



Legislation Text

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041437
SUBSTITUTE 1

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Substitute resolution directing the Intergovernmental Relations Division - Department of Administration to seek introduction and passage of state legislation relating to the enforcement of safety belt regulations.

This resolution directs the Intergovernmental Relations Division - Department of Administration to seek introduction and passage of state legislation which would amend state law to establish primary enforcement of safety belt regulations, which would authorize law enforcement officers to stop and issue citations to motor vehicle operators for failing or refusing to wear safety belts, regardless of whether the operators have committed any other traffic violations. Currently, Wisconsin state law provides for secondary enforcement of safety belt regulations whereby law enforcement officers are authorized to issue citations related to violations of safety belt regulations only after having stopped motor vehicle operators for violations related to other traffic regulations.

Whereas, Wisconsin state law provides that all operators of motor vehicles and all passengers over the age of 4 must wear safety belts, and children under 4 are required to be restrained in appropriate child safety restraints; and

Whereas, As of December 2003, 29 states, including Wisconsin, have secondary enforcement safety belt laws, whereby law enforcement officers are authorized to issue citations related to violations of safety belt regulations only after having stopped motor vehicle operators for violations related to other traffic regulations; and

Whereas, The District of Columbia and 20 states have primary enforcement safety belt laws, which authorizes law enforcement officers to stop and issue citations to motor vehicle operators for failing or refusing to wear safety belts, regardless of whether the operators have committed any other traffic violations; and

Whereas, The National Highway Traffic Safety Administration (NHTSA) reported that 56% of occupants killed in passenger vehicle crashes in 2002 were not wearing safety belts; and

Whereas, The NHTSA has found that average safety belt use rates in states with a primary enforcement safety belt law is 10 to 15 percentage points higher than in states without primary enforcement; and

Whereas, The National Safety Council (NSC) reported that 6 out of 10 children who died in passenger vehicle crashes in 2001 were not using child occupant restraints; and

Whereas, The NSC has found that safety belt use by the motor vehicle operator was the best predictor of child occupant restraint use whereby a motor vehicle operator who wears a safety belt is 3 times more likely to restrain a child passenger than one who does not wear a safety belt; and

Whereas, The NHTSA reported that the use of safety belts is credited with preventing 11,900 fatalities and 325,000 serious injuries annually, and that if all passengers were to use safety belts, an estimated additional 9,200 fatalities and 143,000 serious injuries could be prevented each year; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Intergovernmental Relations Division - Department of Administration is directed to seek introduction and passage of state legislation which would amend state law to establish primary enforcement of safety belt regulations, which would authorize law enforcement officers to stop and issue citations to motor vehicle operators for failing or refusing to wear safety belts, regardless of whether the operators have committed any other traffic violations.

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