



BUCKLE DOWN ON SAFETY

The Case for a Rear Seat Belt Law



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Introduction

In 1984, Governor Mario Cuomo jump-started traffic safety's greatest success story by signing the nation's first mandatory seat belt law. Since then, seat belts have saved over 320,000 lives across the United States.

But New York, once a leader in occupant protection, has fallen behind. Twenty-eight states and the District of Columbia require that all back-seat passengers buckle up; in New York, only children under 16 must do so.

Traffic safety experts have long recommended that everyone buckle up in every vehicle. Proper restraints improve safety outcomes for all vehicle occupants, regardless of seating position or age. Education and enforcement campaigns inspired by this advice have helped raise New York's front seat belt usage rate to an all-time high of 92% in 2015. But New York law prevents such initiatives from being applied to adults in the back seat, so too many are not buckling up.

According to AAA's analysis, in the past 20 years, 886 unbelted rear seat occupants age 16 and over were killed in crashes on New York roadways. Young adults were especially vulnerable: rear seat occupants ages 16-24 had by far the lowest rate of belt usage and accounted for more than half of the fatalities.

It is counterintuitive that the age when children are least likely to wear seatbelts and most likely to be killed as a result is also the age when the requirement to wear a seat belt is lifted. A more comprehensive seat belt law would help make teenagers safer on the road.

But it would make older adults safer as well. In February 2015, Bob Simon, an award-winning journalist for 60 Minutes, was killed in a crash on the West Side Highway in Manhattan. He was traveling in the back seat of a livery vehicle and was not wearing his seat belt. A few months later, the world-renowned mathematical genius John Nash and his wife were killed in a crash on the New Jersey Turnpike as they returned home from Newark Airport. They too were unbelted in the rear seat of a cab.

These tragedies serve as reminders of the dangers of not wearing a seat belt in the back seat and the urgency of strengthening New York's seat belt law to require adult passengers in all seats – including in for-hire-vehicles – to wear seat belts. Doing so would save lives and reduce the frequency of serious injury to motor vehicle occupants.

History of New York State's Seat Belt Law

The 1984 Debate

The story of the nation's first seat belt law began at bars and liquor stores. In 1984, momentum was building toward federal regulation of minimum drinking ages. Numerous studies argued that a minimum drinking age of 21 would reduce drunk driving fatalities.¹ Governor Mario Cuomo championed the effort to raise New York's drinking age from 19 to 21. He highlighted the policy in the State of the State and made it his first formally introduced bill of the legislative session,² claiming that such an increase would save approximately 75 lives each year.³

Despite endorsements from AAA,⁴ MADD,⁵ and the PTA,⁶ as well as a poll indicating substantial public support,⁷ the proposal met a cool reception in the legislature. Both Democratic Assembly Speaker Stanley Fink and Republican Senate Majority Leader Warren Anderson expressed skepticism about the fairness and enforceability of the law.⁸ Both houses' Minority Leaders were similarly tepid.⁹ Unsurprisingly, the loudest opponents were college students¹⁰ and bar owners.¹¹

As the opposition coalesced, some suggested that instituting a mandatory seat belt law instead would save even more lives.¹² While Governor Cuomo was receptive to the idea, he rejected the choice as a false dichotomy.¹³ But after an unusually vociferous lobbying effort by the Governor, followed by seven hours of floor debate, the State Assembly rejected the drinking age proposal.¹⁴

Ultimately, Cuomo would have the last laugh. Later that year, the federal government passed the National Minimum Drinking Age Act, which withheld 10% of highway funds from states that allowed 19- and 20-year-olds to purchase alcohol.¹⁵ The incentive worked. In 1985, New York raised its drinking age to 21.¹⁶

But those gains still lay in the future. The Governor wanted a victory during the 1984 session – and felt that legislators would feel obligated to do *something* to reduce road deaths after already having killed one traffic safety bill.¹⁷

An overwhelming majority was amendable to *some* level of seat belt requirement. Earlier that year, the legislature had passed a law requiring newly licensed drivers to wear seat belts, with only eight nay votes in both houses combined.¹⁸ It seemed logical that seat belts for adults would be an easier sell than the drinking age effort. And the technology wasn't new: lap belts had been required in new vehicles since 1968,¹⁹ and integrated lap and shoulder belts had been required since 1974.²⁰

Indeed, support for the seat belt legislation was significantly higher. Senator Norman Levy was perhaps the most vocal champion of mandatory seat belts, and sponsored the bill with the support of William Smith, the Deputy Majority Leader.²¹ Levy lamented that "lap and shoulder belts are 57% effective in preventing moderate to fatal injuries, yet usage rates average only around 14%."²² In his view, "the question is no longer whether seat belts are effective but why they are not used by more of our population."²³

Many state agencies got behind the bill, including the Departments of Motor Vehicles, Transportation, Health, and Insurance, as well as the Governor's Traffic Safety Committee.²⁴ Advocates made the case as well: AAA,²⁵ NYPIRG,²⁶ NYS Motor Truck Association,²⁷ and even the NYS Council of Churches²⁸ lent their support.

Many newspaper editorials promoted the bill. The New York Times argued that "the effect on highway safety could be dramatic,"²⁹ the Adirondack Enterprise stated that "nearly no public health measure, short of banning cigarettes, will have such a great effect,"³⁰ and the Plattsburgh Press-Republican called it "a concept whose time has come."³¹

Automakers like General Motors, Volkswagen, and Ford praised the seat belt requirement,³² though it was an open secret that mandatory seat belt laws could help them avoid new equipment mandates. The U.S. Department of Transportation under Secretary Elizabeth Dole ruled that passive restraint systems such as airbags would be required in new automobiles effective September 1, 1989 – unless states accounting for two-thirds of the population passed mandatory seat belt laws by that time.³³ (Cuomo opposed this incentive, believing that both seat belt laws and airbag mandates were necessary,³⁴ and eventually airbags became standard equipment).

