



NATIONAL CONFERENCE
of STATE LEGISLATURES
The Forum for America's Ideas

State Legislators' Traffic Safety Priorities – Summary of Findings

In the summer of 2015, the National Conference of State Legislatures (NCSL) created a questionnaire to develop a better sense of what traffic safety issues, policies, programs and interventions were most important to state lawmakers. In total, responses were received from 104 state legislators from 35 states—Alabama, Alaska, Arkansas, Arizona, Colorado, Connecticut, Delaware, Georgia, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Massachusetts, Maine, Maryland, Minnesota, Mississippi, Montana, North Dakota, Nebraska, New Hampshire, New Mexico, Nevada, Oregon, Pennsylvania, Rhode Island, South Carolina, Texas, Utah, Vermont, Virginia, Washington and Wyoming.

While this is clearly only a small sampling of the nation's state legislators, the results nonetheless provide a helpful snapshot on what traffic safety issues, policies and interventions resonate in state legislatures. This webpage summarizes their responses, which were collected via an online tool that was only open to responses from state lawmakers. This resource is not intended to serve as a comprehensive accounting of state legislators' opinions on traffic safety issues.

Question No. 1

This question served to disqualify respondents who were not state lawmakers.

Question No. 2

Lawmakers were asked to rank, in order, the three most challenging traffic safety problems their state is facing. Respondents were able to choose from the following issues:

- Drunken driving
- Drugged driving
- Distracted driving
- Bicycle and pedestrian safety
- Speeding
- Motorcycle safety
- Teen drivers
- Older drivers
- Seat belts
- School transportation safety
- Secondary seat belts,

- Research and technological innovations such as vehicle-to-vehicle and vehicle-to-infrastructure

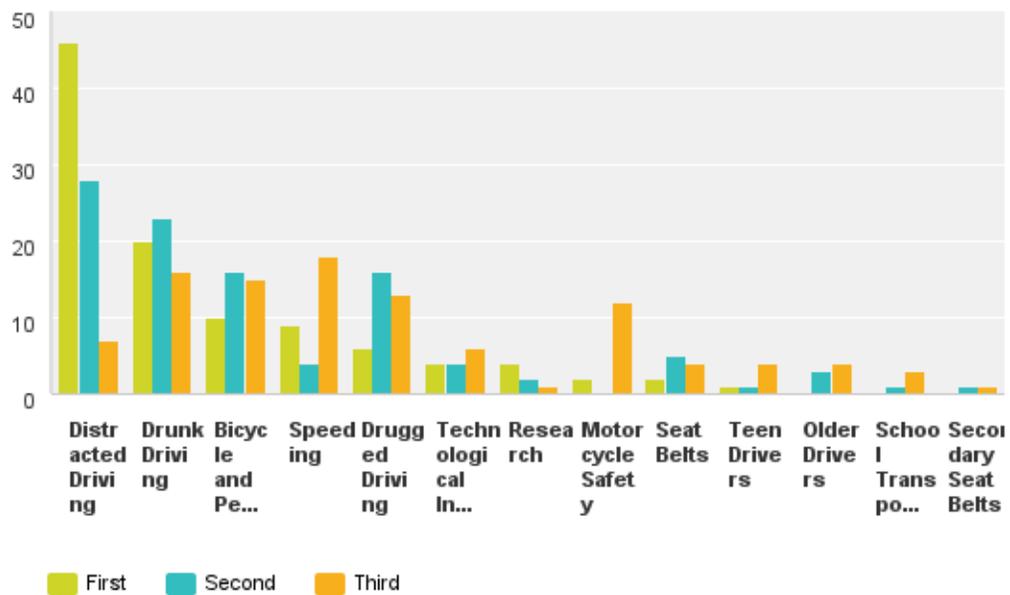
Distracted driving was far and away the most commonly cited challenge, with 81 of the 104 respondents ranking it among their three choices. It was by a large margin ranked most often as the No. 1 priority by legislators, with more than 44 percent of respondents (46 in total) ranking it as their state’s biggest challenge in traffic safety. Drunken driving clearly registered as the second biggest challenge, with 59 legislators ranking it in their top three, and 20 citing it as their top challenge.

After that, there was a bit of a dropoff of consensus, with bicycle and pedestrian safety (41 total ranks), drugged driving (35) and speeding (31) all closely bunched together.

After that, there was a further drop-off in consensus, with technological innovations such as vehicle-to-vehicle and vehicle-to-infrastructure, seat belts, motorcycle safety and research in the next tier.

Q2 Rank the top 3 most challenging traffic safety problems your state is facing. (Total # of Ranks)

Answered: 104 Skipped: 0



The question also allowed for comments on other challenges. Two respondents mentioned hit-and-run crashes, an issue that has garnered significant media and legislative attention in some

states of late. One respondent indicated they would have ranked “heavy levels of truck traffic” first, and three alluded to poor infrastructure and maintenance as a challenge.

