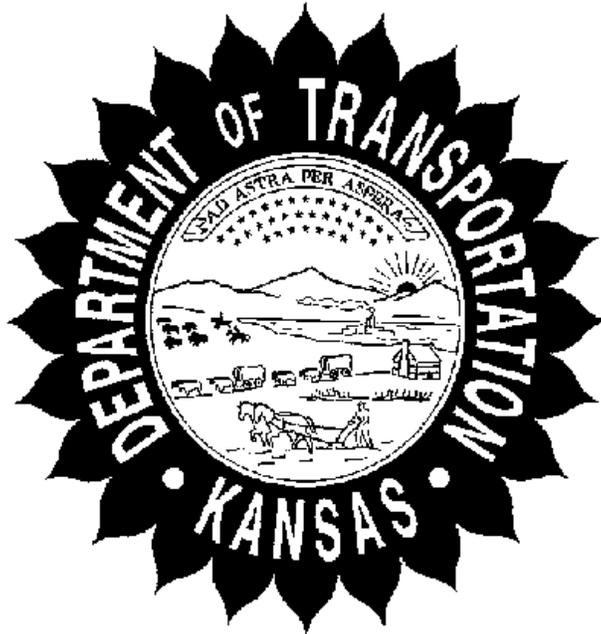


KANSAS

Occupant Protection Safety Assessment

December 8-12, 2003



Conducted at the Request of the Kansas Department of Transportation
Bureau of Traffic Safety

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EXECUTIVE SUMMARY

The State of Kansas, in cooperation with the National Highway Traffic Safety Administration, has invited the authors to conduct a comprehensive review of the “occupant protection” component of traffic safety in Kansas. Occupant protection is one of the most crucial areas of traffic safety science, the only one that offers immediate and substantial reduction in deaths and injuries. This assessment is intended to guide the government and citizens of Kansas to make improvements in the state’s program.

Kansas followed the national trend when it adopted its safety belt law in 1986. New Jersey began the pattern when it adopted “secondary enforcement” as a concept. Thirty-five states followed that lead. Kansas further limited effectiveness of the new law, limiting the fine to \$10. Legislation required the police to have both a primary reason for the stop and that a citation must be issued for that primary violation before a safety belt ticket could be given.

This policy may have been wise at the time of its passage, when only 10 percent of Kansans used safety belts. It is killing people now.

Kansas is in the last rank of the states, suffering from traffic death rate well above the national average. Two hundred people die in this state every year in collisions that should not have killed them, simply because they were not belted. This loss is devastating, permanent, and irreversible. It should be intolerable.

We are told that many Kansans believe the government should leave them alone. We are sympathetic with this view. However, many Kansans have decided that this means that they should be free to ignore the safety belt law. It appears that a number of lawmakers, rural police officials, and some members of the public agree with them.

Kansas is a proud state. If KU’s basketball performance was 48 out of 50 nationally, heads would roll. On the occupant protection front, Kansas is like a team in its third 3-28 season. Such results are not attributable to any individual failure, and cannot be reversed by any individual effort.

New leadership is in place. There is plenty of energy and talent available. It appears that a new awareness of the need and a desire to improve already is present. This augurs well for a bright future.

There is much to be gained. There is every reason to believe that 200 deaths and many thousands of injuries could be prevented each year. Treasured children, beloved parents, dear friends, and co-workers can be spared needless suffering. Millions of dollars of financial loss can be prevented.

Kansas has the advantage of not being the pioneer in this issue. The trail has been brightly blazed and the path is well marked. The tools, methods, and guidebooks are there to be used and the path is not difficult. Those who are making it difficult should get out of the way.

KEY RECOMMENDATIONS

Strategic Plan for Kansas

Kansas should develop an integrated strategic plan for highway safety that harmonizes the many diverse safety programs operated by the state. The placement of occupant protection programs should be carefully considered in the context of this plan. The plan should be a multi-agency product with involvement of local participants from all parties interested in the highway safety problem. The AASHTO strategic plan is commended as a model to the state. The strategic plan committee should have an occupant protection sub-committee among others. This plan should be the basis for legislative changes, operational plans, and public information campaigns.

Safety Belt Campaign

Kansas should adopt the national *Click It or Ticket* (CIOT) campaign and use the “full implementation” model including the CIOT slogan. The brand is strong and is widely accepted across the United States. Use of this standard message brings economy to the state through its harmony with the national advertising campaign. This is the only tactic, other than adoption of a primary safety belt law, consistently proven to raise safety belt usage by significant amounts. If Kansas prefers to stay with current programs, they should be carefully tested to prove they are at least as effective as CIOT. “Full implementation” means a statewide effort using paid radio and television advertising supported by massive, highly publicized traffic law enforcement. This can be done without change to Kansas statutes.

Strengthening Laws

Kansas should develop a legislative upgrade package that would provide:

- a primary enforcement law to require safety belt use by all persons, at all times in all seats.
- a substantial increase of the fine for violation of the safety belt and child restraint laws based upon the fine levels used in other states that are most successful.
- a provision to allow home rule communities to adopt primary enforcement ordinances and a fine structure comparable to that for other traffic law violations.
- child restraint legislation consisting of the model law contained in the Uniform Vehicle Code and Model Traffic Ordinance.
- a graduated driver’s license law that delays advancement by teens violating the state’s safety belt laws.

Engage Medical Community

Motor vehicle crashes represent a major public health problem in the State of Kansas. The injury prevention community must become an integral part of the strategy for increased proper use of child safety seats and safety belts. Some examples of injury prevention community participants would include: physicians, nurses, EMTs, health departments, and trauma registry systems.

Kansas should engage this community of specialists to provide leadership in areas such as legislative lobbying; PI&E spokespersons; crash injury, fatality, and medical cost data collection.