Of course, there was still ample controversy. Some questioned whether the law was enforceable.^{35 36 37} Others, including Governor Cuomo, worried that the regulation would have an adverse impact on short people and the disabled.³⁸ Still others relied on anecdotes³⁹ to wonder if seat belts didn't cause more harm than good; one columnist asked "how many deaths and injuries are suffered each year as a result of passengers and drivers voluntarily wearing seat belts."⁴⁰

But state agencies assuaged the more practical concerns. The State Police supported the bill⁴¹ and assured that the regulation would be enforced just like any other vehicle and traffic law.⁴² The Office of the Advocate for the Disabled supported the law as well.⁴³ Manufacturers said that seat belts could be adjusted, mitigating the potential discomfort seat belts might impose on short people.⁴⁴

Ultimately, the debate became "totally a philosophical issue," as described by the DMV.⁴⁵ Opponents capitalized on the year's lexical likeness to a book protesting governmental intrusion. Assemblymember Andrew Ryan wrote that the law was "another step toward George Orwell's 1984 society."⁴⁶ Assemblymember Ray T. Chesbro (R-Phoenix) believed it "could open a Pandora's Box of 'protective' measures leading to the concepts of Big Brotherism chronicled in George Orwell's book 1984."⁴⁷ Assemblymember Vincent Graber, the bill's sponsor in the lower chamber, responded that he "didn't mind being called a Big Brother, if it saves lives,"⁴⁸ but the accusation was still effective.

During the Cold War, comparisons with other countries were susceptible to association with America's enemies. When Norman Levy stated that over 30 countries already had a mandatory seat belt law, a detractor remarked that "Russia is another country that has a mandatory seat belt law."⁴⁹ One citizen noted that her "forefathers came here to get away from what they had in Europe."⁵⁰

Some avoided these direct comparisons but were no less hyperbolic. Assemblyman Robert D'Andrea lamented that "if we take this unprecedented action on seat belts there is no telling what might be

next.”⁵¹ A former member of the AARP legislative committee called it a “DICTATOR LAW...leading up to a HITLER REGIME.”⁵²

Others made the argument in a less extreme way. Senator Charles Cook summarized the position: “an intrusion into individuals’ personal lives and their freedom of choice.”⁵³

The two houses still needed to reconcile their bills, adding another obstacle. The Senate’s preliminary measure only required drivers and front-seat passengers to wear seat belts, while the Assembly pushed for a bill requiring all passengers to buckle up. The Assembly’s version also included higher fines and even possible jail time.⁵⁴ Assemblymember Graber in particular questioned the logic behind excluding rear seat passengers from the restraint requirement, since they were just as susceptible to injury.⁵⁵ Senator Levy indicated support for that provision,⁵⁶ but ultimately decided that it could jeopardize passage in the Senate.⁵⁷ Assembly debate confirmed that the rear seat requirement was dropped during negotiations.⁵⁸

The issue was one of the most hotly contested of the 1984 session, but in the end, both bills passed by relatively comfortable margins: 82-60 in the Assembly and 38-22 in the Senate.⁵⁹ They required seat belt use for all drivers, all front seat passengers, and back seat passengers under age ten.

Enactment was still not guaranteed. Numerous legislators, local governments, and concerned citizens embarked on an intense and occasionally vulgar lobbying campaign urging Governor Cuomo to reverse his earlier support. Cuomo reported “many calls” from opponents, but explained that “negatives always call.”⁶⁰

Among the slippery slopes that opponents thought New York was sliding down:

- “Volunteer firemen who drive their own vehicles to fighting duty [will spend] 30 seconds getting into the seat belt, 15-20 to extricate himself, so nearly a minute has passed and your grandmother is in the second story of a burning house suffocating from smoke and a minute at that time can be fatal.”⁶¹
- “Will you be forcing the populace to sleep with one leg out of bed so as to escape more quickly in case of fire?”⁶²
- “The law will save lives and prevent injury (so will a law requiring us to wear a suit of armor and live in houses with moats so that rapists and robbers cannot reach us)?”⁶³
- “Should we tell them to brush their teeth and stay out of the sun?”⁶⁴
- “Is mandatory jogging next?”⁶⁵

But Cuomo was not deterred, and scheduled a bill signing for July 12, 1984. Coincidentally, a day before the signing, he was involved in a six-car chain-reaction crash.⁶⁶ Tim Russert, the Governor’s aide, informed the press that Cuomo was indeed wearing his seat belt.⁶⁷ Cuomo later averred that “If I hadn’t been wearing a seat belt, no doubt I would have been hurt.”⁶⁸

At the event, Cuomo made no apologies for his signature, declaring the need “overly manifest.”⁶⁹ His approval memo declared that “the evidence and statistics in favor of a seat belt law are overwhelming.”⁷⁰

The seat belt law was, in Cuomo's words, "the most unpopular thing I had done as governor."⁷¹ But he warded off all attacks. An Albany lawyer filed a lawsuit challenging the constitutionality of the statute, despite admitting his unwillingness to buckle up was "downright stupid;"⁷² the challenge failed.⁷³ Future Senate Majority Leader Joseph Bruno filed a bill to repeal the law, predicting that legislators would reject the measure after hearing from their constituents;⁷⁴ the effort was unsuccessful. Some former supporters vowed to vote against Cuomo in the future;⁷⁵ he won reelection in 1986 and 1990. One particularly enraged constituent told Cuomo that she "hoped your belt slips and gets you around the neck,"⁷⁶ based on all available evidence, the Governor was never strangled by his seat belt.

One village Mayor derisively asked the Governor if he wanted to be known as the "seat-belt governor."⁷⁷ This prediction came true – but rather than burden his resume, the legislation became part of his progressive legacy, earning accolades even posthumously.⁷⁸

There was ample reason for praise. The law had an immediate effect: in the first four months of 1985, belt use had risen nearly fourfold and fatalities dropped 27%, compared with the same period in 1984.⁷⁹ The Commissioner of Motor Vehicles, John Passidomo, credited the law for sparking the drop:

"The seat belt law has undoubtedly made an immediate and significant improvement in traffic safety in New York State. Dozens of motorists are alive today, and dozens of families have been spared the traumatic and unnecessary loss of a loved one, because of New York State's courage and leadership."⁸⁰

Modifications to the Seat Belt Law

The same day Cuomo signed the groundbreaking seat belt legislation, he also inked a chapter amendment that exempted taxis from the requirements. The correction was uncontroversial, as the Assembly Rules Committee memo states: "the intent of the sponsor of the original bill was to exclude taxis, buses, livery vehicles and large trucks." Taxi owners supported the exemption, not wanting to be fined or pulled over for the misbehavior of passengers.⁸¹ Officials also feared that belts could be used to choke taxi drivers during a robbery.⁸²

The only major revision to the statute in the past thirty years was a 2000 bill that raised the back seat belt requirement age from 10 to 16. The bill elicited support from AAA⁸³ and other road safety advocates, but little opposition.

