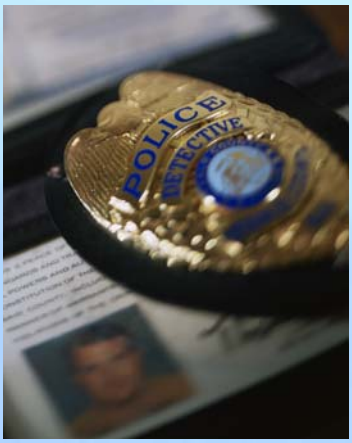
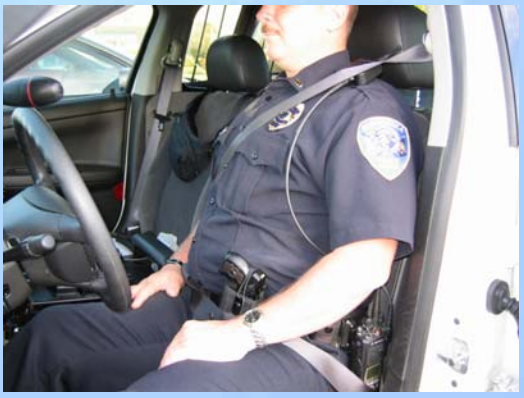
TRAFFIC OCCUPANT PROTECTION STRATEGIES





STUDENT MANUAL

This document was prepared by the Criminal Justice Institute for use in the classroom environment.
Points of view or opinions expressed are those of the presenter and do not necessarily represent the official policies or positions of the Criminal Justice Institute.
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OVERVIEW

MODULE 1 INTRODUCTION

Upon successfully completing this session, the participants will be able to:

- State the goals and objectives of the course;
- Outline the major course content;
- Identify general driving risks;
- Describe the special driving conditions that law enforcement officers face; and
- State the effects of unbelted crashes.

CONTENT SEGMENTS

A. Introduction

B. Housekeeping Announcements

C. Course Overview

D. Special Driving Risks for Law Enforcement

E. Consequences

MODULE 1
INTRODUCTION

Welcome to Traffic Occupant Protection Strategies.

A. Introductions

- Instructors
- Participants

B. Housekeeping Announcements

- Cell phones
- Facilities
- Breaks
- Smoking area
- Lunch (if appropriate)

C. Course Overview

This is a program put together for law enforcement by law enforcement to increase your understanding of how we as law enforcement officers can save lives and prevent needless injury by simply doing our job: enforcing traffic safety laws.

Working to increase traffic safety in your community – whether it's citing a violator or educating a group of high school students – may not be the most glamorous or high-profile part of your daily patrol routine. However, enforcing occupant protection laws has more life-saving potential than anything else you can do as a law enforcement officer.

More than 40,000 people die each year due to motor vehicle collisions. We as law enforcement have the potential to save 15,000 lives per year. Maybe even our own.

Today we will discuss the toll of traffic crashes on our community, State, and Nation. We will talk about why we – as law enforcement officers – are at a far greater risk to be involved in a crash than the general motoring public. We will cover some of those added risks we face as law enforcement and what we can do to reduce those risks.

We will discover what happens to a vehicle and its occupants during a crash and discuss what to look for when investigating a crash to determine if seat belts were in use. We will also look at occupant protection systems and how they work. The State's seat belt and child restraint laws will be examined in depth, including a discussion about how the safety of our community relies on our consistent and aggressive enforcement of those laws. You will also be provided with resources and potential safety partners to increase the effectiveness of your traffic safety programs. Finally we will discuss how you can make a difference by reducing injuries and saving lives.

Course Goal: This course is dedicated to saving lives and reducing injuries through enhanced occupant protection strategies by educating line-level officers and supervisors. Successful completion will enable participants to effectively identify and act on real world situations they are likely to encounter during routine patrols or high-visibility enforcement periods, crackdowns, and mobilizations. The course will encourage the use of seat belts by law enforcement officers and emphasize the importance of enforcement.

D. Special Driving Risks for Law Enforcement

Each year, more Americans are killed and injured in traffic crashes than are murdered or assaulted.

Someone **dies in a vehicle crash** every 12 minutes; a **murder** is committed every 31 minutes.

Someone is injured in a vehicle crash every 12 seconds; an **aggravated assault** takes place every 37 seconds.

Traffic crashes cost society over $150.5 billion a year.

Another example:

Over 6,000 people have been killed in the last several years as a result of the war and terrorists attacks in the United States. You hear about these issues on the news daily. Tragically, over 40,000 people die in traffic-related crashes **each year**. Yet we don't always wear our seat belts or wear them properly.

Crime – rather than traffic safety – is the issue that stirs people's emotions.

General Public: One crash every 131,000 miles driven.
Law Enforcement: One crash every 28,000 miles driven.

- Weather
- Roadway
- Traffic
- Time of Day

When driving, an officer has all the risks that the general public has **and then some**. Think of the conditions a "normal" driver faces.

- What weather conditions might a driver face?

- What road conditions might a driver face?

- What traffic conditions might a driver face?

- What time of day is more hazardous?

The law enforcement officer faces all these, but he or she often has to face them in the worst conditions. What are some of the things that make our driving conditions worse?

Law enforcement officers drive more miles, more often, and in worse conditions than do people in most other professions. Given the adverse conditions under which we drive, we need all the help we can get.