Increase Law Enforcement Involvement

Kansas should develop mechanisms and implement strategies to increase law enforcement's involvement in occupant protection initiatives and enforcement of the occupant restraint laws. An expansion of the Law Enforcement Liaison program would be seen as very beneficial in achieving greater involvement and communication with law enforcement statewide. Strategies also may include the development of incentive and recognition programs, training directed towards veteran officers, and the implementation of strong safety belt use and enforcement policies.

Increase Availability of Child Passenger Safety (CPS) Technicians

Kansas should increase the numbers of certified CPS Technician Instructors and CPS Technicians in order to meet the needs of all areas and populations around the state. This effort will improve service to underrepresented and underserved populations across the State of Kansas.

Intolerance of Safety Belt Violations

Kansas should seek to develop a societal attitude that does not tolerate violation of the safety belt law. Police should cite these violators when seen. Prosecutors should not compromise the charges. Courts should penalize offenders brought before them. Schools should require students to wear safety belts when driving near the campus. Parents should require children to wear their belts and vice versa. Businesses should require employees to comply with the law. The best example of this in Kansas is the current worker's compensation law.

Public Information & Education (PI&E)

Kansas should develop a comprehensive strategic plan for public information and education to encourage compliance and to develop the intolerant public attitude towards violations. At a minimum, it should include:

- outreach to minorities and other groups with low usage rates;
- utilization of employers and other venues to educate motorists;
- maximization of the partnership of other traffic safety advocacy groups; and
- evaluation of the effectiveness of the efforts.

Cost Data

Kansas should develop the capability to coordinate and aggregate the costs associated with unbelted crash victims, including: EMS, trauma, police/rescue response, insurance, rehabilitation, and worker's compensation for the purpose of controlling cost.

Evaluate the Effort

Kansas should measure the effectiveness of its current programs, both internally and externally. In some cases, like observational use surveys, the mechanisms are already in place to do this. In other cases, like minority belt use and crash injury rates, statewide enforcement levels, and messaging effectiveness, the mechanisms will have to be developed. As the Kansas occupant protection program evolves, it is important to look at the entire program objectively, continue investment in those efforts with proven benefits, and discontinue programs with little or no result. This will ensure effective use of public funds.

TABLE OF CONTENTS

<u>Subject</u>	<u>Page</u>
ASSESSMENT BACKGROUND.....	7
1. PROGRAM MANAGEMENT	9
1-A: Strengths	
1-B: Challenges	
1-C: Recommendations	
2. LEGISLATION/REGULATION/AND POLICY.....	12
2-A: Strengths	
2-B: Challenges	
2-C: Recommendations	
3. LAW ENFORCEMENT	16
3-A: Strengths	
3-B: Challenges	
3-C: Recommendations	
4. CHILD PASSENGER SAFETY PROGRAM.....	20
6-A: Strengths	
6-B: Challenges	
6-C: Recommendations	
5. OUTREACH PROGRAM	23
5-A: Strengths	
5-B: Challenges	
5-C: Recommendations	
6. PUBLIC INFORMATION AND EDUCATION.....	26
4-A: Strengths	
4-B: Challenges	
4-C: Recommendations	
7. HEALTH/MEDICAL.....	29
7-A: Strengths	
7-B: Challenges	
7-C: Recommendations	
8. WORKSITE.....	32
8-A: Strengths	
8-B: Challenges	
8-C: Recommendations	

9. SCHOOL-BASED PROGRAMS	33
9-A: Strengths	
9-B: Challenges	
9-C: Recommendations	
10. EVALUATION PROGRAM	34
10-A: Strengths	
10-B: Challenges	
10-C: Recommendations	
ACKNOWLEDGMENTS	36
TEAM CREDENTIALS	39

ASSESSMENT BACKGROUND

The purpose of the assessment is to aid the Kansas Bureau of Traffic Safety in the review of the occupant protection programs in this state, identification of the program's strengths and accomplishments, identification of problem areas and offer suggestions for improvement. The assessment can be used as a tool for planning purposes and for making decisions about how to best use available resources. This assessment tool follows the format of the Uniform Guidelines for State Highway Safety Programs, July 1995. Since that time, it has been incorporated into the State Program Management Manual. The guideline that precedes each section of this report is taken from this document. The assessment process provides an organized approach for measuring program progress. The U.S. Department of Transportation developed the guidelines in collaboration with the states.

The Occupant Protection Assessment establishes criteria against which statewide and community programs are measured. The assessment examines significant components of the occupant protection programs. Each state, in cooperation with its political subdivisions, should have a comprehensive program that educates and motivates its citizens to use available motor vehicle occupant protection systems. A combination of use requirements, aggressive enforcement, public information, education, and incentives is necessary to achieve significant, lasting increases in safety belt usage which will prevent fatalities and decrease the number and severity of injuries.

The Assessment Team noted that many fine programs are performed throughout the State of Kansas in the area of Occupant Protection and traffic safety in general. It is not the intent of this report to thoroughly document all of these successes, nor to credit the large number of individuals at all levels who are dedicated to traffic safety. By its very nature, the report tends to focus on areas that need improvement. This should not be viewed as criticism. Instead, it is an attempt to provide assistance to all levels for improvement, which is consistent with the overall goals of these types of assessments.

The NHTSA Regional Office served as facilitator for the Occupant Protection Program Assessment. Working with the Bureau of Traffic Safety, NHTSA made recommendations about selection of a team of five individuals with demonstrated expertise in various aspects of occupant program development and implementation. Efforts were made to select a team that reflected the needs and interests expressed by the Bureau of Traffic Safety in the pre-assessment meeting. The assessment consisted of interviews with the state and community level programs directors, coordinators, advocates, and the Bureau of Traffic Safety. The conclusions drawn by the Assessment Team are based upon, and limited by, the facts and information provided by various experts who made presentations to the panel.

Following the completion of the presentations, the Assessment Team convened to review and analyze the information presented. The Assessment Team noted the strengths and challenges as well as recommendations. The report is a consensus report. The recommendations were based on the unique characteristics of the state and what the Assessment Team members believed the state and its political subdivisions and partners could do to improve the effectiveness and comprehensiveness of their programs.

