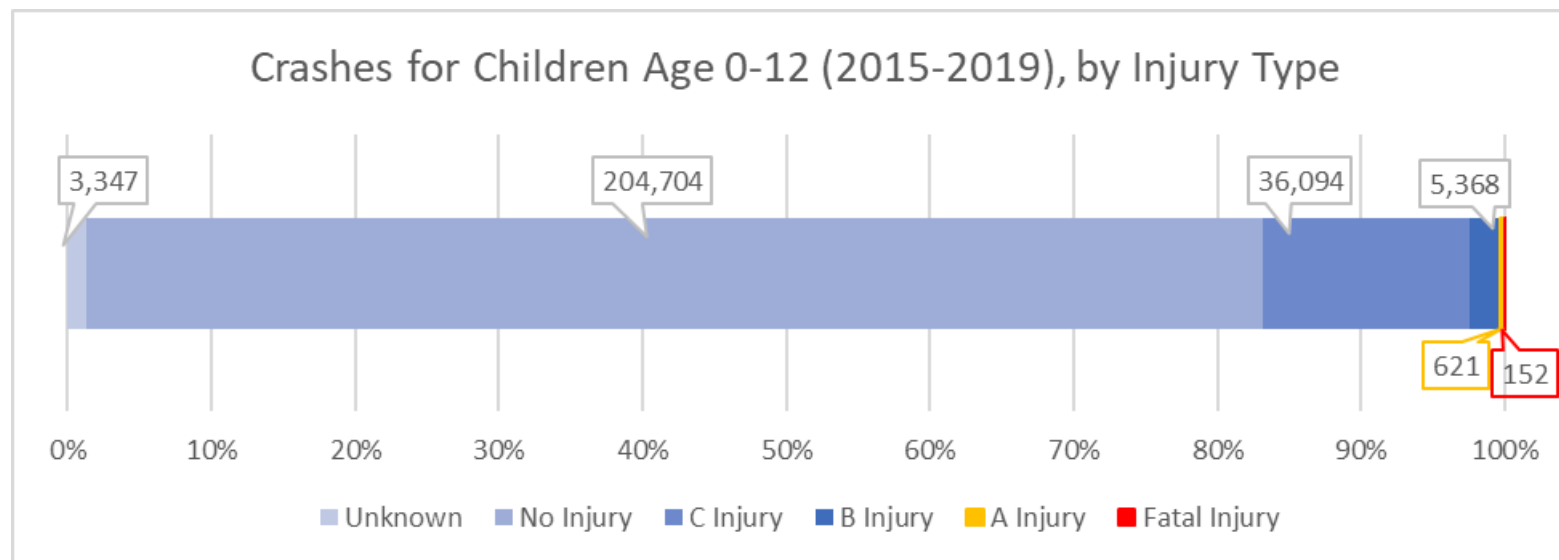
What do we know?

Who rides rear-facing:

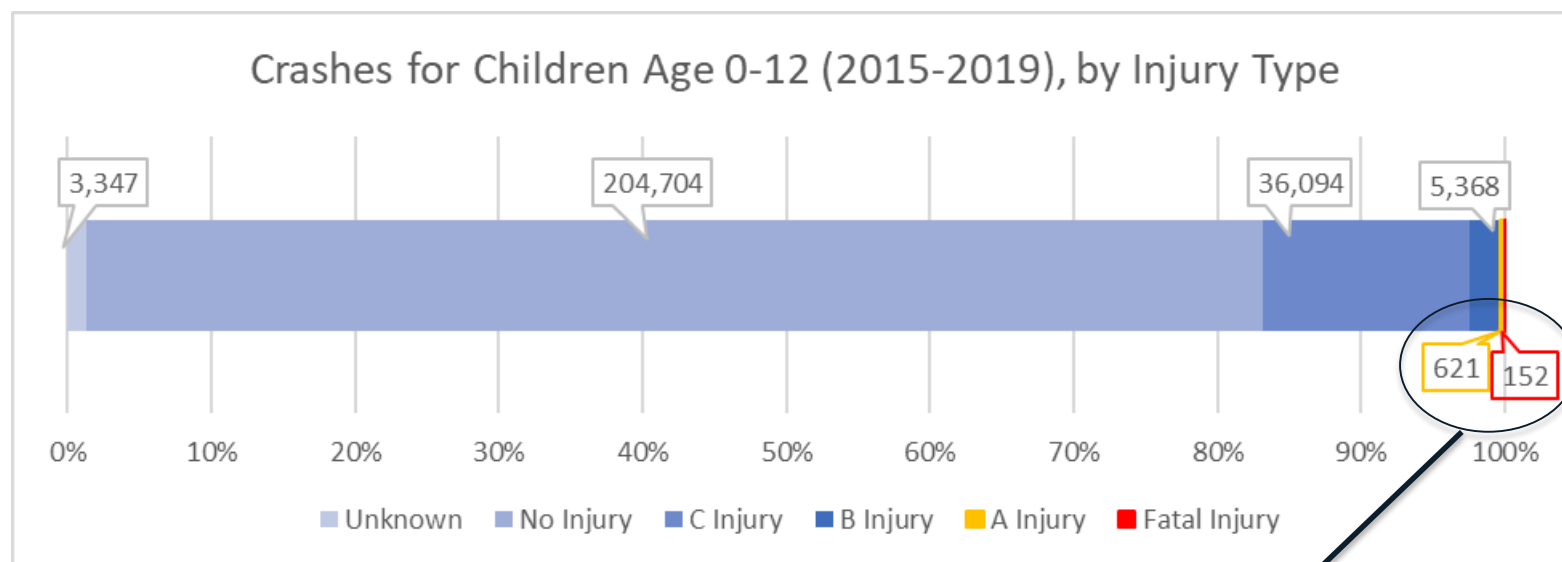
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Kids in Crashes - Overall



Kids in Crashes - Overall



Nearly 30% unrestrained

Potential CPS Policy/Regulation Updates

- Federal Motor Vehicle Safety Standard (FMVSS)
 - Potential updates being reviewed
- American Academy of Pediatrics (AAP)
 - Last full revision in 2011; update in 2018
 - Generally, policies reviewed every 3 years; revised every 6
 - Data driven process drives revisions
 - CPS policy currently being revised
 - expected release late 2021 – early 2022

Updates since last UDC Meeting

- OP Task Force
 - Met November 2, 2020
 - Formed a working group to discuss further
- Working Group
 - Met November 18, 2020
 - Recommendation:
 - Continue data analysis (multiple data sources)
 - Include all stakeholders in discussion
 - Revisit revised AAP recommendations when released

Questions

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Follow up discussion and determination of
next steps on child passenger safety