Seat belts don't save all lives. Some crashes just aren't survivable.

- High-speed crashes

- Head-on crashes with a heavier vehicle

We still need to drive safely and defensively. However, seat belts and child safety seats have to be used to be effective. More than half of the passenger vehicle occupants killed in traffic crashes were not buckled.

- So why not use the protection offered by a seat belt?

    - It's there
    - It's available
    - It works

- Why don't we use our seat belts? What are some of the myths about seat belt use?

- Do we set the example for our community when it comes to seat belt use?

- How do you enforce laws that you don't follow?

Appendix B

RESOURCES

Additional resource information is available on line and through your State Law Enforcement Liaison (LEL) to assist in the preparation of this course.

National Highway Traffic Safety Administration- www.nhtsa.gov

> A wide variety of information is available on the NHTSA website that addresses occupant protection and provides links to statistical databases.

FARS (Fatality Analysis Reporting System)- http://www-fars.nhtsa.dot.gov/Main/index.aspx

> The FARS database provides a wide range of fatal crash data, including occupant protection related information that can be accessed for individual states.

Instructors and Training Managers are encouraged to refer to the ***Training Management Handbook*** available from the National Traffic Safety Academy at:

TSI, National Traffic Safety Division
RTI-70
6500 South MacArthur Blvd., BMB Room 144
Oklahoma City, OK 73169
405-954-3112

Glossary of Terms

Child Seat (Child Restraint, Child Restraint Systems) – A crash tested device or system that is specially designed to provide infant or child crash protection. General term for systems include child safety seats, boosters, vests, or car beds that meet the standards of FMVSS 213.

Earned Media – Advertising for a mobilization or organized effort. It can be on television, radio or print news which is not purchased with funds. This would include, but not be limited to news conferences, school assemblies, and rides with officers on patrol. Any media coverage of any event in which the designated effort is mentioned or referred to by law enforcement or the reporter.

Four Step Process – NHTSA process for continuity of use of appropriate restraint systems from infancy through childhood and beyond. The steps include rear facing seats, forward facing seats, boosters, and seat belts.

LATCH – Lower Anchors and Tethers for CHildren- Later model vehicles are equipped with integrated LATCH points for securing child safety systems.

Mobilizations – Refers to organized efforts initiated by city, county, state, or federal agencies in which the maximum available law enforcement personnel from multiple jurisdictions patrol targeted areas. This is accomplished to enforce a specific set of violations over a specific time period. The public is informed of this effort before, during, and after the event through the media to attempt to increase compliance with the law.

NHTSA – National Highway Traffic Safety Administration. An element of the United States Department of Transportation, NHTSA is responsible for vehicle safety with an emphasis on saving lives and preventing injuries through a reduction in vehicle crashes.

Occupant Protection – Broad term that may be used to describe the concepts, equipment, and strategies associated with enhancing the safety of vehicle drivers and occupants through the use of seat belts, child safety seats, and supplemental restraint systems.

Paid Media – Advertising for a mobilization or organized effort. It can be on television, radio or print news which is purchased with funds from the agency or any other source such as a grant.

Seat Belt (Safety Belt) – The webbing, anchor, and buckle system that restrains an occupant in a vehicle.

Sustained Enforcement – An adopted philosophy by a law enforcement agency to insure patrol officers keep enforcement of a designated violation as a priority over a long period of time.

CRASH DYNAMICS

MODULE 2 CRASH DYNAMICS

Upon successfully completing this session, the participants will be able to:

- Relate Newton's Law of Motion to occupant injury in a motor vehicle crash;
- Describe the three collisions in a crash;
- List four types of crashes;
- Describe what happens to unrestrained occupants during the four types of crashes;
- Describe five ways restraints prevent or minimize injury;
- Discuss why some crashes are unsurvivable; and
- Discuss replacement of occupant protection systems after a crash.

CONTENT SEGMENTS

A. Newton's Law of Motion

B. Collisions in a Crash

C. Forces in a Crash & How Restraints Prevent Injury

D. Types of Crashes

E. Survivability

MODULE 2
CRASH DYNAMICS

A. Newton's Law of Motion

An object in motion remains in motion at the original speed until acted on by an outside force.

Sir Isaac Newton's theory studying gravitation and motion: An object in motion continues to remain in motion at the original speed until acted on by an outside force.

In other words, an **object keeps moving in the direction it was headed until it is stopped by something.**

- For a vehicle, that thing may be the brakes or another vehicle or a tree.

- For the occupant of that vehicle, it could be the windshield or a seat belt or child restraint system.

Note: In a motor vehicle crash, occupants *will* hit something. To a degree, one can choose what will be hit (e.g., steering wheel, dashboard, windshield, pavement, seat belt.)

B. Collisions in a Crash

The three kinds of collisions which happen in a crash:

Vehicle: the vehicle hits an object, such as a tree or another vehicle.

Human: the people in the vehicle hit the inside of the vehicle and each other. This can hurt people badly. But if they wear seat belts, they are more likely to avoid serious injuries. Instead, they may only be bruised from where they hit the seat belt.

Internal: organs inside a person's body may hit other organs, bones, or even the inside of the skull. The person may look fine but the liver, heart, or other organs may be torn, bruised, or bleeding inside. This is the most serious type.