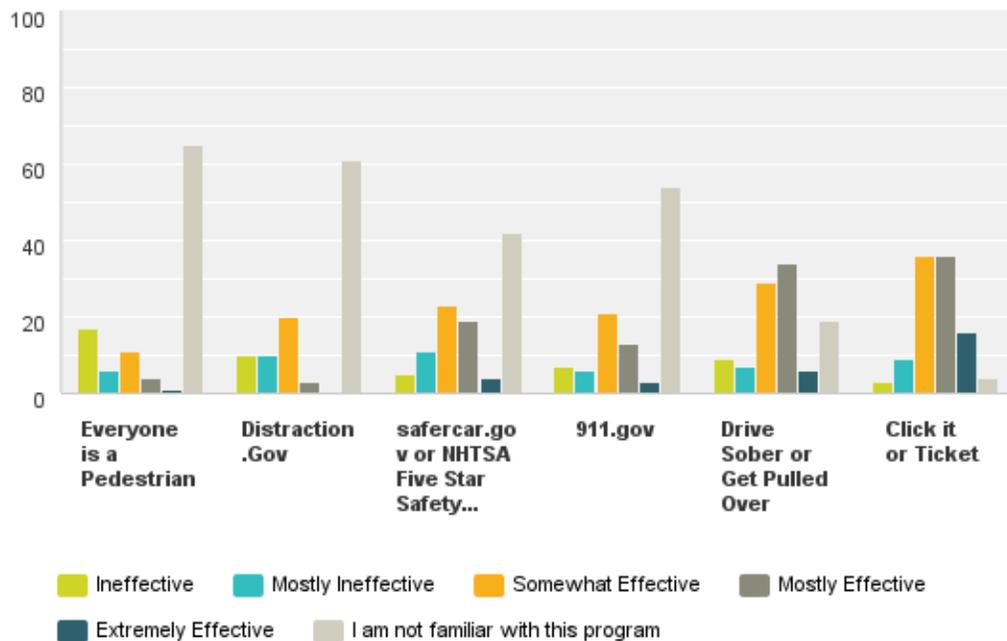
Question No. 3

The next question gauged respondents familiarity with and views on the effectiveness of federal traffic safety programs and campaigns. The programs were Everyone is a Pedestrian; Distraction.gov, safercar.gov, also called the National Highway Traffic Safety Administration (NHTSA) Five Star Safety System; 911.gov; Drive Sober or Get Pulled Over; and Click it or Ticket. Lawmakers were asked to identify the programs as one of the following: ineffective, mostly ineffective, somewhat effective, mostly effective, extremely effective and not familiar with the program.

Overall, the respondents were not overly familiar with many of the federal programs. They were most familiar with Drive Sober or Get Pulled Over and Click it or Ticket, which is perhaps not surprising as these are long-standing, well-publicized programs. Click it or Ticket garnered the most responses that it was an effective program, with 16 ranking it as extremely effective and 36 rankings for both mostly and somewhat effective respectively. Only 12 legislators rated this program mostly ineffective or ineffective, and only four legislators were unfamiliar with Click it or Ticket, by far the lowest of any of the programs listed.

Q3 In your view, how effective are the following federal programs?

Answered: 104 Skipped: 0



Drive Sober or Get Pulled Over was the second most well-regarded and recognized program, with six ranking it as extremely effective, 34 as mostly effective and 29 as somewhat effective. Only 16 lawmakers rated this program mostly ineffective or ineffective and 19 respondents were unfamiliar with Drive Sober or Get Pulled Over.

After that, the lack of familiarity with the federal traffic safety programs dropped considerably with over half of respondents unfamiliar with Everyone is a Pedestrian, Distraction.gov and 911.gov. Comparatively more respondents (62 of 104) were familiar with safecar.gov (or NHTSA Five Star Safety System). This campaign was ranked as extremely effective by only four respondents, although 19 rated it as mostly effective and 23 as somewhat effective.

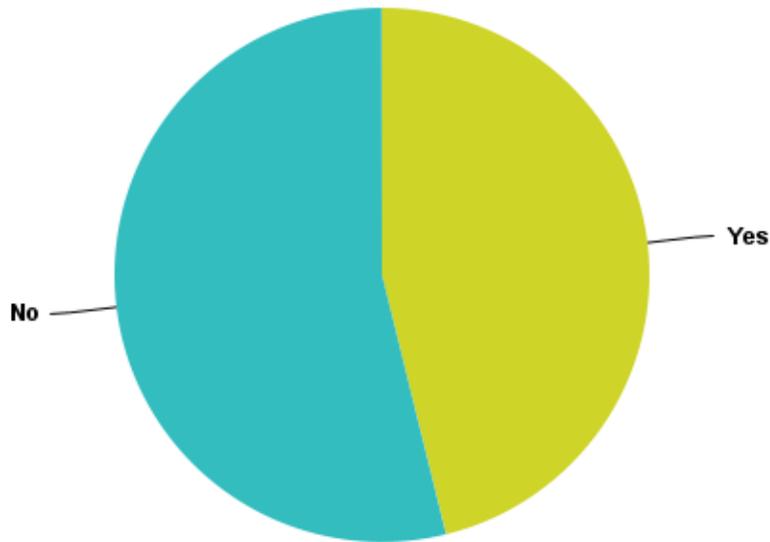
Question No. 4

This question asked state legislators to weigh in on one of the more controversial traffic safety interventions in statehouses of late. They were asked: "Do you believe automated enforcement such as red-light and speed cameras should be utilized to increase traffic safety?" Respondents answered with a simple yes or no.

As the chart below shows, responses reflect the strong divide on this issue, with 56 respondents indicating that automated enforcement should not be used and 48 supporting their use.