On the final day of the assessment, the Assessment Team briefed the Bureau of Traffic Safety on the findings of the assessment and discussed major points and recommendations. The report is a Bureau of Traffic Safety report; it is not a NHTSA document. The state may use the assessment report as the basis for planning occupant protection program improvements, assessing legislative priorities, providing for additional training and evaluating funding priorities. The final report is provided to the Bureau of Traffic Safety on a floppy disk prepared using Microsoft Word. Copies of the final report also are given to NHTSA on a floppy disk.

1. PROGRAM MANAGEMENT

GUIDELINE:

Each state should have centralized program planning, implementation and coordination to achieve and sustain high rates of safety belt use. Evaluation is also important for determining progress and ultimate success of occupant protection programs.

1A. STRENGTHS

1. The Bureau of Traffic Safety (BTS) is willing to examine its programs and implement new and innovative methods to reduce the state's crash fatality rate.
2. The BTS management and staff have a high level of knowledge and commitment to occupant protection strategies to increase safety belt and child safety seat usage.
3. The BTS has effective relationships with the Kansas Highway Patrol and other state agencies, i.e. Department of Health and Environment, Department of Education and the Department of Motor Vehicles.
4. The BTS recognizes the value of the Law Enforcement Liaison (LEL) program and has begun a program to recruit the law enforcement community to increase occupant protection usage rates.
5. The BTS has the statewide leadership role in occupant protection efforts.
6. The BTS has the organizational capacity to manage highway safety programs and also the ability to access the state's traffic records and conduct evaluations.
7. The BTS has developed a beneficial partnership with the Kansas Motor Carrier Association and the Kansas SAFE KIDS Coalition.
8. The newly elected Governor and the newly appointed Secretary of Transportation bring a new energy and commitment to improving the state's occupant protection usage rates and decreasing the state's fatality rate.
9. The BTS has completed a safety belt use survey using the NHTSA approved design criteria.

1B. CHALLENGES

1. The organizational structure of the Kansas DOT places the Bureau of Traffic Safety two layers below the Governor's Representative for Highway Safety.
2. The BTS is understaffed and currently 40 percent of the available staff positions are either "vacant" or are filled with "temporary" or "acting" staff. Consequently there may be needless energy spent on anticipating what "might be" forthcoming organizationally and assignment of function. This could contribute to an unstable work environment which would divert energies from mission accomplishment.
3. The BTS must use contract staff or agencies to conduct major portions of the Highway Safety Program.
4. The BTS has only one contract Law Enforcement Liaison to cover 105 counties and over 400 law enforcement agencies.
5. The BTS has difficulty in getting timely reports from a limited number of law enforcement agencies conducting STEP campaigns.
6. The BTS has insufficient outreach to under-served populations, particularly within the state's African-American, Hispanic, Vietnamese and rural populations.
7. The BTS has no organized outside advisors such as an Occupant Protection Task Force or Traffic Safety Advisory Council.
8. The BTS's PI&E efforts are fragmented among: KDOT's Bureau of Transportation Information; KDOT's six Public Involvement Liaisons; KHP's seven Public Resource Officers; and various consultants.
9. The BTS does not require subgrantees to have an enforceable safety belt use policy requiring subgrantee employees to use available safety belts when on agency business.

1C. RECOMMENDATIONS

1. The KDOT should take steps to fill the "vacant", "temporary", and "acting" positions in the BTS with full time permanent personnel.
2. The BTS should consider contracting with one or two additional Law Enforcement Liaisons geographically located in western and central Kansas or in west central Kansas.
3. The KDOT should establish a Traffic Safety Advisory Council which includes a cross section of stakeholders to assist in ways to reduce the state's fatality rate.

4. A subcommittee of a newly established Traffic Safety Advisory Council, which would function as an occupant protection task force, should be established to improve avenues of communication and assist in the determination of occupant protection program priorities.
5. The BTS should develop an incentive program to encourage more law enforcement agencies to join enforcement campaigns and to encourage more enforcement action and timelier reporting from those participating agencies.
6. The BTS should implement the “full implementation” model *Click It or Ticket Program*.
7. The BTS should plan a staff retreat, once the vacancies are filled, in order that all staff and management may participate in addressing any office conflicts, personnel assignments, training needs and workloads in order to focus the energies of the organization on the accomplishment of the Bureau’s mission.
8. The BTS should require subgrantees to have an enforceable safety belt use policy in place.

2. LEGISLATION/REGULATION/AND POLICY

GUIDELINE:

Each state should enact and vigorously enforce primary enforcement occupant protection use laws. Each state should develop public information programs to provide clear guidance to the motoring public concerning motor vehicle occupant protection systems.

2A. STRENGTHS

1. Kansas has a typical secondary enforcement law, passed in 1986, which is better than nothing. A number of states have achieved excellent results in a secondary environment. Kansas could achieve a 10-20 percent improvement before it reaches the limits of what can be done under a secondary law. Safety belt use in 2003 was reported at 64 percent, resulting in a national ranking of 46/50. This is 15 percent below the national average.
2. The new Governor, Insurance Commissioner and cabinet officials taking office presents an opportunity for the new leadership to make significant changes. A new highway safety office bureau chief also is being selected.
3. Kansas is one of the first to adopt laws prohibiting transportation of children in the cargo beds of pickup trucks.
4. Kansas' current standing on safety belt usage means that significant improvements are attainable.
5. Kansas belt use is lower than the surrounding states. Kansas is likely to benefit from the efforts of its neighbors.
6. Kansas has legislators interested in improving the state's occupant protection (OP) laws, including attempts to pass primary legislation. A number of organizations also have sought upgrades in the law. The legislature, governor, insurance commissioner and cabinet staff seem to be very familiar with the OP issue.
7. Kansas has a primary enforcement child safety seat law for children up to age 14. This does not match national models, but provides a good base for an upgrade.
8. Kansas demonstrated the *Click It or Ticket* program in Overland Park. This allowed the state to assess the suitability of that program for the Kansas audience.
9. The Kansas worker's compensation plan reinforces the worker's need to properly use personal protective equipment, including safety belts. This extends to the extent of denying coverage to workers who sustain on-the-job injury while driving.