C. Forces in a Crash and How Restraints Prevent Injury

In any crash, even a small one, the people in the vehicle can be badly hurt. Most of us don't know how much force there is in a moving vehicle. Consider this: a car going 40 mph would hit a tree with the same force as hitting the ground after falling off a 50-foot cliff. A person inside that car would hit the windshield with the same force as hitting the ground after falling off a five-story building.

A variety of factors affect the amount of force involved in a crash. It is important for parents to understand that the forces involved in a crash can kill or cause serious injuries to their child. One way to help the public understand crash forces is by explaining that the force needed to restrain an occupant can be roughly estimated by taking the weight of the occupant times the pre-crash vehicle speed.

- **For Example:** A 10 pound infant in a motor vehicle moving at 30 mph could require at least 300 pounds of force to restrain the infant.

Use this approximation when explaining to parents how much force is needed to hold on to their children, or hold on to the person sitting next to you if they are not restrained.

WEIGHT X SPEED = RESTRAINING FORCE

D. Types of Crashes

Four types of crashes:

1. Frontal
2. Lateral (side impact)
3. Rear-end
4. Rollover

What Happens to Occupants in the Four Types of Crashes?

Frontal Crash: The most frequent but not necessarily the most severe in causing fatalities.

- Common injuries to unrestrained occupants:
    - Fractures of the skull, spine, and ribs
    - Cuts and bruises to the head and face
    - Injuries to larynx, liver, and spleen

Lateral Crash (Side Impact): Frontal impacts are the most frequent, but side impacts are typically the most deadly.

- There is less space between the striking vehicle and the occupants of the struck vehicle than in a frontal crash.
- As a result, side impact crashes are a more dangerous type of crash for the occupants sitting on the same side as the impact.
- Typically the most deadly type of crash due to less crush space.
- Minor differences in number of fatalities between left and right side.
- Common injuries include:
    - Chest and pelvic injuries
    - Facial and skull fractures

Rear-End Crashes: Rear-end crashes usually occur when both vehicles are moving forward or when the front vehicle is stopped and account for 3.5 percent of fatalities.

- Usually less severe.
- Common injuries include:
    - Cervical fractures
    - Stretching/tearing of neck ligaments and tendons (whiplash)
    - Properly set head restraint can decrease risk of injury

Rollover Crashes: A rollover crash involves the vehicle rolling over onto its side or top (upside down), one time or many times.

- Often cause of ejection
- Rollovers = side to side and vaults
- Severity of injury depends upon number of rotations, etc.
- Often cause ejection
- Ejected occupants are four times more likely to be killed

Two dangerous crash events can occur in almost any crash or chain of crash events.

Rotations or "spins"

- In a rotation, unrestrained occupants are more likely to be injured as they impact with the vehicle's interior repeatedly, and are much more likely to be ejected from the vehicle than restrained occupants.

Ejection

- Ejected occupants are four times more likely to be killed as those who remain inside. They are 14 times more likely to receive cervical spine injuries.

Occupants in non-collisions

- People can get hurt when their vehicles swerve, skid, or stop suddenly, especially if they are unbelted.

E. Survivability

Some crashes are so violent that even properly restrained occupants are injured or killed.

- If the occupant compartment is crushed, restraints may be unable to prevent injury or death.

- A variety of factors determine injury outcome.

- Seat belts and child restraint systems are designed to protect against the type of crash forces most likely to occur.

OCCUPANT PROTECTION SYSTEMS

MODULE 3 OCCUPANT PROTECTION SYSTEMS

Upon successfully completing this session, the participants will be able to:

- Identify the different components of a restraint system;
- Describe the components of seat belts and their proper use;
- Describe Supplemental Restraint Systems;
- Identify the Four Step Process defined by NHTSA;
- Determine errors in the use of occupant protection systems;
- Explain the potential for injury presented by occupant protection systems, including use, non-use and incorrect use;
- Describe Crash Investigation Techniques; and
- Describe why reporting occupant protection usage is important.

CONTENT SEGMENTS

A. System Components

B. How Restraints Prevent Injury

C. Parts of a Seat Belt

D. Supplemental Restraint Systems (SRS) and Their Function

E. Child Restraint Systems

F. Occupant Protection Systems after a Crash

G. Documenting Occupant Protection Usage

MODULE 3
OCCUPANT PROTECTION SYSTEMS

A. System Components

- Seat Belts
- Supplemental Restraint Systems (Air Bags)
- Child Restraints

B. How Restraints Prevent Injury

- Prevent Ejection
    - People thrown from a vehicle are four times more likely to be killed than those who remain inside.
    - Ejected occupants are also 14 times more likely to sustain cervical spine injury than those who remain within the vehicle.
- Contact the Body at the Strongest Parts of Its Structure
    - For an adult, these parts are the hips and shoulders.
- Spread Forces Over a Wide Area of the Body Putting Less Stress on Any One Part
    - A lap and shoulder belt spreads the force across a large area of the body.
    - Body armor assists with spreading crash forces.
- Allow the Body to Slowly Ride Down the Crash
    - A quick change in speed is what causes injury.
    - Seat belts are designed to help slow down the body in a crash.
- Protect the Head and Spinal Cord
    - A shoulder belt helps to keep the head and upper body away from the hard interior surfaces of the vehicle. Correct fit is very important.