Q4 Do you believe automated enforcement such as red-light and speed cameras should be utilized to increase traffic safety?

Answered: 104 Skipped: 0



For this issue, the comments are perhaps more enlightening, reflecting contentious debates over issues ranging from privacy, public perception and the lack of political support for automated enforcement, targeting use in high-risk areas such as school zones and ensuring automated enforcement does not focus on being a revenue generator rather than a traffic safety intervention.

With regards to privacy, comments ranged from “A tough one obviously because of the privacy issue,” to “Don't like camera cops.”

Some lawmakers expressed concern over how automated enforcement is administrated, commenting “Poor initial implementation has negatively tainted community support for these programs” to “safeguards must be in place to protect drivers from overzealous or revenue-based enforcement,” to “We cannot outsource the programs to private business.”

A few legislators characterized automated enforcement as a nonstarter politically, with one supportive lawmaker stating, “However, they are not popular and have no support in my legislature.” Another stated that automated enforcement must be an issue decided by a vote of the people through a referendum.

A few lawmakers were supportive only in certain settings, commenting “I would only use them at school crossings where there is a stop light,” and “Maybe in limited, case specific areas such as toll booths and school zones before and after school. Very limited!”

Other lawmakers were more enthusiastic in their support, commenting “There are areas in cities nationwide that have had T-bone fatalities and accidents reduced because of red-light cameras” and “Yes, because of speeding!”

[Read more information from NCSL on automated enforcement.](#)

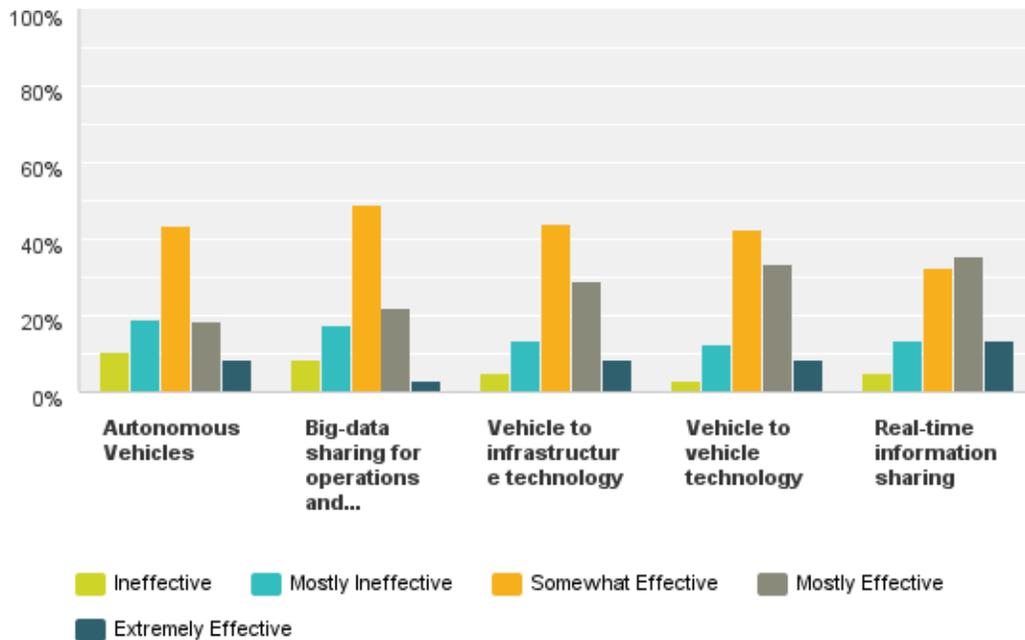
Question No. 5

This question requested state lawmakers to weigh in on the role various rapidly evolving transportation technologies will play in positively affecting traffic safety. Respondents were asked: “Rate how effective you think the following technological innovations will be in terms of improving traffic safety outcomes.” They were asked to rate: autonomous vehicles, big-data sharing for operations and maintenance, vehicle-to-infrastructure technology, vehicle-to-vehicle technology and real-time information sharing as either: ineffective, mostly ineffective, somewhat effective, mostly effective, extremely effective and not familiar with the program.

Respondents rated real-time information sharing the highest, perhaps a reflection of the reality that it is already fairly commonly used by state departments of transportation. Lawmakers gave vehicle-to-infrastructure and vehicle-to-vehicle technology similarly supportive rankings. More than 80 percent of respondents thought these technologies would be effective, mostly effective or somewhat effective in improving traffic safety.

Q5 Rate how effective you think the following technological innovations will be in terms of improving traffic safety outcomes:

Answered: 104 Skipped: 0



However, they were slightly more ambivalent with regard to autonomous vehicles and big-data sharing for operations and maintenance. About 70 percent believed these technologies would be effective, mostly effective or somewhat effective in improving traffic safety. Both these options also garnered slightly more ratings of ineffective, with 11+ for autonomous vehicles and nine for big-data sharing for operations and maintenance.

Some commenters expressed that they were unfamiliar with some of these emerging technologies and we would caution against drawing conclusions from these results.