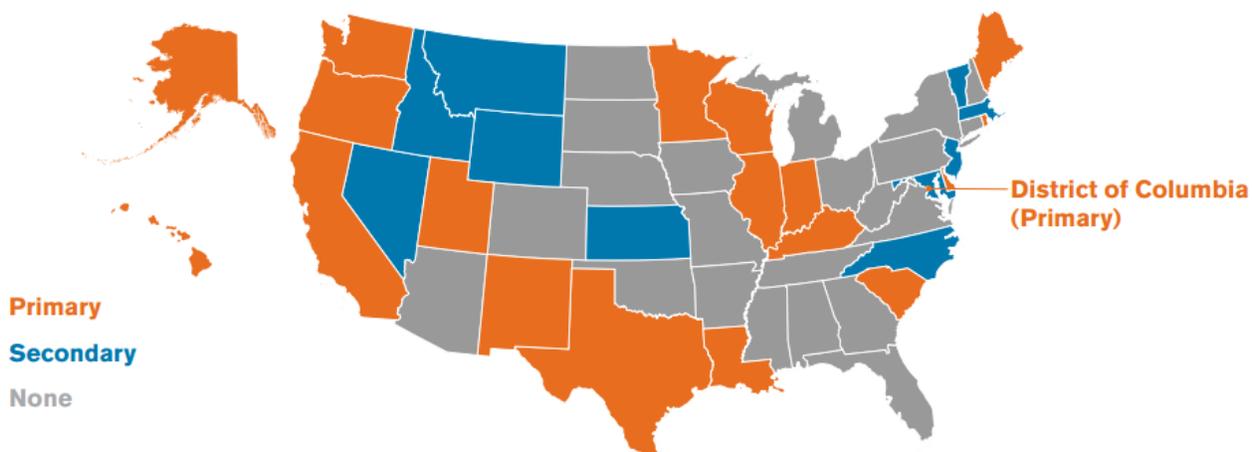
The state law has been modified a handful of other times. In 1989, rural letter carriers were added to the list of exemptions.⁸⁴ In 1996, the exemption for tractors and some large trucks was removed to comply with federal law.⁸⁵ In 2002, a DMV bill clarified that both the lap belt and shoulder harness must be worn to avoid a seat belt ticket.⁸⁶ Most recently, a 2015 bill required volunteer firefighters and ambulance service workers to wear seat belts.⁸⁷

Seat Belt Laws – a National Perspective

New York’s leadership inspired other states to act. A year after New York’s law took effect, eleven states had enforceable seat belt laws. By 1988, more than half of the states had seat belt laws. By 1996, every state except New Hampshire had mandatory belt laws on the books (counting Washington, D.C. as a state).⁸⁸ Today, 35 states have primary front seat belt laws that allow a police officer to issue a ticket simply for violating the seat belt law – New York is one of them. Fifteen states have secondary laws that allow seat belt tickets only if the police officer pulled over the driver for another infraction.⁸⁹ New Hampshire has still not instituted a seat belt law, to the chagrin of road safety advocates in the “Live Free or Die” state.

Fewer states have rear seat belt laws. Twenty-nine states have such laws, of which 19 are primary and 10 are secondary. The graphic below from the Governor’s Highway Safety Association summarizes the legislative landscape.⁹⁰

Figure 1. Rear seat belt use laws for adults, November 2015.



It is time for New York to join this club. New York should also apply the seat belt law to taxi passengers. Only four states – Illinois, Maryland, Vermont, and Virginia – exempt taxi passengers from rear seat belt laws. South Carolina exempts for-hire-vehicle passengers but not taxi passengers. California and Oregon require taxi passengers to wear seat belts, but not taxi drivers.⁹¹

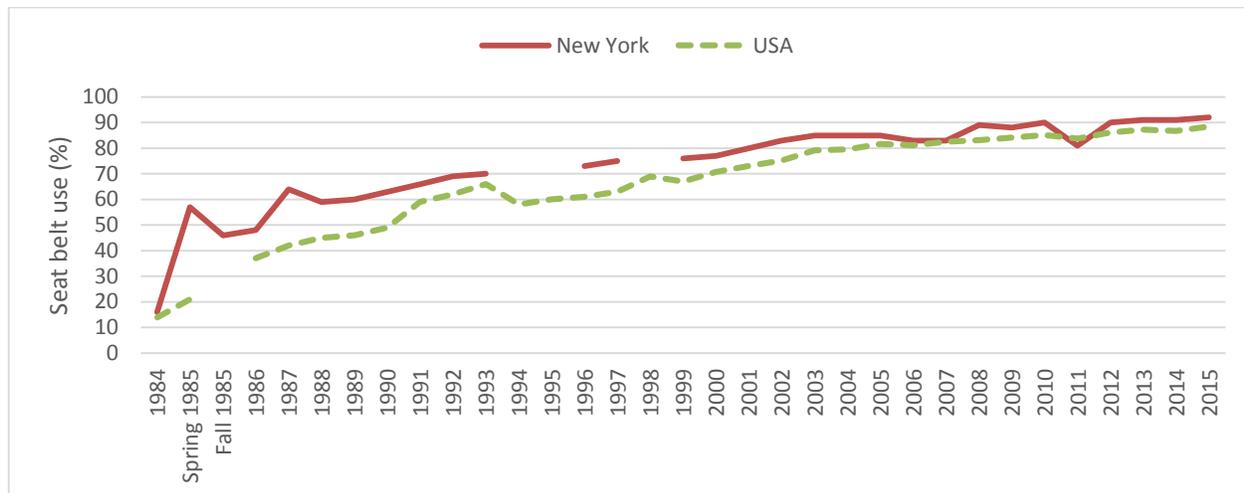
This report will make the case for a seat belt law, with the following outline:

- Current patterns of rear seat belt use
- Scientific research on the increased risk of not wearing a seatbelt
- AAA’s analysis of unbelted rear seat fatalities in New York State

Patterns of Seat Belt Usage

Front Seat

Happily, as more states passed laws requiring belt use for front seat passengers, rates of front seat belt usage skyrocketed. Within three years of Mario Cuomo's signature, front seat belt usage had quadrupled in New York⁹² and tripled nationwide.⁹³ Since then, gradually more people have buckled up in the front seat, reaching new highs in 2015: 92% of New Yorkers and 88.5% of Americans wore seat belts.⁹⁴

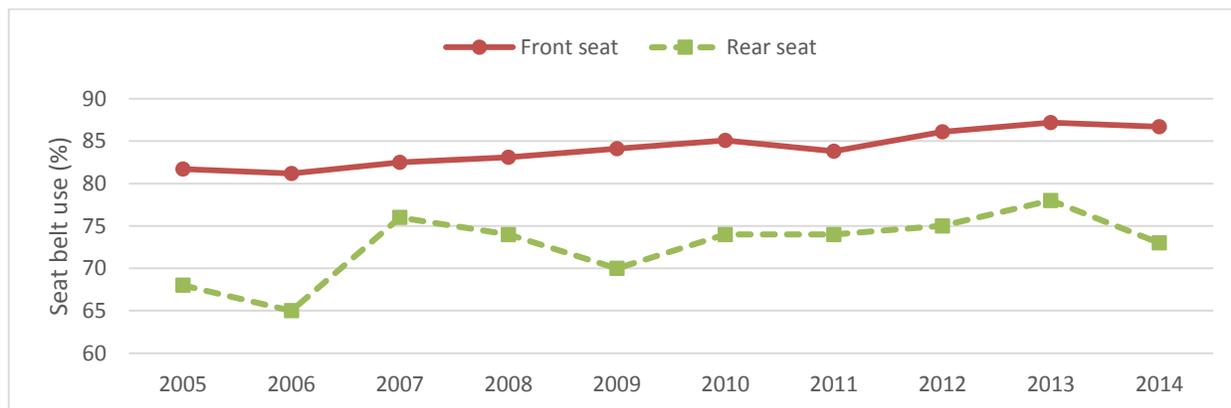


Rear Seat

Because fewer states have mandatory rear seat belt laws, researchers have not prioritized data collection for the back seat. New York does not collect its own data. Multiple studies have produced variations on an identical conclusion: rear seat belt use consistently lags behind front seat belt use.

NOPUS

NHTSA's National Occupant Protection Use Survey (NOPUS) provides historical data.⁹⁵ NOPUS relies on personal observation of vehicles that are stopped at traffic lights or stop signs. It found that in recent years, rear seat belt use is approximately ten percentage points lower than front seat belt use.



CDC

The Center for Disease Control (CDC) analyzed Porter Novelli’s 2012 ConsumerStyles survey. The online survey asked respondents if they “always” wear a seat belt in the back. The CDC found that 62% of adults reported “always” wearing a seat belt in a rear seat position.⁹⁶

NASS-CDS

Researchers from the Insurance Institute for Highway Safety, the University of Pennsylvania, and the Children’s Hospital of Philadelphia examined data from the National Automotive Sampling System’s Crashworthiness Data System (NASS-CDS) data from 2007-2012. NASS-CDS is “a nationally representative sample of police-reported tow-away crashes occurring on public roadways in the United States.”⁹⁷

The study found that 76.2% of rear seat occupants 13 and older were belted.

FARS

NHTSA’s Fatality Analysis Reporting System (FARS) collects information about each fatal crash in the United States. Analysis of this data conducted for the Governor’s Highway Safety Association shows that in 2012-2013, 58% of rear seat occupants age 8 and older nationwide were wearing seat belts.⁹⁸ In New York, that number is a slightly lower 54%. FARS remains the only state-level estimate of rear seat belt use.

New York City Taxicabs

The New York City Taxi and Limousine Commission⁹⁹ undertook a survey of its riders in 2012-13. The survey was conducted on “passenger-facing monitors in the back of taxis”¹⁰⁰ so only rear seat occupants responded to questions. A mere 38% of survey respondents reported wearing their seatbelts as they completed the questionnaire.

Summary

Study	Rear seat belt use (%)
NYC Taxicabs	38
FARS (New York State only)	54
FARS (nationwide)	58
CDC	62
NASS-CDS	76
NOPUS	78

Each of these studies has limitations, as summarized in the GHSA’s recent report on rear seat belts:¹⁰¹

- “NOPUS may underestimate rear seat belt use because it does not observe occupants using only a lap belt (6% of the belted rear seat occupants in FARS were using lap belts only). On the other hand, NOPUS may overestimate rear seat belt use because it probably does not observe most occupants in the middle seating position, where FARS reports lower belt use than in outboard positions.

- The Porter Novelli [CDC] survey results are self-reported, and self-reports usually overestimate actual belt use. However, the results include only those who said they always wear their belt, not those who sometimes wear belts, which may produce an underestimate.
- FARS reports only occupants of vehicles involved in fatal crashes, who wear belts less frequently than all occupants on the road.”

Moreover, all of these studies may produce overestimates by including younger occupants. NOPUS and FARS data analyze occupants age 8 and over,¹⁰² the CDC analyzes occupants age 12 and older,¹⁰³ and NASS-CDS analyzes occupants ages 13 and older.¹⁰⁴

Children under 16 are typically more likely to wear seatbelts or be otherwise properly restrained than the average adult. The NOPUS¹⁰⁵ and FARS¹⁰⁶ analyses organize ages into identical groups, and the youngest and oldest categories have by far the highest rates of seat belt usage:

	8-15	16-24	25-69	70+
NOPUS	82%	68%	64%	81%
FARS	75%	51%	55%	72%

Both NASS-CDS¹⁰⁷ and the CDC¹⁰⁸ echo these results, both displaying the top rate for the oldest adults, and the lowest rate for adults in the middle of the age spectrum (20-54 for NASSCDS, 25-44 for CDC).