10. Kansas has a highly regulated insurance environment and a governor who is fully conversant with insurance issues. Kansas officials will have the ability to look at the financial effects of improved safety belt use in future insurance filings and may wish to look at the North Carolina use of retrospective adjustment to insurance rates.

2B. CHALLENGES

1. Kansas OP laws are needlessly complex. The laws are difficult to understand and are complicated to enforce. Most of the complications were designed to water down enforcement of the law or to blunt its impact on individual violators. This may have been appropriate at the time of passage, when 9 out of 10 Kansans did not use their belts.
2. Kansas law exempts back seat adult passengers from coverage. Unbuckled persons in the back seat are at risk for ejection (high probability of death) and also are in danger of injuring themselves when thrown about the interior of the car. Back seat passengers also are highly likely to injure those in the front seat as they slam forward in a collision.
3. Significant, entrenched opposition exists to legislative improvement of the OP laws.
4. The Kansas legislature has enacted legislation that hampers the effectiveness of police enforcement of the OP laws. Kansas requires that police not only must observe a primary violation before stopping a motorist for a safety belt violation, the officer also must cite the motorist for that violation before citing for the safety belt violation.
5. Kansas' safety belt fine of \$10 may be too low. Individual jurisdictions cannot impose a higher fine, regardless of costs or other considerations.
6. There is no central strategic plan that drives the management of the state's many safety programs.
7. Kansas law prohibits the presentation of evidence of non-usage of safety belts in court proceedings. This has the effect of protecting law violators from the consequences of their misconduct. The National Transportation Safety Board has recommended that all states eliminate such prohibitions.
8. Kansas law uses the age of 14 as the point where children's safety belt use is enforced as a secondary matter. It always is difficult for police to use age as criteria for enforcement, as age must be guessed. The effect of this provision may be to discourage safety belt use by teens. This effect takes place at a time when safety belt use is most likely to be abandoned, when their judgment is least developed, when they are novice drivers and when they are at the riskiest stage of their driving career.
9. Kansas is faced with limited resources and a vast land area; many parts of the state are highly rural and difficult to reach. Police presence is low in many areas of the state.

10. Many Kansas residents choose not to obey the safety belt law. They use rationalizations such as “I don’t like the government telling me what to do” to justify their misconduct. Some Kansas lawmakers, many rural police agencies and the public appear tolerant of this view.
11. Kansas child safety seat laws for children do not match national models.
12. Kansas policy makers are unable to demonstrate the true financial cost of disregard of the safety belt laws. This makes it difficult to assess the cost/benefit of the current laws as compared to proposed improvements.
13. More than 75 percent of all persons killed in traffic collisions in Kansas are not using their safety belts at the time of their deaths. At least 50 percent of these deaths are clearly preventable.

2C. RECOMMENDATIONS

1. Kansas should develop an integrated plan for highway safety that harmonizes the many diverse safety programs operated by the state. The placement of occupant protection programs should be carefully considered in the context of this plan. The AASHTO strategic plan is commended as a model to the state.
2. Kansas should adopt the national *Click It or Ticket* campaign and use the “full implementation” model. The brand is strong and is widely accepted across the United States. Use of this standard message brings economy to the state through its harmony with the national advertising campaign. This is the only tactic, other than adoption of a primary safety belt law, consistently proven to raise safety belt usage by significant amounts.
3. Kansas should revise its safety belt law to make it simple and clear. The law should require safety belt use by all persons, at all times, in all seats. The law should be directly enforceable by the police, as are all other traffic laws. The National Transportation Safety Board has also recommended that all states adopt primary enforcement of safety belt laws.
4. Kansas should update its child safety seat laws to take advantage of the latest knowledge and best practices in this field. Specifically, Kansas should adopt a “booster seat” law to protect children who have graduated from child safety seats but are still too small to be protected by adult sized safety belts.
5. Kansas should consider changing the \$10 fine for safety belt violations. At least, the effects of inflation over the eighteen-year period since the fine was set should be evaluated. Consideration should be given to allowing local jurisdictions to set a fine amount appropriate to the area or region. It also may be useful to dedicate some portion

of a larger fine to a special account to support the needs of those too poor to afford car seats.

6. Kansas should repeal statutes that prevent the consideration of use or non-use of safety belts and car seats in court and other proceedings.
7. Kansas should consider revising its graduated licensing program to insure that a novice driver who is caught driving without safety belts would be delayed from advancing to fully licensed status.
8. Kansas highway safety officials should determine the cost of hospital care of injured motorists who were not wearing safety belts. This work also should determine the source of funds used to settle the bills. It is likely that approximately 40 percent of the money is coming from state medical funds.

3. LAW ENFORCEMENT

GUIDELINE:

Each state should have a strong law enforcement program, coupled with public information and education, to increase safety belt and child safety seat use.

3A. STRENGTHS

1. The Kansas Bureau of Traffic Safety (BTS) has an excellent working relationship with the Kansas Highway Patrol and law enforcement agencies in the more heavily populated areas of the state.
2. The BTS supports law enforcement by funding numerous Selective Traffic Enforcement Programs (STEP) in selected locations throughout the state.
3. The BTS has a Law Enforcement Liaison (LEL) who works with law enforcement agencies to promote the programs and priorities of the BTS.
4. The BTS utilizes a variety of communications channels to inform active agencies about the mobilizations and other initiatives.
5. There is support and demonstrated action from the Kansas Highway Patrol as well as many police departments and sheriff's offices for increased occupant protection usage throughout the state.
6. The leadership of the Kansas Highway Patrol as well as many police departments and sheriff's offices have visibly demonstrated their support for strong occupant protection enforcement.
7. In certain areas, law enforcement agencies have developed their own networking groups and use these groups to coordinate local efforts in support of BTS initiatives.
8. It appears that many jurisdictions have the ability to list more than one violation per traffic citation, thus simplifying the process of charging motorists with the secondary safety belt violation.
9. TOPS training has been made part of the basic recruit curriculum for new law enforcement officers and also is available for veteran officers.
10. There is documented support among various Kansas law enforcement organizations for changing the current safety belt law from secondary to primary enforcement.