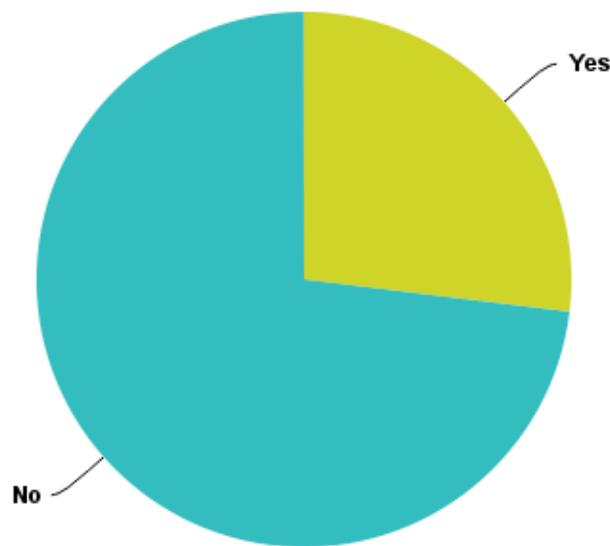
Question No. 6

The question of when autonomous vehicles will become prevalent on American roadways and the effect they will have on traffic safety has been a hot topic of discussion in the media and some policy circles. We asked lawmakers if their state has “Studied, debated or discussed the emergence of autonomous vehicles and their traffic safety implications?” Respondents answered yes or no and were given the opportunity to comment further.

As the chart below indicates, many states have not yet spent time discussing this issue. Seventy-six of the 104 respondents indicated they had not focused on autonomous vehicles and the possible traffic safety outcomes as of yet.

Q6 Has your state studied, debated or discussed the emergence of autonomous vehicles and their traffic safety implications?

Answered: 104 Skipped: 0



Two respondents indicated they expected such discussions to ramp up soon, stating “We are waiting for the technology to more fully develop” and “Not yet, but it is coming.” Some legislator respondents mentioned there had been some discussion among state officials on autonomous vehicles but that it was minimal thus far. Other commenters mentioned informal or minimal discussions. As of November 2015, six states have enacted legislation regarding autonomous vehicles.

[Read more information from NCSL on autonomous vehicles.](#)

Question No. 7

School buses have a variety of federal safety requirements, but the inclusion of seat belts is not one of those requirements. California, Louisiana and Texas are the only states that require lap-shoulder belts on new school buses, while Florida and New Jersey require only installation of lap belts on new buses and require all passengers to be buckled up while the bus is in operation. The laws in Louisiana and Texas specify that the requirement for belts is contingent

on funding and neither state has allocated funds for installation. New York requires that all buses made after 1987 have lap belts installed. However, New York allows individual school boards to determine whether students must use the seat belts.

There is renewed discussion at the federal level of regarding whether seat belts should be required on all school buses. In November 2015, NHTSA Administrator Dr. Mark Rosekind [declared that](#) “NHTSA’s policy is that every school bus should have a three-point seat belt,” and indicated that “NHTSA will seek to use all the tools at our disposal to help achieve that goal.”

We asked legislators: “Should three-point seat belts be required on school buses?” Respondents answered yes or no and were given the opportunity to comment further.

As the chart below shows, a small majority of legislators (56 supporting to 48 opposing) believed three-point seat belts should be required on school buses.

Q7 Should three-point seat belts be required on school buses?

Answered: 104 Skipped: 0



A few comments from legislators expressed concern over the cost to implement and install such a requirement, including “It’s an affordability issue. We don’t have the funding for such a program,” and “This is a major expense that has to be carefully looked at before introduced as a mandate.”

One legislator felt lap belts, rather than three-point belts, would be best. Another lawmaker thought requiring seat belts would not only increase safety while driving, but could help keep schoolchildren in their seats.

Other legislators were undecided or needed more information. One legislator stated “Study needed. Passive restraints may be more appropriate.” Another legislator indicated that perhaps seat belts could be available if possible, but not necessarily required.

[Read more information from NCSL on school bus safety.](#)

Question No. 8

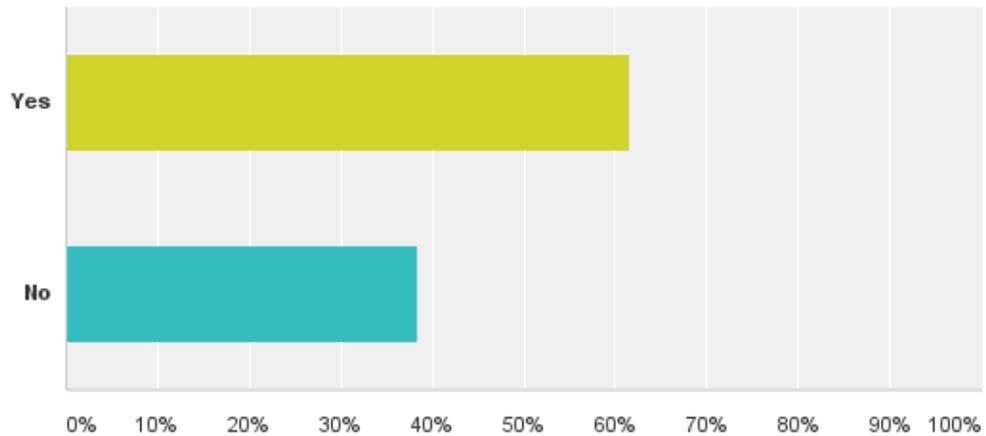
One of the most controversial traffic safety topics is whether motorcyclists and their passengers should be required to wear approved safety helmets. Nineteen states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands currently require all riders to wear helmets. Illinois, Iowa and New Hampshire do not require anyone to wear a helmet, regardless of age. The remaining 28 states require riders of a specific age—usually those under age 18 or 21—to wear helmets. There is always frequent legislative debate regarding this issue, but few changes from the status quo. Michigan did replace its universal helmet law in 2012 with a law allowing motorcyclists (drivers and passengers) over the age of 21 to ride if they carry a certain amount of medical insurance and pass a required safety course.