Therefore, by including ages 8-15 in the broad classification of “adults,” these studies will overestimate the percentage of adults 16 and older that use seat belts.

Given that New York State has a below-average rate of rear seat belt usage, and that some of the nationwide studies may produce overestimates for various reasons, it is reasonable to estimate that approximately one quarter of New York adults do not buckle up in the back.

Increased Risk from Not Wearing Seatbelt

Seat belts unequivocally reduce the risk of death and serious injury in all seats. Compared with belted rear seat passengers, unbelted rear seat passengers are:

- 3 times more likely to be killed¹⁰⁹
- 8 times more likely to be seriously injured¹¹⁰
- 2 times more likely to kill a front seat passenger by becoming a projectile (a “back-seat bullet”)¹¹¹

In 2013, 883 unbelted rear seat passenger vehicle occupants age 8 and older died in traffic crashes in the United States. More than 400 of these occupants would have survived if they had worn their seatbelts. Even if belt usage rates equaled the front seat belt levels reported by NOPUS or FARS, more than 150 fatalities would have been prevented.¹¹²

The GHSA report includes 2012-13 FARS data on rear seat occupants age 8 and older in fatal crashes:¹¹³



Two-thirds of unbelted rear seat occupants in fatal crashes were killed or seriously injured, compared to only 28% of belted rear seat occupants. Half of belted occupants walked away with no or possible injury, but only 16% of unbelted occupants did so.

Anecdotal reports confirm this danger – even in taxicabs. Dr. Lewis Goldfrank, chairman of emergency medicine at Bellevue Hospital and NYU Langone Medical Center, characterized seat belt nonuse in yellow cabs as “a New York tragedy and public health issue that has not changed in almost two decades.”¹¹⁴ He reported seeing at least two patients a week who had suffered injuries from slamming into the safety barriers – giving rise to the term “partition-face.”¹¹⁵

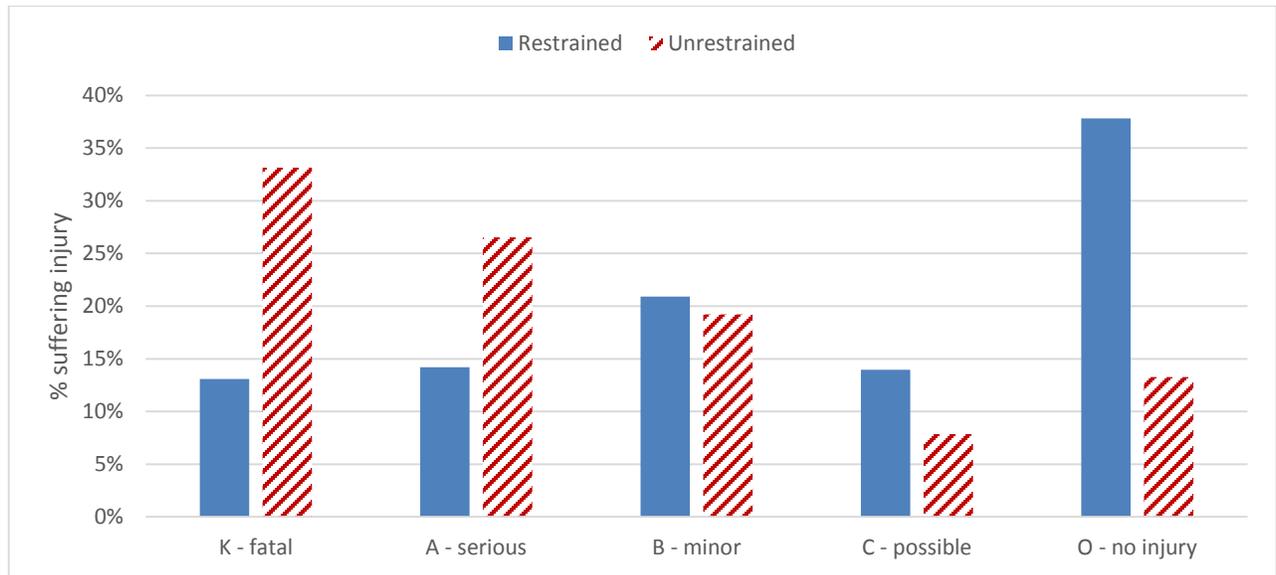
Wearing a seat belt dramatically reduces risk of serious injury and death – in all seats, in all automobiles.

AAA's Analysis of FARS Data for New York State

Of the previously referenced research, only the GHSA's analysis of FARS data from 2012-13 included state-specific data. To fill this gap, we analyzed all available online FARS data – from 1995-2014 – to look at the patterns of seat belt usage in fatal crashes in New York State.

Injury Risk

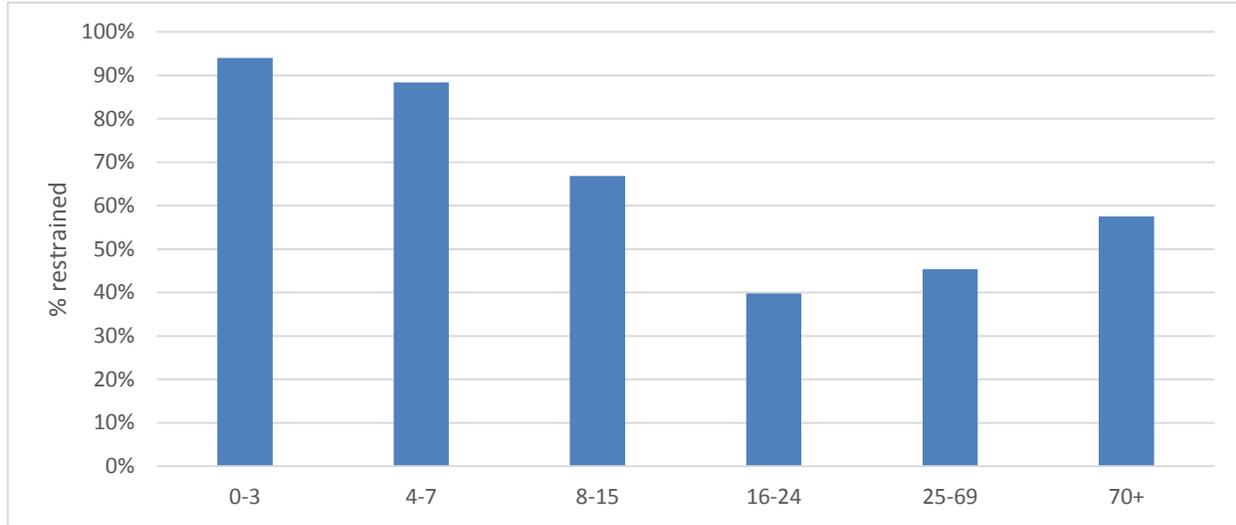
We replicated GHSA's comparison of outcomes in fatal crashes for restrained and unrestrained rear seat passengers, with similar results.