C. Parts of a Seat Belt

Webbing: The fabric of the belt, which secures the occupant to the vehicle during a crash and extends the time that the deceleration forces are experienced by the occupant, allowing the occupant to "ride down" the crash.

Anchor points: Where the belt is attached to the vehicle frame or to the seat itself.

Latch plate: The metal "tongue" attached to one side of the webbing.

Buckle: the receptacle that comes out from the "bight" in the back of the seat, a slot in the seat cushion, or from the side. The latch plate inserts into the buckle.

Retractor: During a crash or rapid deceleration, the seat belt retractor "locks" the seat belt webbing and holds the occupant in place. The retractor is typically mounted above and behind the occupant on the body structure of the vehicle, or in the seat.

Proper Use of a Seat Belt

The slide depicts the correct use of a standard seat belt (lap/shoulder belt). The photograph shows the proper placement of a seat belt. The belt goes across the strongest part of the body. Across the hips and shoulders. (Remember, belts to bones.)

Maintain good posture. The lap belt should fit snug and low over the upper thighs. If it rides up on the abdomen, it could cause serious injuries in a crash. Children should sit straight against the seat back. Shoulder belts should fit snugly across the chest.

D. Supplemental Restraint Systems (SRS) and Their Function

Basic SRS information included on the slide. Common term used is Air Bag.

Supplemental restraint system to seat belt. Seat belts should be used in conjunction with air bags.

Air bags are required in vehicles manufactured after 1998 for cars, and 1999 for trucks.

Air bags can be located in as many as 10 locations in a vehicle.

Slide depicts basic types of SRS commonly in use today.

The Police Vehicle and Its Equipment

Depiction of common equipment mounted in a police cruiser. A police vehicle contains a lot of equipment that is not found in a passenger vehicle.

- Computer
- Radios
- Spotlights
- Shotgun
- Protective cages
- Radar
- Briefcase
- Unbelted partner

Loose equipment must be secured so that it can't become a "missile" flying around the car in a crash or a sudden stop. Sometimes this equipment disrupts the functioning of the vehicle's safety features. For example, air bag deployment.

An example of what can happen in an equipped cruiser.

You might consider taking this information back to your vehicle maintenance representative. They may find it useful as they install equipment.

E. Child Restraint Systems

To properly enforce occupant protection laws, you must have some understanding of the systems – including child restraints – and how they work. Our discussion today will not qualify you as a Certified Child Passenger Safety (CPS) technician, but will give you basic information you can share with parents and caregivers. We'll also provide contact information for someone locally who can provide technical education and answer your questions.

Child restraint systems work with a vehicle's seat belt system or LATCH (Lower Anchors and Tethers for CHildren). They prevent ejection and contact with roads, trees, other vehicles, etc. They distribute forces to the strongest parts of the skeleton (the hips, back and shoulders) and spread crash forces over a broad area of the body, thereby reducing forces on any particular component. Child restraint systems provide a "ride-down" benefit. They protect the head, neck, and spinal cord by preventing contact with hard surfaces inside the vehicle, and with other occupants. Child restraint systems must be firmly attached to the vehicle and the child must be properly secured in the child restraint system. It is critical that the child safety seat be used correctly.

Because there are so many different child restraint/belt system configurations, it is critical that parents/caregivers read the manufacturer's instructions and vehicle owner's manual.

Types of Restraints for Children

- Rear-Facing-Only Restraints

- Keep infants rear-facing at all times until at least one year and at least 20 pounds.

Children are safest when properly restrained in the back seat. The harness chest clip should be correctly positioned at the child's mid-chest or armpit level. This keeps the shoulder straps in the correct position. Harness straps should be snug and straight. Rear-facing harness straps should be positioned at, or slightly below, the child's shoulders.

THE CORRECT ANGLE – Used with a detachable base, this rear-facing infant seat is positioned at approximately a 45-degree angle (check the manufacturer's recommendation for the correct angle).

Forward-Facing Seats

Harness straps on forward-facing restraints should be positioned at, or slightly above, the child's shoulders. Harness straps should be snug and straight. Harness chest clip should be positioned at the child's mid-chest or armpit area.

- Boosters (Belt Positioning Booster [BPB], Backless, High-Back)

Belt-Positioning Booster Seats

Raise them up. A booster seat is used to correctly position the child in a vehicle lap/shoulder belt. Booster seats correctly position the lap belt across the child's upper thighs and the shoulder belt across the chest. High-back and no-back booster seats are for children who have outgrown child safety seats, and are not large enough for the vehicle belt system. Children should use a belt positioning booster seat until they are at least 8 years old or 4'9" tall. Always use the lap/shoulder belt combination with a belt-positioning booster. Never use a lap belt only.

A system may not fit properly on children who cannot sit all the way back against the vehicle seat with knees bent comfortably over the edge of the vehicle seat.

- Is there a baby or small child in the car?
- Is there a child restraint?
- Is there a child in the car seat?
- Is the seat facing forward or rearward?
- Is the seat in the recline or upright position?
- Can I see a child seat harness system?
- Can I see a retainer clip across the child's chest?
- Can I see the seat belt? Is it securing the CSS?

Individual slides depict marks made from webbing, scratches inconsistent with normal use on latches, and distortion of webbing as a result of crash.