We asked lawmakers: “Should all motorcyclists be required to wear United States Department of Transportation (USDOT) approved safety helmets?” Respondents answered yes or no and were given the opportunity to comment further.

As the below chart shows, a little more than 60 percent of respondents believed helmets should be required.

Q8 Should all motorcyclists be required to wear USDOT approved safety helmets?

Answered: 104 Skipped: 0



In the comments, a few legislators expressed support for a universal motorcycle law but also skepticism that it would muster the political support to pass in their state.

Other legislators thought helmet use should be voluntary, but with caveats. One lawmaker believed passengers should have to wear helmets, while another felt those choosing not to wear a helmet should then be ineligible for Medicaid or other state-supported medical assistance. Others echoed that they felt it was wise to wear a helmet, but did not believe it was something that should be mandated.

[Read more information from NCSL on motorcycle safety.](#)

Question No. 9

States are struggling to create laws and educational and enforcement systems that address driving while under the influence of drugs, whether it be prescription drugs, marijuana or other legal or illegal substances that can negatively affect driver's ability to operate a vehicle safely. Enforcement is difficult, as there is often not a quick and easily administered test to determine if a driver is under the influence of drugs, and awareness of the dangers are not as widely promoted or understood as driving while under the influence of alcohol.

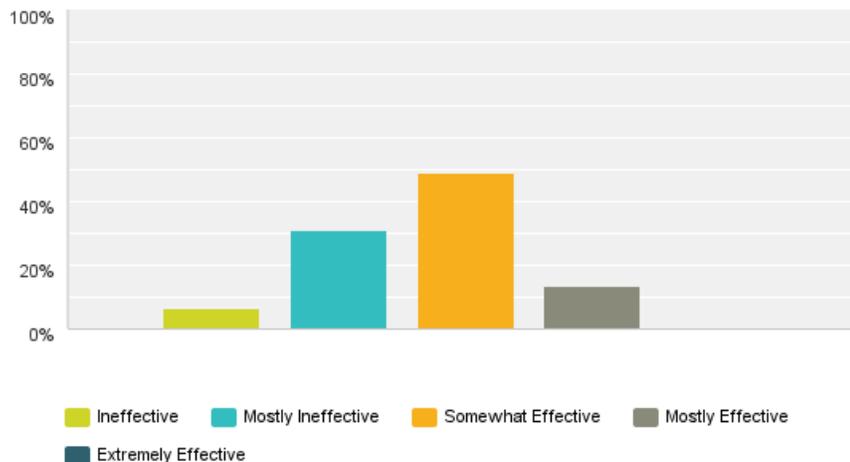
We asked legislators: "How effective do you believe your state has been in addressing the problem of drugged driving?" Lawmakers could choose one of the following: extremely effective, mostly effective, somewhat effective, mostly ineffective and ineffective.

Zero respondents thought they were extremely effective in dealing with this problem, and only 13.5 percent graded their state as mostly effective. Nearly 50 percent felt their state was somewhat effective.

Thirty-one percent felt their state’s response was mostly ineffective and almost 7 percent felt it was ineffective.

Q9 How effective do you believe your state has been in addressing the problem of drugged driving?

Answered: 104 Skipped: 0



Comments from state lawmakers touched on a number of dynamics surrounding this issue. A number alluded to developing “an immediate way of testing for drugged driving.” Another respondent hoped for “technology that measures drugs in the human body without being intrusive and determining the allowable levels of any given drug to allow for safe driving.” One lawmaker wished to replicate an ignition interlock type solution.

A few lawmakers felt more training was needed for law enforcement officers to identify drugged drivers along with more resources for training and enforcement. One lawmaker felt not enough priority was given to prescription pain medicine use while driving and that early medical intervention could prevent prescription medication abuse. Another felt more education on the issue to the public was needed.

One legislator noted that the emphasis in their state is on “drunk, not drugged” driving. A few indicated their state was debating and studying the issue. Another lawmaker succinctly noted that drugged driving offenders are “hard to catch.”

[Read more information from NCSL on drugged driving.](#)

