

**TESTIMONY OF  
Brian Parke  
L.D. 1479, “An Act To Make Certain  
Traffic Infractions Secondary  
Offenses”**



Good morning, Senator Deschambault, Representative Warren, and members of the Criminal Justice Public Safety Committee. My name is Brian Parke and I am the President and CEO of the Maine Motor Transport Association and a resident of Brunswick. The Association is comprised of more than 1,700 member companies, whose employees make up a large portion of the over 33,000 people who make their living in the trucking industry in Maine.

We are providing written testimony in opposition to LD 1479.

The Maine Motor Transport Association is a statewide trade association that represents the Trucking Industry in Maine. Our Association exists for several reasons, one of which is to foster and promote highway safety. It is for this reason that we are providing testimony.

As an industry, trucking invests at least \$10 billion dollars annually in safety according to a recent report of the American Trucking Associations. These safety investments include driver safety training, compliance training, safety incentive pay, and investments in on-board safety technology such as electronic logging devices, collision avoidance systems, stability control technologies, and video event recorders. Trucking prioritizes these investments because safety is paramount and our members recognize the importance of safely sharing the roadways with non-commercial vehicles.

LD 1479 is a step backward for overall safety on Maine's roads. It seeks to turn back decades of work to make Maine a primary seatbelt state that has resulted in improved highway safety and has saved lives in Maine. While commercial trucks will not be impacted directly by making seatbelts a secondary violation due to state and federal regulations, the resulting overall safety degradation caused by this law will impact all users of Maine's highways.

Here are some points that warrant consideration:

- NHTSA estimates that rescinding Maine's primary seat belt law could result in:
  - A 3.2 percent decrease in seat belt use from 88.5 percent (based on 2019 observed use rate) to 85.3 percent;
  - 3 additional fatalities annually;
  - 54 additional serious injuries annually; and
  - \$11.3 million in added economic costs annually.
- Since Maine upgraded our safety belt law from secondary to primary enforcement, we experienced an 11% increase in our usage rate.

- Maine has qualified for, and received, significant federal funding since the passage of our primary seatbelt law. If this bill becomes law, Maine will lose eligibility for NHTSA funding of approximately \$287,000.00 annually. This critical funding is used for public education, child passenger safety technician training, child safety seats for income eligible families and enforcement and education activities during a two-week high-visibility campaign.
- 35 States have primary safety belt laws. Seat belt use continues to be higher in the States in which occupants can be pulled over solely for not using seat belts (“primary law States”) compared to the States with weaker enforcement laws (“secondary law States”) or without seat belt laws.
- Increasing seat belt use is one of the most effective and least expensive ways to save lives on the state’s roadways. Research has confirmed that lap/shoulder seat belts, when used, reduce the risk of fatal injury to front-seat passenger car occupants by 45 percent and moderate-to-critical injury to front-seat passenger car occupants by 50 percent.
- A NHTSA study found that Primary laws are associated with gains in belt use in all racial groups with the proportion of ticketing issued remaining essentially unchanged. Conversion to primary laws improve injury protection for all drivers.
- The National Highway Traffic Safety Administration (NHTSA) estimated that needless deaths and injuries resulting from non-use of seat belts cost society more than \$10 billion annually in medical care, lost productivity, and other injury related costs.
- The average inpatient costs for crash victims who don’t use seat belts are 55 percent higher than for those who use them.
- Primary seat belt laws are particularly important for protecting high-risk young drivers. Among passenger vehicle occupant fatalities where restraint use was known in 2018, the 25-to-34 age group had the highest percentage of unrestrained occupants (60%), followed by the 21-to-24 age group at 58 percent unrestrained. Research has shown that fatality rates among young vehicle occupants are lower in states with primary seat belt laws than in other states.

Thank you for your consideration and for allowing me to submit written testimony. I would be happy to answer any questions the committee may have at the Work Session.