Seat belt use unequivocally reduces the risk of injury in the back seat. Over a third of restrained passengers emerged unscathed, compared with only an eighth of unbelted occupants. Conversely, a third of unrestrained passengers were killed, compared with only 13% of restrained passengers.

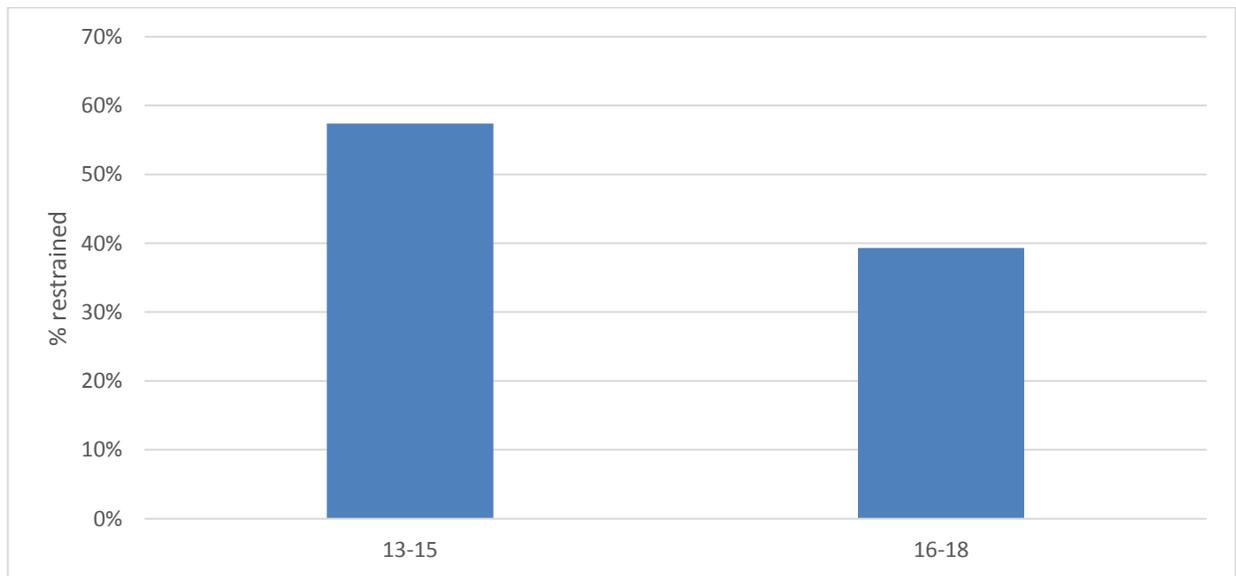
Seat Belt Usage by Age

Since 2001, New York State has required all back seat passengers under 16 to buckle up; prior to 2001, only children under 10 were required to do so. Therefore, we analyzed the 4620 rear seat occupants in fatal crashes in New York from 2001-14 to discern patterns of rear seat belt usage under the current parameters.

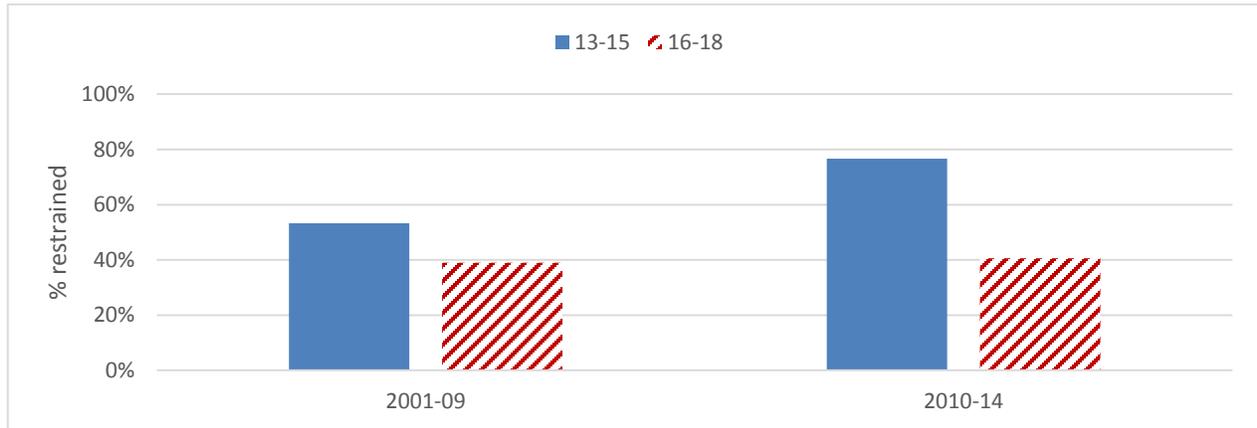


This analysis confirms the major findings from previous studies. Infants and toddlers are most likely to be strapped in, adults are generally less likely to buckle up, and the oldest passengers wear seat belts more often than middle-aged or younger adults. Overall, 43% of adults ages 16+ wore a seat belt.

