

**LANCE J. MITCHELL
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Testimony of Lance J. Mitchell

OPPOSITION OF LD 1479

Senator Deschambault, Representative Warren and distinguished Members of the Committee on Criminal Justice and Public Safety. My Name is Lance J. Mitchell. I am a retired Police Officer of 21 Years. I am the only professional in the State of Maine to have the distinction of being both a Child Passenger Safety Technician Instructor and a Traffic Occupant Protection Strategies Instructor. I have spent the past 20 years in the field of Occupant Protection. I have created training courses in the field of Child Passenger Safety that are being taught by numerous agencies throughout the United States. I am also asked to speak to and train Child Passenger Safety Professionals throughout the Country. In 2019, I worked with Senator Scott Cryway and introduced a new and improved Seat Belt / Child Seat Law in Maine. I believe it was voted on unanimously by the Transportation Committee and was eventually signed into Law by the Governor. I am a leading expert in the field of Occupant Protection in Maine.

The purpose of re-writing Maine's Child Seat Law was to fix the antiquated law we had. Statistics and studies showed us several things that were important to incorporate into a law (Such as the importance of riding rear-facing as long as possible or being in a 5-point harness for a longer period of time.) to ensure that children were being transported as safely as possible in a motor vehicle. We DO NOT have many child fatalities on the Roads in Maine and that is because we take Occupant Protection seriously. I encourage Police Professionals every chance I get to conduct traffic stops when children are in a vehicle. To educate and yes, if need be, enforce Maine's Laws. This is the only way to ensure that we keep our kids safe. Many States throughout the Country are looking to fix their laws and bring them more in line with Maine.

Seat Belts and Car Seats unquestionably save lives. Only uneducated professionals would say anything different. As recently as 1990 Seat Belt usage was 50% Nationally. By 2007 Seat Belt usage had risen to 79% nationally, but as high as 88% in States where Seat Belt Laws were Primary Laws. According to NHTSA by 2021, the Seat Belt usage rate nationally was 90.4%. They estimate that in 2017 15,000 lives were saved as a result of seat belts, and that 2,549 lives could have been saved if those people had been wearing seatbelts.

Nationally, in 2018, 35% of children killed in car crashes were unrestrained. NHTSA says in 2017 59% of children were not properly restrained in a motor vehicle. The Insurance Institute for Highway Safety (IIHS) states that, "Motor vehicle crashes remain a leading cause of death for children. A total of 844 children younger than 13 died in motor vehicle crashes in 2019; nearly three-quarters of these deaths were children riding in passenger vehicles. The number of child passenger deaths has declined by more than half since 1975. The rate of child passenger deaths per million children also has fallen dramatically to 11.7 deaths per million children in 2019, a 61

percent reduction from 1975. Proper restraint use can help reduce deaths even more. Although the majority of children ride restrained, 209 children killed in crashes in 2019 were unrestrained, and others were improperly restrained”

The reduction of fatalities is only the tip of the iceberg. Many serious and lifelong injuries have also been reduced by proper seat belt and car seat use. This is a direct result of States writing better laws and the NHTSA’s Click it or Ticket Campaign. The reason why we have been so successful in keeping people safe in motor vehicles is two-prong. First, we have educated people. Secondly and most importantly, we have enforced. Education without enforcement DOES NOT work.

Not only would changing Maine’s Seat Belt Law undoubtedly increase adult and child fatalities in the State of Maine, it would also reduce NHTSA’s funding of Maine. The NHTSA ties it’s funding partially to our State having a Primary Seatbelt Law. This money is used to train and educate families throughout the State.

I am truly bothered by the idea, that any law enforcement officer could be made to sit by and watch an infant being driven around town sitting on an adult’s lap in the front seat of a vehicle and not be able to take any enforcement action. That a 2-year-old could sit in the front seat of a car. That 4-year-olds could ride in the bed of a Pick-Up Truck down Route 1 and nothing could be done. That teenagers who are on provisional licenses and have no skills driving a motor vehicle could be unrestrained and have no consequences when statistics show they are the most likely to get into a crash and or be killed. Ask any emergency responder and they will tell you. There is NOTHING worse than attending a child’s death. These laws need to be enforced by our Law Enforcement professionals.

I am truly at a loss trying to understand why this legislation is before the committee. Having a secondary law of any kind only “muddies the water”. It ties the hands of Law Enforcement professionals that we task with keeping our roads and citizens safe. As a retired Law Enforcement Officer and citizen of the State of Maine I am in complete opposition to any of the proposals in this bill. As the leading Occupant Protection Expert in the State of Maine, I am vehemently against any changes to our Seat Belt / Car Seat Laws and would implore you to vote Ought Not to Pass.

Thank You,

Lance J. Mitchell