F. Occupant Protection Systems After a Crash

G. Documenting Occupant Protection Usage

It is important to report seat belt usage on crash report forms for a variety of reasons – some of which are to get an accurate report for investigative purposes. If the vehicle was involved in a serious crash and the operator claimed he/she was seat belted, yet the evidence shows that there was a spider web crack in the windshield and the injuries were consistent with an unbelted driver. Accurate reporting will give a more consistent belt use.

Traffic Occupant Protection Strategies- Belt Use Exercise

Course Participants: Take a few minutes to examine the photographs and identify examples of mis-use of occupant protection equipment. The instructor will then lead a discussion of what is observed or noted.

Image 1

Image 2

Image 3

Subchapter 7
— Mandatory Seat Belt Use

27-37-701. Definitions.
As used in this subchapter:
(1) "Motor vehicle" means any motor vehicle, except a school bus, church bus, and other public conveyance, which is required by federal law or regulation to be equipped with a passenger restraint system; and
(2) "Seat belt" means any passenger restraint system as defined by the Department of Arkansas State Police, except that, until such time as the Arkansas State Police has promulgated regulations defining "seat belt", the term means any passenger restraint system which meets the federal requirements contained in 49 C.F.R. § 571.208.

History. Acts 1991, No. 562, § 1.

27-37-702. Seat belt use required — Applicability of subchapter.
(a) Each driver and front seat passenger in any motor vehicle operated on a street or highway in this state shall wear a properly adjusted and fastened seat belt properly secured to the vehicle.
(b) This subchapter shall not apply to the following:
(1) Passenger automobiles manufactured before July 1, 1968, and all other motor vehicles manufactured before January 1, 1972;
(2) Passengers and drivers with a physical disability that contraindicates the use of a seat belt, and which condition is certified by a physician who states the nature of the disability as well as the reason the use of a seat belt is inappropriate;
(3) Children who require protection and are properly restrained under The Child Passenger Protection Act, § 27-34-101 et seq.; and
(4) Drivers who are rural letter carriers of the United States Postal Service while performing their duties as rural letter carriers.
(c) Except as provided in subdivision (b)(4), each driver or passenger who is seated in a wheelchair in a motor vehicle shall:
(1) Wear a properly adjusted and fastened seat belt properly secured to the wheelchair; and
(2) Have the wheelchair properly secured in the motor vehicle.

History. Acts 1991, No. 562, §§ 2, 3; 1997, No. 208, § 34; 2003, No. 764, § 1; 2003, No. 1776, § 1.

27-37-703. Effect of noncompliance.

(a) (1) The failure of an occupant to wear a properly adjusted and fastened seat belt shall not be admissible into evidence in a civil action.

(2) Provided, that evidence of such failure may be admitted in a civil action as to the causal relationship between noncompliance and the injuries alleged, if the following conditions have been satisfied:

(A) The plaintiff has filed a products liability claim other than a claim related to an alleged failure of a seat belt;

(B) The defendant alleging noncompliance with this subchapter shall raise this defense in its answer or timely amendment thereto in accordance with the rules of civil procedure; and

(C) Each defendant seeking to offer evidence alleging noncompliance has the burden of proving:

(i) Noncompliance;

(ii) That compliance would have reduced injuries; and

(iii) The extent of the reduction of such injuries.

(b) (1) Upon request of any party, the trial judge shall hold a hearing out of the presence of the jury as to the admissibility of such evidence in accordance with the provisions of this section and the rules of evidence.

(2) The finding of the trial judge shall not constitute a finding of fact, and the finding shall be limited to the issue of admissibility of such evidence.

History. Acts 1991, No. 562, § 5; 1993, No. 1086, § 1; 1995, No. 1118, § 1.

27-37-704. [Repealed.]

27-37-705. Reduction of fine.

(a) When a motor vehicle operator is stopped by a law enforcement officer and the law enforcement officer notes that the provisions of this subchapter have not been violated, any fine levied for a moving traffic violation against the motor vehicle operator as a result of being stopped shall be reduced by ten dollars ($10.00) as an incentive to comply with this subchapter.

(b) Subsection (a) of this section shall not apply to fines levied for traffic offenses classified as misdemeanors.

History. Acts 1991, No. 562, § 8; 1995, No. 1118, § 2; 2003, No. 1765, § 36; 2009, No. 633, § 22.

27-37-706. Penalties — Court costs.

(a) Any person who violates this subchapter shall be subject to a fine not to exceed twenty-five dollars ($25.00).

(b) When a person is convicted, pleads guilty, pleads nolo contendere, or forfeits bond for violation of this subchapter, no court costs pursuant to § 16-10-305 or other costs or fees shall be assessed.

History. Acts 1991, No. 562, § 7; 2005, No. 1934, § 23.

27-37-707. Traffic violation report and driver's license suspension.

The Office of Driver Services shall not:

(1) Include in the traffic violation report of any person any conviction arising out of a violation of this subchapter;

(2) Use or accumulate a violation of this subchapter to suspend or revoke the driver's license of any person as an habitual violator of traffic laws; or

(3) Use a violation of this subchapter in any other way under the administrative authority of the office to suspend or revoke a driver's license.

History. Acts 1995, No. 1118, § 3; 2009, No. 308, § 3.

Chapter 34
Child Passenger Protection Act

27-34-101. Title.
This chapter shall be known as the "Child Passenger Protection Act".

History. Acts 1983, No. 749, § 1; A.S.A. 1947, § 75-2601.