Question No. 10

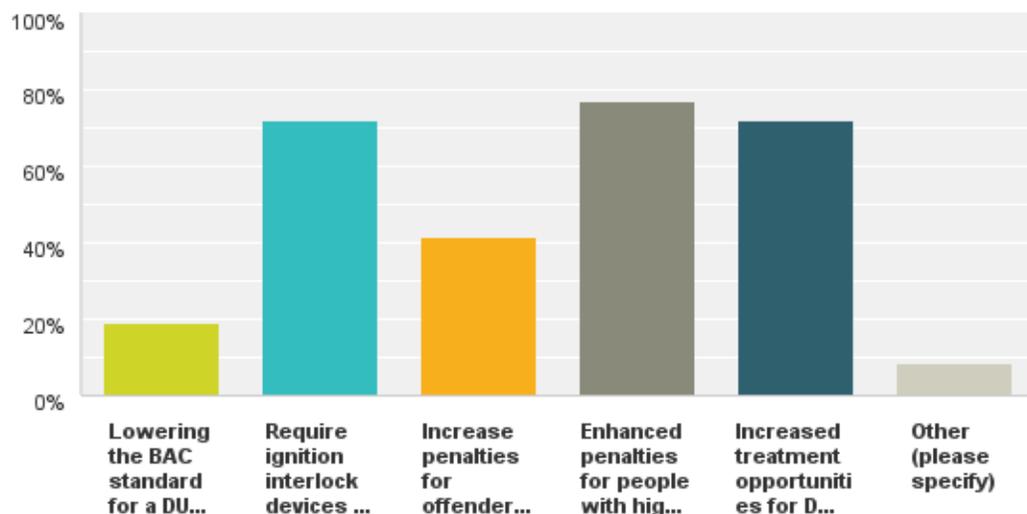
States can employ a number of policies and strategies to reduce drunken driving, which, as noted in Question No. 2, was ranked as the second most challenging traffic safety problem behind distracted driving.

This question asked lawmakers: “Which of the following drunk driving countermeasures would or have you supported in your state?” Respondents were told to choose all countermeasures that applied from a list that included: lowering the BAC standard for a DUI to .05, require ignition interlock devices for first time DUI offenders, increase penalties for offenders such as fines and jail time, enhanced penalties for drivers with high BAC’s or repeat offenders, increased treatment opportunities for DUI offenders with alcohol addiction and other, with the respondent specifying the countermeasure.

A focus on high-risk populations was popular with lawmakers. Nearly 77 percent of respondents supported enhanced penalties for drivers with high BAC’s or repeat offenders; 72 percent of legislators supported both requiring ignition interlock devices for first time DUI offenders and increased treatment opportunities for DUI offenders with alcohol addiction. These three strategies were the clear favorites among the given choices.

Q10 Which of the following drunk driving countermeasures would or have you supported in your state? (Check all that apply).

Answered: 104 Skipped: 0



There was a significant dropoff in support for the other two interventions. Increased penalties such as fines and jail time for offenders was chosen by 41 percent of respondents. Lowering the BAC standard for a DUI to .05, which has been recommended by the National Transportation Safety Board, ranked the lowest, with 19 percent of lawmakers endorsing that countermeasure.

With regards to other countermeasures and general comments, a number of responses focused on improved and continuous monitoring of offenders. This included support for ignition interlock or 24/7 alcohol monitoring. A few thought increased opportunities for treatment was advisable, with one lawmaker stating, "Treat a DUI as any other addiction disorder."

Two respondents felt more jail time was not a wise strategy and one recommended "drug court" for offenders.

[Read more information from NCSL on drunken driving.](#)

Question No. 11

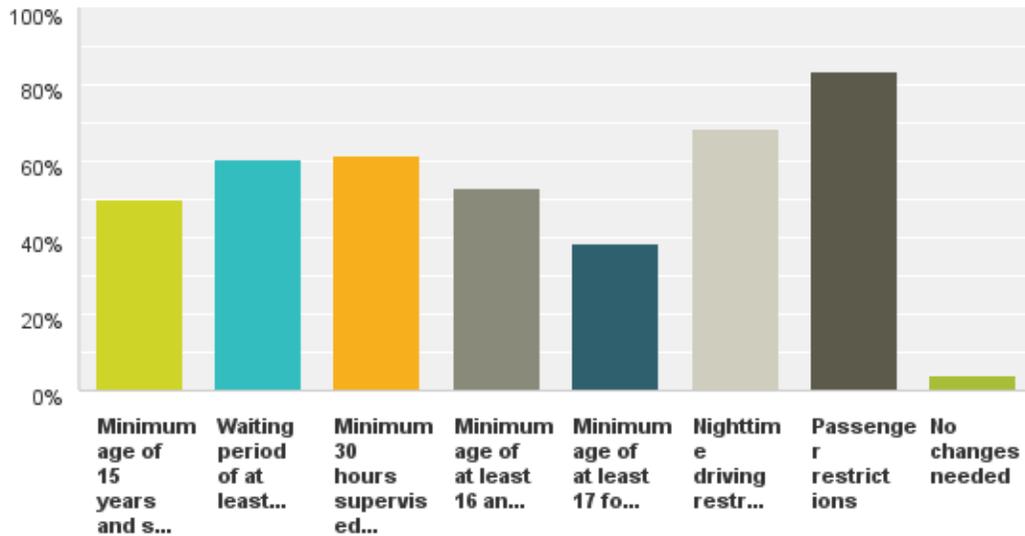
Every state has enacted graduated driver's license programs for teen drivers to ease their transition into driving, provide further training and education, and place restrictions on the conditions under which a teen driver may operate a vehicle.

Lawmakers were asked: "Which of the following graduated driver's licensing elements set out by NHTSA do you support? (Regardless of whether your state does or does not already require them)." Lawmakers were asked to check all options they support, choosing from: minimum age of 15 years and six months for obtaining a learner's permit, waiting period of at least three months after obtaining learner's permit before applying for an intermediate license, minimum of 30 hours of supervised driving, minimum age of at least 16 and six months for obtaining an intermediate state license, minimum age of at least 17 for full licensing, nighttime driving restrictions, passenger restrictions and no changes needed.