11. Kansas has an enforceable, primary child passenger safety law.
12. There is support and enforcement of the child passenger safety law.
13. There is support for child passenger safety training programs and many law enforcement officers are trained as CPS technicians.
14. The BTS and law enforcement have utilized statewide and local media markets to promote occupant protection issues.
15. The Overland Park Police Department recently completed a National Highway Traffic Safety Administration (NHTSA) demonstration grant to implement the *Click It or Ticket* model within the community it serves. The project yielded impressive results and confirmed that well publicized, high visibility enforcement can raise usage rates even with the obstacles presented by the Kansas safety belt law.
16. The Kansas Highway Patrol has taken steps to address concerns of bias-based policing.

3B. CHALLENGES

1. Because of the secondary nature and low fine amount of the safety belt law, many law enforcement officers do not see safety belt enforcement as a priority and fail to enforce occupant restraint laws in a consistent manner.
2. The prosecution of safety belt citations is inconsistent.
3. The existence and enforcement of internal safety belt use policies is inconsistent among law enforcement agencies.
4. Agencies do not have written safety belt enforcement policies.
5. Agencies are facing manpower issues as well as multiple priorities, thus limiting their abilities to conduct aggressive and consistent traffic enforcement.
6. Kansas has only one LEL whose effectiveness is hampered because of the number of and distance between law enforcement agencies as well as the variety of issues that the LEL is charged with promoting.
7. Neither the BTS nor law enforcement agencies have a recognition program to reward achievements in occupant protection.
8. Evidence indicates that overall traffic enforcement among the larger law enforcement agencies has decreased over 45% since 1998. However, there is no

mechanism in place to capture the statewide level of occupant restraint enforcement.

9. There is no comprehensive mechanism in place to monitor the involvement of all law enforcement agencies in statewide mobilizations.
10. Although there is a standard statewide traffic crash report that includes a data field on occupant restraint use, there does not appear to be consistent and accurate reporting by investigating officers.

3C. RECOMMENDATIONS

1. Adopt the *Click It or Ticket* program and utilize the “full implementation” model of combining aggressive, zero-tolerance enforcement with paid advertising highlighting the enforcement effort.
2. Consider expanding the Law Enforcement Liaison Program and refocus the program on the main priorities of the BTS (i.e. occupant restraints and impaired driving issues).
3. Develop a mechanism to monitor the involvement and/or level of participation of all law enforcement agencies in the mobilizations and statewide levels of enforcement throughout the year.
4. Consider implementing incentive and recognition programs to promote and reward the involvement of law enforcement in occupant protection initiatives.
5. Continue TOPS and/or develop other occupant protection training programs that reinforce the importance of occupant protection use and enforcement to law enforcement.
6. Consider the formation of traffic enforcement networks or some other type of regional organizations in order to organize and promote involvement at the regional level.
7. Educate prosecutors on the importance of vigorous prosecution of occupant restraint citations.
8. Consider providing professional/unbiased traffic stops training to uniformed law enforcement personnel and incorporate into basic recruit training.
9. Adopt a zero tolerance enforcement policy on occupant protection violations.
10. Adopt and consistently enforce internal safety belt use policies when needed to reinforce state law.

11. Take full advantage of law enforcement organizations and conferences to continually reinforce the importance of safety belt enforcement.
12. Network with and coordinate the involvement of national campaigns into the statewide mobilizations.
13. Control the number of campaigns promoted to law enforcement as well as the number of issues targeted in the campaigns.
14. Consider training in the determination of safety belt use in traffic crashes and the importance of accurate and consistent reporting.

4. CHILD PASSENGER SAFETY PROGRAM

GUIDELINE:

Each state should vigorously promote the use of child safety seats. States should recommend every child to ride safely secured in an age/weight appropriate child restraint until a safety belt fits at about 80 pounds and five (5) feet in height.

4A. STRENGTHS

1. Kansas has an enforceable child passenger safety (CPS) law.
2. The Safety Belt Education Office (SBEO) has trained over 530 certified CPS technician and 32 certified CPS Technician Instructors.
3. Currently, certified technicians and instructors are provided with regular update and refresher training classes.
4. Those refresher courses include some training about children with special needs.
5. The SBEO has established collaborative partnerships with key organizations that have an interest in CPS at local, regional, and state levels.
6. The SBEO has a newsletter and e-mail based process to provide communication with its CPS advocates throughout the state.
7. SBEO and SAFE KIDS sponsored child seat checkup events and fitting stations reportedly meet at least minimum national standards for staffing and equipment needs.
8. The SBEO is commended for its working partnership with SAFE KIDS coalitions and chapters and law enforcement agencies. This has begun the process of establishing a stable CPS statewide infrastructure.
9. The SBEO provides materials and promotional items to augment CPS training and awareness projects throughout the state.
10. The BTS conducts annual child restraint use surveys based upon NHTSA national standards

4B. CHALLENGES

1. The child restraint law contains provisions that do not meet the national precedents established to best protect all age children riding in motor vehicles.