Seat belt usage drops precipitously from 8-15 to 16-24. The decline is not just due to the wide age range. Seat belt use declines significantly once passengers turn 16 and restraint use is no longer required.



In recent years, this gap has widened:



Though sample sizes are more limited, the pattern still holds for 15 and 16 year olds. From 2001-14, 133 15 year olds and 186 16 year olds were rear seat passengers in fatal crashes in New York. 48% of those 15 year olds wore seat belts in the back, while only 42% of 16 year olds did so. This gap has also widened in recent years. From 2010-14, 65% of 15 year olds were strapped in, compared with 48% of 16 year olds.

These findings do not necessarily prove teenagers stop wearing seat belts once they turn 16 *because* they are no longer subject to the requirement. Undoubtedly, some of the difference stems from a culture change once their friends have licenses and can drive, rather than the requirements of the seat belt law. Compared with younger children, 16 and 17 year olds are more likely to be riding in the back seat of a car driven by a peer rather than a parent or relative, and the social norms of such a situation may discourage restraint use.

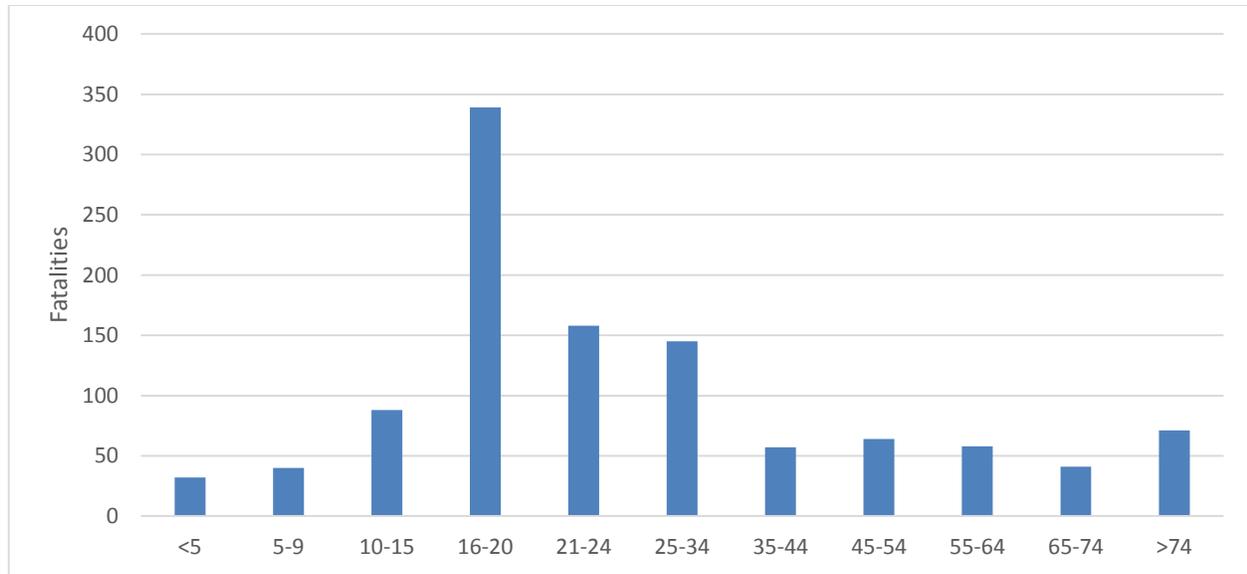
We believe that is all the more reason to support a seat belt law. The requirement will never convince 100% of teenagers to buckle up, but if they believe they may be liable to receive a ticket, that motivation may be enough to overcome peer pressure.

Fatalities

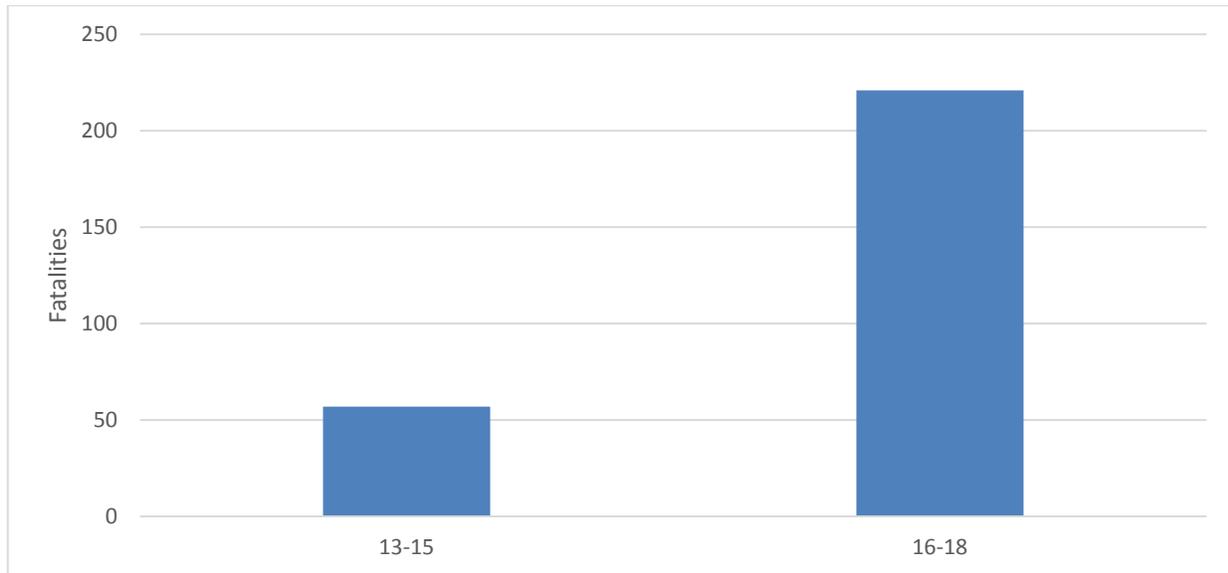
Between 1995 and 2014, 886 unbelted rear seat occupants 16 and older were killed in crashes on New York roads. At least one such passenger was killed in each of New York’s 62 counties. In that timeframe, the top 10 counties for unbelted rear seat fatalities largely correlate with population and vehicle miles traveled:

County	Fatalities
Suffolk	88
Queens	71
Nassau	70
Bronx	46
Kings	42
Erie	32
Monroe	32
Westchester	32
New York	31
Orange	26

Mirroring the seat belt usage results, teenagers ages 16+ were most likely to be killed while unrestrained in the back seat.