27-34-102. Legislative intent.
It is the legislative intent that all state, university, county, and local law enforcement agencies, as well as all physicians and hospitals, in recognition of the problems, including death and serious injury, associated with unrestrained children in motor vehicles, conduct a continuing safety and public awareness campaign so as to encourage and promote the use of child passenger safety seats.

History. Acts 1983, No. 749, § 7; A.S.A. 1947, § 75-2607.

27-34-103. Penalty.
(a) Any person who violates this chapter shall, upon conviction, be fined not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100).
(b) In determining the amount of fine to be assessed under this section, any court hearing the matter shall consider whether, if the offense is for failure to secure the child in a child passenger safety seat properly secured to the vehicle, the child was restrained by some alternative means such as seat safety belts properly secured to the vehicle.
(c) Upon satisfactory proof being presented to the court that the defendant has acquired, purchased, or rented an approved child passenger safety seat as described in § 27-34-104, the court shall assess no more than the minimum fine allowed.

History. Acts 1983, No. 749, § 4; A.S.A. 1947, § 75-2604; Acts 1995, No. 1274, § 1; 2003, No. 1776, § 2.

27-34-104. Requirements.
(a) Every driver who transports a child under fifteen (15) years of age in a passenger automobile, van, or pickup truck, other than one (1) operated for hire, which is registered in this or any other state, shall provide while the motor vehicle is in motion and operated on a public

road, street, or highway of this state for the protection of the child by properly placing, maintaining, and securing the child in a child passenger restraint system properly secured to the vehicle and meeting applicable federal motor vehicle safety standards in effect on January 1, 1995.
(b) A child who is less than six (6) years of age and who weighs less than sixty pounds (60 lbs.) shall be restrained in a child passenger safety seat properly secured to the vehicle.
(c) If a child is at least six (6) years of age or at least sixty pounds (60 lbs.) in weight, a safety belt properly secured to the vehicle shall be sufficient to meet the requirements of this section.

History. Acts 1983, No. 749, § 2; A.S.A. 1947, § 75-2602; Acts 1995, No. 1274, § 2; 2001, No. 470, § 1; 2003, No. 1776, § 3.

27-34-105. Exceptions to provisions.
The provisions of this chapter shall not apply when any one (1) of the following conditions exists:
(1) The motor vehicle is being used as an ambulance or other emergency vehicle;
(2) When an emergency exists that threatens:
(A) The life of any person operating a motor vehicle to whom this section otherwise would apply; or
(B) The life of any child who otherwise would be required to be restrained under this chapter; or
(3) If any child who would otherwise be required to be restrained under this chapter is physically unable because of medical reasons to use a child passenger safety seat system or seat safety belt and the medical reasons are certified by a physician who states the nature of such medical conditions as well as the reason the use of a child passenger safety seat system or seat safety belt is inappropriate.

History. Acts 1983, No. 749, § 3; A.S.A. 1947, § 75-2603; Acts 1995, No. 1274, § 3; 2009, No. 308, § 5.

27-34-106. Effect of noncompliance.
(a) The failure to provide or use a child passenger safety seat shall not be considered, under any circumstances, as evidence of comparative or contributory negligence, nor shall failure be admissible as evidence in the trial of any civil action with regard to negligence.
(b) Neither shall the failure to provide or use a child passenger safety seat be considered, under any circumstances, as evidence in any prosecution for negligent homicide.

History. Acts 1983, No. 749, § 6; 1985, No. 551, § 1; A.S.A. 1947, § 75-2606.

27-34-107. Arkansas Child Passenger Protection Fund.
(a) (1) A special fund is created which shall be known as the "Arkansas Child Passenger Protection Fund".
(2) The Arkansas Child Passenger Protection Fund shall consist of:
(A) Seventy-five percent (75%) of all fines that are collected for violations of this chapter, which shall be remitted by the tenth day of each month to the Administration of Justice

Fund Section of the Office of Administrative Services of the Department of Finance and Administration on a form provided by that office, to be deposited into the Arkansas Child Passenger Protection Fund; and

(B) Other moneys that may be appropriated, allocated, or donated for the purpose of being placed in the Arkansas Child Passenger Protection Fund.

(b) (1) The Arkansas Highway Safety Program shall earmark at least fifty percent (50%) of the annual expenditures from the Arkansas Child Passenger Protection Fund for the purchase of child passenger safety seats.

(2) If annual funds generated by the fund support the expenditure and if the needs of the program justify the expenditure, the program shall maintain an annual expenditure of at least one hundred thousand dollars ($100,000) for child passenger safety seats.

(3) The child passenger safety seats purchased by the program shall be loaned or rented to hospitals or other groups or individuals, who may lend or rent the child passenger safety seats to others for the purpose of transporting children.

(c) After the expenditures described in subsection (b) of this section, the program shall earmark the balance of moneys in the fund:

(1) To conduct continuing education and public awareness concerning child passenger safety;

(2) To encourage and promote proper use of child safety seats and safety belts; and

(3) For highway safety planning and administration.

History. Acts 1983, No. 749, § 5; A.S.A. 1947, § 75-2605; Acts 1995, No. 1274, § 4; 2003, No. 1765, § 35; 2005, No. 878, § 1; 2005, No. 1934, § 20; 2007, No. 827, § 235.

27-34-108. Public Safety Fund — Creation.