2. The rates of use of proper child restraint systems remain at unacceptably low levels across the state.
3. Vigorous enforcement of the child restraint law remains varied across the state.
4. There is not an adequate system in place to collect the data of traffic stops and citations or to record accurate crash data for Kansan children.
5. In spite of the fact that Kansas currently has over 530 certified CPS technicians and 32 certified CPS technician instructors, the geographic make up of the state indicates that these numbers are insufficient to meet the needs of all urban and rural areas.
6. There are 3 CPS instructors who have completed the specialized training course for transportation of children with special needs. This, too, is an insufficient number of instructors to meet the training needs of a state of this size and geographic make up.
7. The CPS statewide public information and education efforts are minimally directed at underrepresented and underserved populations.
8. Child restraint inspection systems are not accessible to all parents and caregivers on a regular basis.
9. Kansas continues to support child restraint loaner programs that are staffed by untrained personnel. National trends are no longer in support of this method of distribution of child restraint systems.
10. Kansas does not meet all recommended elements of the occupant protection for children assessment model.

4C. RECOMMENDATIONS

1. Strong, organized, and determined effort should be made in order to “fill in the gaps” of the Kansas child restraint law. There are precedents set for ideal legislation available.
2. Vigorous and consistent enforcement of the Kansas child restraint law should be implemented statewide.
3. Continued efforts should be made to increase the numbers of certified CPS technician instructors and CPS technicians and children with special needs training specialists in order to meet the needs of all areas and populations around the state.

4. Convene an Occupant Protection Task Force CPS subcommittee to articulate the role of the BTS and other players in the CPS arena.
5. Increased focus should be placed upon the public information and education campaigns directed at underrepresented and underserved populations across the state of Kansas.
6. Increased CPS awareness courses are needed for the Kansas medical, nursing, health care providers, hospitals, day care centers, school administrators, fire, and EMS communities.
7. An easily accessible, computerized, and updated database of CPS Technicians and Instructors, training courses, child restraint recalls, and new developments should be implemented to serve the needs of Kansas CPS advocates.
8. Child restraint loaner programs should be phased out or at the very least, staffed by adequately trained personnel.
9. In school buckle-up education programs should be developed and implemented using CPS advocates who are well trained to deliver age specific messages designed for specific target audiences. (e.g. all age children, underrepresented and underserved children and parents.)
10. Protocols and resources to deliver information with regard to the transportation of special needs children should be made available to all Kansas CPS advocates.
11. Continuation and expansion of the collaborative efforts with local CPS programs across the state should be of a high priority.
12. Ensure that crash reconstructionists are trained as certified CPS technicians.
13. Identify and review existing hospital discharge policies and encourage Kansas hospitals to adopt standardized discharge policies for children.
14. Develop a mechanism to monitor the involvement and/or level of participation of all law enforcement agencies in order to collect stops, citations, or to record accurate crash data for Kansan children.

5. OUTREACH PROGRAM

GUIDELINE:

Each state should encourage extensive statewide and community involvement in occupant protection education by involving individuals and organizations outside the traditional highway safety community. Representation from health, business, education, and diverse cultures of the community are encouraged, among others. Community involvement broadens public support for the state's programs and can increase a state's ability to deliver highway safety education programs.

5A. STRENGTHS

1. The Kansas Bureau of Traffic Safety (BTS) recognizes the valuable education outreach and advocacy activities which can be achieved through the establishment of, and active participation by, a Traffic Safety Advisory Council or Coalition to include an Occupant Protection Task Force (OPTF) subcommittee.
1. The BTS has identified a core group of individuals, agencies, and organizations who have expressed their willingness to participate in an OPTF, recruit additional partners and/or work for the passage of a primary enforcement safety belt law and an enhanced child passenger safety law.
3. The Kansas Secretary of Transportation has provided the leadership and support which enables the BTS to:
 - disseminate information/education through Kansas Department of Transportation's (KDOT) six district Public Involvement Liaisons (PILs).
 - develop a strategic plan for decreasing motor vehicle fatalities resulting from the non-use of safety belts and child safety seats by implementing recommendations from an Occupant Protection Assessment.
4. The BTS has developed a strong partnership with a considerable segment of the Kansas law enforcement community.
5. An effective communication network exists among Kansas Highway Patrol PROs (seven) and KDOT PILs (six) and a significant segment of the Kansas media in order to educate and inform the public about occupant protection issues, activities, and enforcement.
6. The BTS has an ongoing partnership with the Kansas SAFE KIDS Coalition, a broad based grassroots network of partners, who focus considerable resources and time to increasing the proper use of occupant protection devices for children from birth to age 14.

5B. CHALLENGES

1. The BTS has no organized outside advisors such as an occupant protection task force or grassroots coalition.
2. There is minimal involvement with, and outreach materials, for the non-English speaking communities.
3. There is minimal outreach to non-traditional traffic safety partners (i.e. ethnic, religious, civic)
4. The Kansas SAFE KIDS Coalition has a limited target age of 14.
5. A small BTS staff and one LEL are tasked with the development and implementation of educational programs/policy with limited outside partners and grantees.
6. The Kansas law enforcement community serves as nearly the sole source of partners for the development of occupant protection programs and policy.

5C. RECOMMENDATIONS

1. Convene an Occupant Protection Task Force to develop and implement statewide policy recommendations to enhance communication, coordination, and delivery of programs, services, and training. Members of this task force should include representation from a broad spectrum of interested agencies, groups, and individuals. Examples include, but are not limited to:
 - Medical and injury prevention
 - Law Enforcement
 - Fire/Rescue (EMS)
 - Diverse communities (civic, ethnic, and religious)
 - Insurance
 - Child Passenger Safety
 - Business
 - Government
 - Judicial/Legal Associations
 - Civic organizations
 - Policy makers
 - Media
 - Educators
 - 4H/Farming Associations
 - Scouts

2. Consider implementation of a Buckle Up Religiously campaign disseminated by the Kansas law enforcement community. This program has proven successful with hard-to-reach populations.
3. Expand Saved By The Belt Survivors Club and utilize willing members as speakers and advocates.
4. Enlist the medical community's help in identifying victims/rehabilitation patients who are willing to share experience/cost of non-belt use.
5. Consider sponsoring/convening a COPS and DOCS strategic planning meeting.
6. Seek non-English speaking partners and other culturally focused groups for inclusion in the OPTF in order to more effectively reach their constituents.
7. Expand capacity among existing partner organizations to deliver occupant protection education to all segments of the community, including non-English speaking communities.