Passenger restrictions clearly drew the most support of any choice, with 84 percent of respondents indicating approval for this element. This is not surprising given that the overwhelming majority of states currently have some form of passenger restrictions for teen drivers. Nighttime driving restrictions was the second most selected intervention with 68 percent of lawmakers supporting. Requiring a minimum of 30 hours of supervised driving and a waiting period of at least three months after obtaining learner's permit before applying for an intermediate license both drew around 61 percent support respectively.

Q11 Which of the following graduated driver’s licensing elements set-out by NHTSA do you support? (Regardless of whether your state does or does not already require them-check all that apply).

Answered: 104 Skipped: 0



Fifty three percent agreed with that a minimum age of at least 16 and six months to obtain an intermediate state license and half of respondents supported a minimum age of 15 years and six months to obtain a learner’s permit. However, only 38 percent of respondents agreed with a minimum age of 17 in order to be fully licensed. Only four respondents felt there were no changes needed to their state’s graduated driver’s license requirements.

[Read more information from NCSL on teen driving safety.](#)

Question No. 12

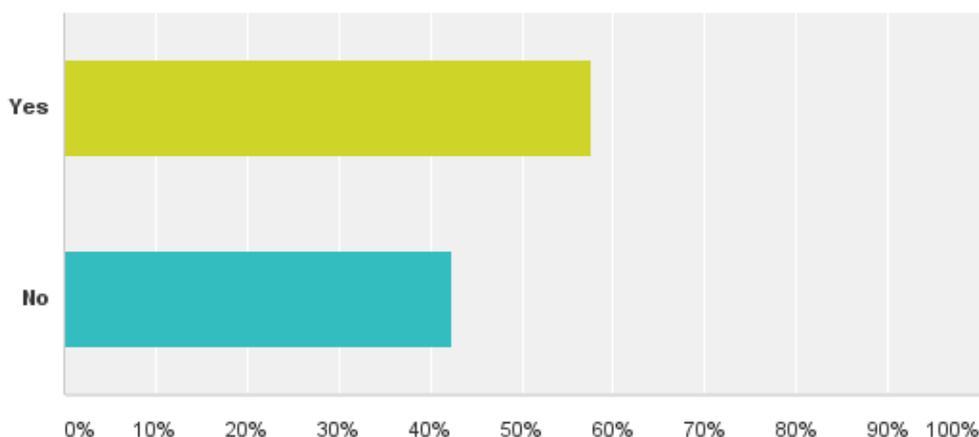
Thirty four states, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico and the Virgin Islands currently have primary seatbelt laws, meaning police are allowed to stop and ticket a motorist if the driver and passengers are not buckled up. In the past decade, there has been a significant increase nationally in seat belt usage, from 73 percent in 2001 to 87 percent in 2013.

We asked state lawmakers: “In your state, do you support a law that makes not wearing a seat belt a primary offense? (Whether or not your state currently has such a law).”

Nearly 58 percent of legislative respondents supported a primary seat belt law, reflecting that the majority of states have already statutorily enacted such a requirement.

Q12 In your state, do you support a law that makes not wearing a seat belt a primary offense? (Whether or not your state currently has such a law).

Answered: 104 Skipped: 0



Comments communicated strong support of primary seat belts laws by some lawmakers, while other legislators expressed skepticism that they are the best way to increase traffic safety.

One legislator’s support was particularly full-throated, stating, “State lawmakers who don’t pass mandatory seat belt laws should know better. They are required to use them when they fly.” Another noted “We have done so and it works.”

A few legislators felt primary seat belts laws were a distraction from focusing on the prevention of traffic crashes. One lawmakers felt the “Safety focus should be on preventing the accident, rather than prevent injuries after you allowed the accident to occur,” a sentiment that was echoed by another lawmaker, who felt the “Law is a distraction to enforcement of more pressing issues such as speeding, DWI and unsafe operation.”

One supporter nonetheless was “Unsure of the effectiveness and ability to enforce” a primary seat belt law.

[Read more information from NCSL on seat belts and occupant protection.](#)

Question No. 13

There has been considerable legislative activity regarding bicycling and pedestrian safety in the past decade, as the number of trips taken by bicycling and walking continue to increase. As road users adjust to how to safely navigate a transportation system with increased use by non-motorized modes, states are considering a variety of policies and interventions that can increase road safety and enforce and encourage safe behavior on the streets by motorists, bicyclists, pedestrians and others.