(a) A town or city that collects fines pursuant to this subchapter shall retain twenty-five percent (25%) of the fines collected and deposit them into a fund called the Public Safety Fund, to be used solely for the promotion of public safety.

(b) A district court that is funded solely by the county and collects fines pursuant to this chapter shall retain twenty-five percent (25%) of the fines collected and deposit them into the fund, to be used solely for the promotion of public safety.

History. Acts 2007, No. 827, § 236.

ENFORCEMENT AND ACTION PLANNING

MODULE 4 ENFORCEMENT AND ACTION PLANNING

Upon successfully completing this session, the participants will be able to:

- Explain the importance of an agency policy;
- Identify applicable State and local occupant protection laws;
- Describe targeted enforcement;
- Identify high-risk groups;
- Describe sustained enforcement;
- Identify additional benefits of occupant protection enforcement activities; and
- Cite high-profile arrests resulting from traffic enforcement activity.

CONTENT SEGMENTS

A. The Facts

B. What Works and Different Enforcement Methods

C. Results of Looking Beyond the Ticket

D. Developing Community Partnerships

E. Taking Action

MODULE 4
ENFORCEMENT AND ACTION PLANNING

A. The Facts

Age (Years)	Restraint Used		Restraint Not Used	
	Number	Percent	Number	Percent
<4	234	65	110	30
4-7	168	51	136	41
8-12	169	45	172	46
13-15	173	31	322	58
16-20	1,751	36	2,783	57
21-24	1,164	32	2,199	60
25-34	1,587	31	3,135	61
35-44	1,549	36	2,433	57
45-54	1,625	42	2,004	52
55-64	1,404	50	1,238	44
65-74	1,233	58	769	36
75+	1,934	65	835	28
Unknown	23	31	36	49
Total	**13,014**	**41**	**16,172**	**51**

Crashes Kill Disproportionately

- Males are twice as likely as females to be killed in crashes.
- For males turning 16 years old, the odds of being killed in a crash multiply by 7 times.
- For young women turning 16, the chances go up 5 times.
- Why are these young people so terribly at risk?
- They are risk takers, and they fail to buckle up.
- "It will never happen to me."
- So, we **must** target this group with education and **high-visibility enforcement**.

B. What Works and Different Enforcement Methods

High-Visibility Enforcement – The public understands that not buckling up will result in a citation.

- Targeted Enforcement Periods
    - Highly effective when coupled with media campaign to increase the "perception of risk" from not buckling up.
- Sustained Enforcement
    - Most effective
    - Enforcement integrated into officer's daily activities
    - Public understands and expects citations
- Defined periods of earned media, paid media, and intensive enforcement.
- Paid advertisement placement using *Click It or Ticket* or similar direct enforcement messages.
- Program evaluations involving before, during, and after observation surveys of belt use and surveys of public perceptions of the program.

Selective Enforcement – High seat belt use rates are directly related to vigorous enforcement of a comprehensive belt use law. A Selective Traffic Enforcement Program (sTEP) can produce large gains in belt use over short periods of time. Continuing enforcement between periods of sTEP activity can maintain these gains.

- Highly visible response to problems in a specific area.
- Officers contact ALL violations, but concentrates on violations related to problem.
- Citizens relate police units to an area and make adjustments accordingly.
- Effect lasts after officer leave area.

Types of Aggressive High-Visibility Enforcement Checkpoints

- Checkpoints do work for seat belts and child passenger safety.

- Evening checkpoints do gain more visibility.

- Evening checkpoints generate more attention to nighttime belt enforcement.

Types of Aggressive High-Visibility Enforcement

- Saturation Patrols
- Patrol vehicles deployed in limited areas
- Creates a public perception that enforcement is everywhere
- High visibility is the key
- Enforcement Zones
- Zone is conducted at a controlled location
- Seat belt enforcement zone signs are placed at location
- Officer assesses vehicle for violation as it stops or slows and officer takes appropriate enforcement action

C. Results of Looking Beyond the Ticket

"Looking beyond the ticket" begins before the traffic stop. Believing in, understanding, and recognizing traffic efforts for their inherent value are essential. The following are key elements that can help in being successful.

- Changing the public's and law enforcement's perceptions about traffic enforcement through education, to foster support for traffic enforcement and "looking beyond the ticket" efforts.

- Using accurate statistics to identify traffic and criminal trends provides an effective and strategic management tool. Accurate record-keeping, data collection and analysis, evaluation, and community participation are crucial.

- Evaluating impact and results are vital steps in marketing proactive traffic enforcement and "looking beyond the ticket."

- Traffic law enforcement is universal to law enforcement; it is not a new science or high-tech.

- Traffic law enforcement is an effective tool to reduce criminal activity; it provides a visible deterrent.

- Patrol/traffic officers and deputy sheriffs are versatile and efficient generalists; they enforce traffic laws and apprehend criminals.

Referring to motor vehicle crashes as "accidents" contributes to the perception that they cannot be prevented; when, in fact, very few crashes occur because of uncontrollable circumstances. Proactive traffic enforcement efforts that remove impaired drivers from the road and enforce speed limits and rules of the road can prevent many crashes from occurring. These stops also provide an opportunity for law enforcement officers to reinforce the importance of seat belt and child seat use, which prevent injuries.