6. PUBLIC INFORMATION AND EDUCATION

GUIDELINE:

As part of each state's public information and education program, the state should enlist the support of a variety of media, to improve public awareness and knowledge about seat belts use and Child Passenger Safety laws and enforcement. The program also should include timely information on air bags, child safety seats, booster seats, and occupant protection systems for children with special healthcare needs.

6A. STRENGTHS

1. The Bureau of Traffic Safety (BTS) funds the Kansas Safety Belt Education Office (SBEO) to conduct public education activities, distribute informational and promotional materials, maintain a speaker's network, and support the various traffic safety partners around the state.
2. The BTS implemented the "Kansas Clicks" program and utilizes a variety of communications mediums including billboards, posters and brochures, health and safety fairs, newsletters, press conferences, press releases, and public service announcements on television and radio.
3. The BTS has a strong working relationship with the KDOT Public Involvement Liaisons and the KHP Public Resource Officers to promote media coverage of the BTS initiatives.
4. The SBEO issues press releases and facilitates media coverage prior to each STEP enforcement initiative and Operation ABC mobilization.
5. Surveys have shown that an overwhelming majority of the Kansas population knows it's the law to wear safety belts and put their children in child safety seats.
6. The BTS has a strong child passenger safety education program along with the "Booster to Belts" program targeting children.
7. Law enforcement agencies conduct "seat belt lanes," or educational roadside checkpoints to stop and educate motorists about the requirements of the safety belt and child restraint laws.
8. The BTS conducts quarterly PI & E meetings of relevant subgrantees/contractors.

6B. CHALLENGES

1. There is no comprehensive strategic plan for public information and education.
2. Although there has been no measurement conducted on the public's opinion as to the perception of enforcement, it does not appear that Kansans perceive that the safety belt law is actively enforced.
3. There is no evaluation data to determine the effectiveness of the public information and education efforts. The value of the "Kansas Clicks" in producing measurable change in driver behavior has not been tested.
4. Many public information efforts have grouped occupant protection with other traffic safety priorities diluting and overshadowing the occupant protection message.
5. The BTS has not consistently utilized messaging centered around strong enforcement of the occupant restraint laws. These are the only messages that have consistently been proven effective in producing actual improved belt use.
6. There are limited opportunities to recognize noteworthy, innovative programs and individuals for their efforts in promoting occupant protection.
7. The SBEO has a wide variety of duties, some of which can deviate from its primary mission of occupant protection education.
8. The SBEO has minimal Spanish language materials as well as materials targeting known low usage groups.

6C. RECOMMENDATIONS

1. Develop a comprehensive strategic plan for public information and education. At a minimum, it should include outreach to minorities and other low usage groups, utilization of employers and other venues to educate motorists, maximize the partnership of other traffic safety advocacy groups, and evaluate the effectiveness of the PI & E efforts.
2. Adopt a consistent *Click It or Ticket* theme and focus on the strong enforcement message. Kansas should purchase radio and television time to place powerful *Click It or Ticket* based enforcement-oriented messages where they will be seen and heard by low safety belt use drivers.
3. Release the results of enforcement initiatives and survey data to the news media.

4. When practical, the occupant protection message should stand alone and not be grouped with other traffic safety messages.
5. Consider erecting national standard *Click It or Ticket* “Seatbelts Must Be Worn” highway signs although Kansas may wish to exclude the fine amount.
6. Consider implementing recognition programs to reward individuals, organizations, and partners that excel in their occupant protection activities.
7. Continually communicate with and harness the resources of the numerous traffic safety advocates and partners throughout the state.
8. Review the responsibilities and activities of the SBEO and determine if a refocusing on the mission of occupant protection education is necessary.
9. Coordinate with national campaigns in order to reduce the duplication of effort and gain the maximum benefit of the simultaneous activities.

7. HEALTH/MEDICAL

GUIDELINE:

The medical and health care communities should recognize the failure of drivers and passengers to use occupant protection systems as a major public health problem. Each state should integrate occupant protection into its injury prevention health programs.

7A. STRENGTHS

1. Kansas has a very active and enthusiastic Emergency Nurses Association comprised of over 200 members across the state. They are active in the analysis of traumatic injury data.
2. Kansas has three Level I Trauma Centers in the state that collect data generated from motor vehicle crash (MVC) traumatic injuries and fatalities.
3. The medical and health community is a vital and significant contributor in the injury prevention arena.
4. There are members of the medical community who are committed to incorporating occupant protection messages into well child check-ups and are encouraging similar action among their colleagues across the state.
5. Kansas uses a childhood Death Review Board releasing information on a regular basis in order to strengthen the child restraint and safety belt legislation and enforcement.
6. There is a very active Kansas state SAFE KIDS coalition located within the Kansas Department of Health and Education (KDHE). The state coalition supports 20 SAFE KIDS chapters and 5 local coalitions across the state.
7. The state SAFE KIDS coalition is working actively with the state chapter of the American Academy of Pediatrics in order to lobby for strengthening the child restraint and safety belt legislation and enforcement.
8. The state of Kansas Coroner is an active, enthusiastic and significant contributor in the injury prevention arena.
9. A number of KDHE clinics manage child passenger safety checkup events, fitting stations, and loaner programs throughout the state.

7B. CHALLENGES

1. There is only limited collaboration on occupant protection issues between hospitals, EMS, coroners, the medical community, Trauma Registry, and KDHE.
2. There is poor communication between EMS systems, Level I, II, III, and IV trauma centers, and the state's coroner's office. This decreases the efficacy of post crash treatment and crash investigation.
3. The team saw little evidence of linkage between health care providers and other crash data sources.
4. There is limited collaboration on OP issues between hospitals.
5. The assessment team has not been provided evidence of EMS, fire rescue, or hospital belt use policies.
6. Many of the innovative OP safety programs have been the result of individual creativity and initiative. Too often, if that individual moves on, the program will disappear.
7. There is no use of the CODES system for the coordination of trauma system data collection.
8. The team saw no evidence that there is a standardized discharge planning policy on OP in all state hospital systems.
9. There is no coordinated effort to reach private pediatricians and primary care physicians to encourage patient counseling and referrals.
10. There is no indication of BTS use of the Trauma Registry system.
11. There appears to be minimal involvement by the BTS with Latino, African American, Asian, and Native American populations.