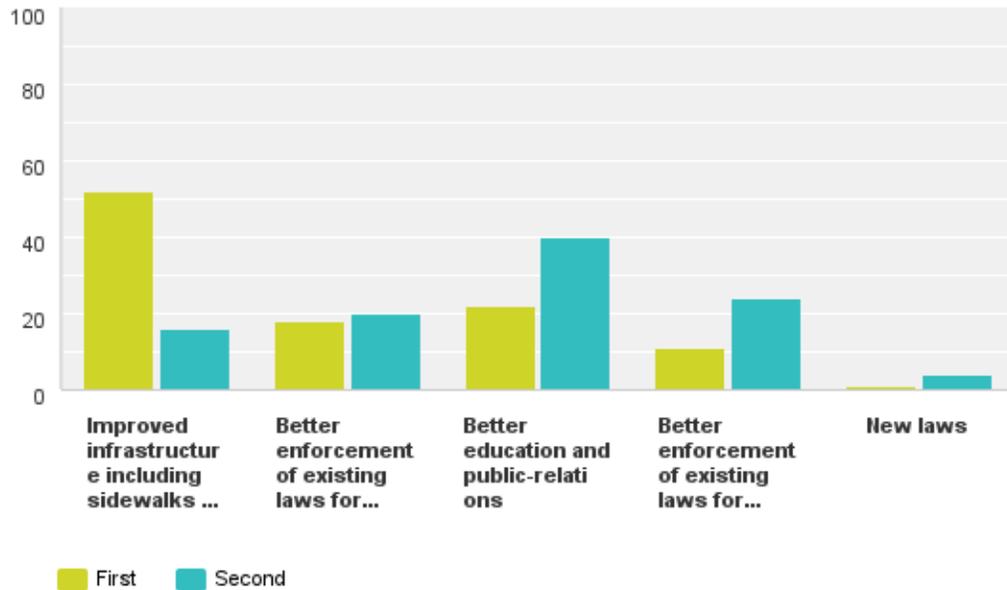
We asked respondents to “rank the top two actions that you believe are most needed to increase safety for bicyclists and pedestrians,” and gave them a choice of five interventions:

1. Improved infrastructure including sidewalks and bike lanes.
2. Better enforcement of existing laws for bicyclists and pedestrians.
3. Better education and public relations.
4. Better enforcement of existing laws for motorists.
5. New laws.

As the chart below indicates, support was especially strong for improved infrastructure including sidewalks and bike lanes, with exactly half of respondents (52 of 104) ranking it as their first choice, and 16 ranking it as their second choice. The 68 overall ranks were tops overall, perhaps reflecting recent state and municipal actions to embed a “complete streets” approach in state departments of transportation that can incorporate innovative and safe design for non-motorized users into the transportation planning, design, construction and rehabilitation process.

Q13 Rank the top 2 actions that you believe are most needed to increase safety for bicyclists and pedestrians.

Answered: 104 Skipped: 0



Better education and public relations was a strong second choice, with 62 total respondents choosing it; 22 ranked it first and 40 ranking it second. This intervention was ranked second by the most respondents.

Better enforcement of existing laws for bicyclists and pedestrians and better enforcement of existing laws for motorists were ranked similarly, with a slight preference for the former. Thirty eight respondents ranked better enforcement of existing laws for bicyclists as their first and second choice, with eighteen ranking it first and twenty as their second choice. Fewer lawmakers chose better enforcement of existing laws for motorists as their first choice, eleven, but 24 ranked it as their second choice, for a total of 35 rankings by respondents. Legislators did not feel new laws were the solution to increase bicyclists and pedestrian safety, there were only five overall ranks, one for first and four for second.

Comments touched on a few different dynamics. One respondent alluded to the desire for safer infrastructure for non-motorized modes, including “Reducing speeds, roadway widths and number of lanes.”

One lawmaker, reflecting the respondents' emphasis on bicyclists and pedestrians following the law, felt "Pedestrians and bicyclists need to be re-informed they have responsibilities as well as rights."

One commenter called for improvement in a number of areas, including "More education and public relations and enforcement of laws already on the books, and may need new tougher laws for those that are hit and run." Another lawmaker also felt their state could benefit from a new law, specifically one that "Addressed passing distance for motor vehicles overtaking bikes."

[Read more information from NCSL on bicycle and pedestrian safety.](#) can be found [here](#).

QUESTION #14

The last question we asked state legislators to weigh in on was what else they felt their state needed to create a safer traffic safety environment.

Lawmakers were asked: "What law or program to increase traffic safety do you most wish your state had that they currently do not have?"

As to be expected, answers varied widely. The word cloud below captures the 15 most often-used words and phrases in legislator's comments.

Require DWI Devices Program Ban Education
Drivers Traffic Laws DUI Driving Mass
Transit Enforcement Survey Primary Seat Belt

The comments were categorized into like-minded topic areas by NCSL staff to enable better analysis.

Besides N/A or no answer, the most commonly mentioned topic was distracted driving, with 23 of the 104 respondents touching on distracted driving issues. Many legislators expressed support for a ban on the use of handheld devices or texting while driving.

The next most often cited issues were impaired driving and seat belts, with 10 mentions each. With regards to impaired driving, a few supported more use of ignition interlocks, while others supported stronger penalties for impaired driving. A few also mentioned the need for more focus on drugged driving.

For seat belts, 6 in 10 who mentioned seat belts specifically supported a primary seat belt law, while the others felt stronger seat belt laws, enforcement and/or penalties were needed.

Eight commenters mentioned increased and stricter driver testing. One legislator espoused support for requiring “Drivers who violate traffic laws to retake the driver’s education exam—both the written and skills test—as a condition of maintaining their license.” Another lawmaker called for “Mandatory testing of drivers under age 19 and/or 75 and older.”

Seven commenters mentioned bicyclist, pedestrian and transit rider issues. Four mentioned improved infrastructure and enforcement for bicyclists and pedestrians. One lawmaker felt there should not be “Bike lanes in heavily trafficked areas where space is very limited.” Another two asked for more attention paid to transit systems and riders.

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