For example, the following statements have a positive effect on how the public, law enforcement officers, highway safety advocates, and governmental bodies may perceive traffic enforcement efforts:

- Motor vehicle crashes are not accidents – they are predictable and can be prevented.

- Traffic issues are just as important to the community as criminal issues.

- Traffic law enforcement is an important element of community policing.

- Traffic enforcement does not necessarily require "more" or "new" resources.

Proactive enforcement of traffic violations results in numerous criminal apprehensions. More significantly, the traffic stop is perceived by the officer and the community as positive. Even though a criminal apprehension may not result during most traffic stops, the officers and the community should not only view traffic enforcement as a safety benefit, but as another tool to be used in the War on Crime. Enlightened law enforcement officers know that traffic stops can prevent crash-related personal tragedies, and they value their efforts based on that knowledge.

Traffic stops regularly result in criminal arrests, drug interdiction, and criminal investigations. Some traffic stops are world renowned. For example, the Oklahoma City bombing suspect, Timothy McVeigh, was apprehended by an Oklahoma State Trooper while making a "routine" traffic stop. Serial murderer Ted Bundy, who killed more than 22 women, and the Atlanta child killer, Wayne Williams, who killed 28, were also apprehended because of traffic stops. "Son of Sam," David Berkowitz, who killed 6 and wounded 7, was captured because of a parking ticket.

D. Developing Community Partnerships

While not necessarily making national news, police officers and sheriff's deputies make hundreds of traffic stops every day that result in criminal apprehensions, directly affecting the security and safety of communities across the country. There are many examples of the agencies and officers who make this a regular part of their job. (http://www.nhtsa.dot.gov/people/injury/enforce/Beyond/percept.htm)

There are many groups and individuals within every community who are directly impacted by fatal and injury crashes. More specifically, crashes where occupant protection was NOT used. If law enforcement is to truly have an impact, we must reach out to those affected.

There are many ways in which to use the resources of these various groups. They include but are not limited to:

- Community Support – The more types of groups you can get involved, the more support you will have. This will have a “spill-over” effect which will in turn give your agency more support on all programs.

- Message of Caring – Your interaction with these groups will send a message that your agency cares about its citizens and the lives that can be saved, not just the revenue generated from citations.

- Dissemination of Information – Networks of people and groups can be utilized to help get different messages to the community.

- Legislative Efforts- The creation and passing of effective legislation has the potential to save thousands of people. One of the more effective ways to make that happen is to have local action groups, such as parents who have lost children in crashes, carry the message to the law makers.

There are many different types of community groups to form these valuable partnerships. Can you name some in your community?

E. Taking Action

OCCUPANT PROTECTION ENFORCEMENT ACTION PLAN

Name_____ Rank _____

Date_____ Agency_____

Who, in your agency, will be responsible for implementing an occupant protection enforcement action plan?

_____

_____

_____

What are the costs associated with implementing an occupant protection enforcement action plan?

_____

_____

_____

What is the time line for implementation of these changes?

_____

_____

_____

What are the benefits to the agency?

_____

_____

_____

How will you measure your success?

_____

_____

_____

Based on the answers given above, suggest three changes to or components to be included in your agency's occupant protection enforcement policy.

1. _____

   _____

2. _____

   _____

3. _____

   _____

COURSE ANALYSIS **Traffic Occupant Protection Strategies**

Date: _____ Please do not feel bound to limit your remarks to questions on this form. Your pertinent comments on any aspect of the course will be appreciated.

RESPONSES (Check the response closest to your opinion)	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree	N/A
1. The following course objectives were accomplished:						
Identify general driving risks.						
Describe the special driving conditions that law enforcement officers face.						
Relate Newton's Law of Motion to occupant injury in a motor vehicle crash.						
Describe the three collisions in a crash.						
List four types of crashes and their related injuries.						
Describe five ways restraints prevent or minimize injury.						
Discuss why some crashes are unsurvivable.						
Discuss replacement of occupant protection systems after a crash.						
Describe the components of seat belts and their proper use.						
Describe Supplemental Restraint Systems.						
Identify the Four Step Process defined by NHTSA.						
Determine errors in the use of occupant protection systems.						
What do I see, What do I do.						
Describe Crash Investigation Techniques related to seat belt use.						
Describe why reporting occupant protection usage is important.						
Explain the importance of an agency policy.						
Identify applicable state and local occupant protection laws.						
Describe targeted and sustained enforcement.						
Identify high-risk groups.						

RESPONSES (Check the response closest to your opinion)	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree	N/A
Describe sustained enforcement.						
Identify additional benefits of occupant protection enforcement activities.						
Cite high-profile arrests resulting from traffic enforcement activity.						
Identify how developing community partnerships can help with an overall occupant protection strategy.						
Identify different types of community partners available to law enforcement.						
Identify how to utilize local media to assist OP efforts.						
Write an action plan on what you are going to do to make an impact.						

2. The information presented will help in my highway safety work.						
3. Time in class was spent effectively.						
4. Instructors made the course a worthwhile learning experience.						

5. What information would you add, delete, or change in emphasis on this course?

6. Other comments

7. Quality of Instruction:
Please rate the instructors on a scale of 1 to 5 where: 5=Excellent, 4=Very Good, 3=Good, 2=Fair, 1=Poor

5 4 3 2 1

8. Other Training Needs:

Please indicate below if there are any other areas of training you would like to see offered by your NHTSA Regional Office.