Fatalities jumped nearly fourfold from ages 13-15 to ages 16-18. As many unbelted rear seat passengers ages 16-18 died as did those 45 and older.



The raw data presents a compelling result. Young adults are the least likely to wear seat belts in the back seat, and their rates of belt use have scarcely improved over the past fifteen years. There is a statistically significant drop in seat belt use and a similarly stark increase in fatalities from ages 13-15 to ages 16-18. Yet disturbingly, this especially dangerous time frame is right when seat belt laws no longer apply. This backwards policy should be removed. Seat belts should be required for all adults – a requirement that, when combined with enforcement and education, will especially protect young adults.

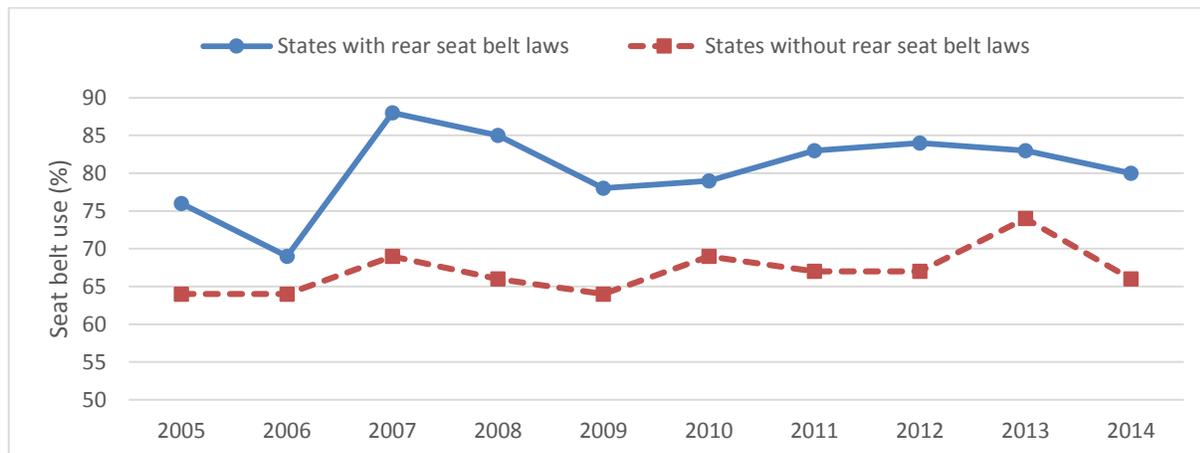
Will A Law Help?

Laws are not useful unless they change behavior and lead to improved outcomes. There is ample reason to believe that passing a rear seat belt law will increase the percentage of restrained rear seat occupants.

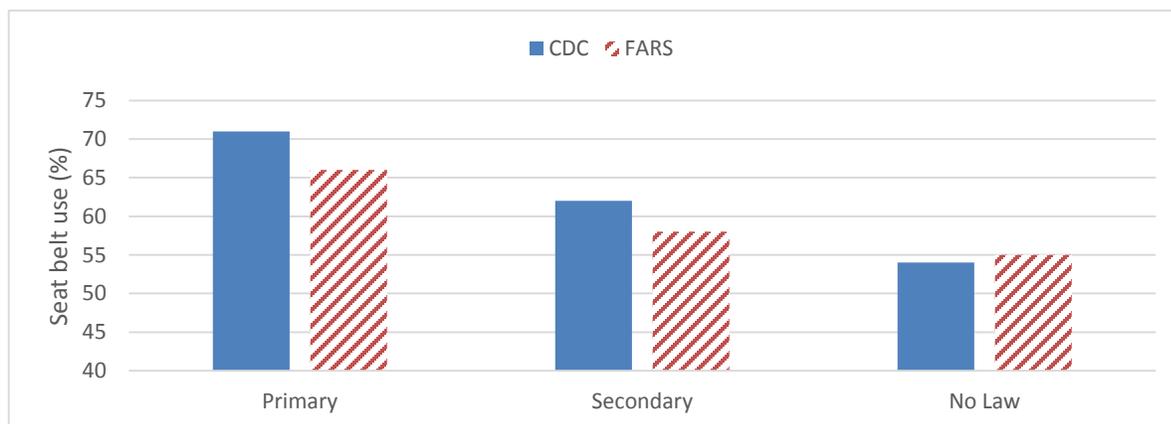
New York's experience with its front-seat legislation in the mid-1980s provides a concrete example. Within a few months of the law taking effect, belt use rose from 16% to 57%.¹¹⁶

Thankfully, the rate of rear seat belt usage in New York State is much higher than it was in 1984. Though there are no state-specific surveys, based on prevailing national patterns, we can estimate that approximately a quarter of adults are not buckling up in the back seat. We believe there is significant room for improvement.

NOPUS disaggregates rear seat belt usage rates by whether the state has a rear seat belt law. It shows that over the past decade, states without rear seat belt laws have significantly lower rates of belt usage than states with rear seat belt laws.¹¹⁷



CDC¹¹⁸ and FARS¹¹⁹ analyses both concluded that states with primary rear seat belt laws had the highest rates of belt use, followed by states with secondary laws. States with no law governing rear seat belt usage had the lowest rates of belt usage.



Conclusion

New York has a long history of leadership with occupant protection. It overcame significant opposition to pass the nation's first seat belt law in 1984, inspiring many other states to pass similar statutes. These efforts have saved literally hundreds of thousands of lives.

But there are still gaps in New York's law. Adults 16 and over do not have to buckle up in the back, despite the overwhelming evidence that such a requirement would help safety. Young adults are particularly at risk of being killed while unbelted in the rear seat.

New York cannot continue to let this low hanging fruit wither on the vine. The time for a rear seat belt law is now.

Appendix A – Sources

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