7C. RECOMMENDATIONS

1. Motor vehicle crashes (MVCs) represent a major public health problem in the state of Kansas. The injury prevention community must become an integral part of the strategy for upgrading the child restraint and primary safety belt legislative efforts.
2. Adopt the CODES model.

3. Include strong representation from injury prevention and trauma systems on the BTS Occupant Protection Task Force.
4. Expedite the coordination of data that will deliver cost figures for unrestrained MVC victims hospitalized in Trauma Center(s) from the state of Kansas.
5. Form an advisory team of injury prevention experts and advocates who will take a major role in the strategies put forth in lobbying for a primary safety belt law and the upgrade of the child restraint law.
6. Increase opportunities for minority participation in training programs and lobbying efforts.
7. Conduct an assessment to determine if EMS and Fire rescue have safety belt use policies for their staff.
8. Encourage the establishment of standardized hospital and birthing center discharge policies to inform parents of the law and the significant risk of injury if children are not properly restrained. There is precedent for legislative language to make this a written policy as a condition of hospital licensure (e.g., California.)
9. Develop a well publicized, single source (e.g., toll free hotline) that can provide answers to questions posed by injury prevention sources with regard to occupant protection issues.

8. WORKSITE

GUIDELINE:

Each state and local subdivision should encourage all employers to require safety belt use on the job. Employer programs should include safety belt use policies with sanctions and occupant protection awareness programs for employees and their families.

8A. STRENGTHS

1. The Bureau of Traffic Safety (BTS) has developed a beneficial partnership with the Kansas Motor Carrier Association and its members.
2. The BTS also has many potential resources and partners in the business and corporate community. Examples include automobile dealerships, insurance companies, and hospitals.

8B. CHALLENGES

1. There is no formal worksite program that specifically targets occupant protection programs or traffic safety issues within the state. The BTS has pilot-tested the Network of Employers for Traffic Safety program twice without success.
2. As a result of ongoing personnel shortage, presently it may be unwise to implement a formal worksite program.

8C. RECOMMENDATION

1. Consider undertaking a worksite safety program after the Traffic Safety Advisory Council and its Occupant Protection Task Force subcommittee are convened to assist with this project.

9. SCHOOL-BASED PROGRAMS

GUIDELINE:

Each state should encourage occupant protection education in school curricula.

9A. STRENGTHS

1. Since 2000, an increasing number of law enforcement agencies have provided School Resource Offices (SROs) to elementary, middle, and high schools statewide.
2. The Kansas Department of Transportation (KDOT) Safety Belt Education Office, SROs, and the Kansas SAFE KIDS Coalition provide occupant protection presentations to schools as requested statewide.
3. The KDOT Safety Belt Education Office will conduct a workshop early in 2004 to provide SROs with training and materials for disseminating age-appropriate occupant protection programs.
4. The Bureau of Traffic Safety (BTS) does collaborate with some driver's education business owners to provide educational materials and technical support.

9B. CHALLENGES

1. School-based occupant protection educational programs are voluntary. Currently, the Kansas Department of Education (DOE) and the BTS have no programs in place statewide at any grade level.
2. Although some educational programs are initiated and provided by a School Resource Officer, each program is dependant on the knowledge and initiative of the individual officers.
3. Driver's education programs have been dropped from the school curriculum.

9C. RECOMMENDATIONS

1. Enact the model graduated driver licensing law developed by the National Committee on Uniform Traffic Laws and Ordinances. Failure to use safety belts should preclude advancement to the next level of licensing.
2. Encourage DOE to integrate an occupant protection/injury prevention component into its school health curriculum and mandate the use of safety belts by students while on school property.

10. EVALUATION

GUIDELINE:

Each state should conduct program evaluations that include, but are not limited to:

- ✓ *Statewide observational surveys of safety belt and child safety seat use.*
- ✓ *Enforcement data.*
- ✓ *Data on fatalities and injuries in relation to safety belt usage and non-usage.*
- ✓ *Data on crash costs.*

10A. STRENGTHS

1. Kansas has a uniform crash reporting system based on the National Model Minimum Uniform Crash Criteria.
2. The State utilizes a safety belt usage survey using NHTSA approved design criteria.
3. The State has begun implementation of a Trauma Registry.
4. The BTS has in-house evaluation capabilities.
5. The State has redesigned the child safety seat use survey in order to select more appropriate locations for observing child passengers (day care centers, schools, shopping areas) while maintaining the same geographic counties as utilized in the statewide survey.

10B. CHALLENGES

1. Kansas has no statewide traffic records repository to capture safety belt enforcement data.
2. Kansas does not have a uniform traffic citation form for use by all police agencies.
3. The State does not appear to have statewide data linkage capabilities (crash, cost, EMS, citations, convictions, and hospitalizations.)
4. Currently there is limited evaluation of marketing and media campaigns.
5. The BTS has no capability to isolate racial/ethnic factors or to assess the patterns of safety restraint use by those groups.

10C. RECOMMENDATIONS

1. Kansas should encourage police and court officials to develop a statewide uniform citation form that provides for multiple charges on a single citation.
2. Develop a link between vehicle crash injury and cost data to better quantify problems and measure results.
3. Consider using a media research firm to “tune” messages to non-users and to evaluate reach of advertising campaigns.
4. During 2004, implement the planned mini-surveys prior to and subsequent to the major enforcement campaigns in order to better measure “impact.”

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The Team would also like to thank the principal participants in the review for the time they invested and the information they presented as they answered the multitude of questions that were put forth by the Team.

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