

# MONTANA

## Occupant Protection Program Assessment

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## INTRODUCTION

The state of Montana covers approximately 147,000 square miles (fourth largest in the nation), with a population of just over one million people (44<sup>th</sup> in the nation). Montana therefore ranks 48<sup>th</sup> in population density with approximately seven residents per square mile. The largest city in the State is Billings in south central Montana, with a population of 109,577 in 2019. The next largest city (Missoula) has a population of 75,516, and then there are only five other municipalities with more than 10,000 people. According to 2019 Census data, males make up 50.3 percent of the population while females are at 49.7 percent. Over 19 percent of the population is 65 years of age and over, while approximately six percent are under five years of age. The racial breakdown is 88.9 percent Caucasian, 6.7 percent American Indian or Alaska Native, 4.1 percent Hispanic or Latino, less than one percent Asian, and less than one percent Black or African American.

The Montana Department of Transportation (MDT) is the government agency responsible for Montana's transportation infrastructure, including operations and maintenance as well as planning for future needs. The agency is also responsible for overseeing the disbursement of federal and state funding for the transportation programs of the State. The mission of the MDT is to serve the public by providing a transportation system and services that emphasize quality, safety, cost effectiveness, economic vitality, and sensitivity to the environment. The State Highway Traffic Safety Section (SHTSS) administers federal grant monies for safety programs aimed at reducing deaths, injuries, and property losses resulting from traffic crashes. The SHTSS provides grant funding at the state and community level for programs that address Montana's own unique circumstances and highway safety needs.

According to National Highway Traffic Safety Administration (NHTSA), in 2019 (the most recent fatality data available), 36,096 occupants of passenger vehicles died in motor vehicle traffic crashes across the United States. Where restraint use was known, 43 percent were unrestrained, even though the observed daytime seat belt use rate for the United States overall in 2019 was 90.7 percent. The lack of proper restraint use therefore remains a serious highway safety, public health, and societal issue. This is especially true in Montana, where 132 motor vehicle occupants were killed in 2019; 56 percent of those were unrestrained.

Using a seat belt properly is the single most effective thing people can do to protect themselves in a crash. The NHTSA estimates that 71 lives were saved by seat belts and child safety seats in Montana in 2019. An additional 33 lives could have been saved if everyone buckled up.

Occupant protection (OP) is the foundation of any sound traffic safety program, and increased seat belt use will provide immediate and substantial reductions in fatalities and injuries in Montana. The fatality rate in 2019 was 17.22 fatalities per 100,000 population and 1.43 per million vehicle miles traveled (VMT). These are much higher than the national average of 11.00 fatalities per 100,000 population and 1.11 per million VMT in 2019. Montana's observed seat belt use fluctuated between 74.0 percent and 88.9 percent from 2013 to 2019, though the 2020 use rate increased to 89.9 percent.

Increasing OP in Montana is considered by many to be somewhat handicapped by its current OP laws. At \$20, the fine for failing to use a seat belt in Montana is not considered to be much of a deterrent. Opposition to any improvements in Montana's OP laws – such as a primary seat belt law (PBL) or an increased fine – will continue to result in significant healthcare costs that are borne by all taxpayers, and unnecessary injuries and deaths. Therefore, personal responsibility must somehow be counter-balanced with the impact of traffic crashes on individuals, families, and communities.

The SHTSS awards grants to law enforcement agencies for participation in statewide traffic enforcement mobilizations and provides funding for sustained enforcement. In addition, Montana has a Law Enforcement Liaison (LEL) program with one regional LEL currently on contract. The goal is to have these LELs encourage and assist law enforcement participation in highway safety efforts, including increasing the correct use of seat belts and child safety seats. Although there are obstacles to enforcing Montana's OP laws, many of the State's law enforcement officers are extremely dedicated to enforcing seat belt and child safety seat laws and are passionate about saving lives on Montana's roadways.

Child passenger safety (CPS) efforts administered by the SHTSS provide sub-grants for child restraint systems (CRS) and educational materials to a variety of community organizations. Activities include child restraint checks and distribution of educational materials, as well as CPS technician certification training and renewal classes. Montana has child restraint inspection stations where families can have their CRS inspected and be educated on proper use.

Montana, with the assistance of the NHTSA, has undergone a comprehensive assessment of the OP component of its highway safety program, the results of which are presented in this report. This assessment is intended to guide the MDT and SHTSS toward making further program improvements. This report provides Montana with an overview of the strengths and challenges of their OP program and presents recommendations to continue to improve OP in the State.

## ACKNOWLEDGEMENTS

The assessment team would like to acknowledge and thank the Montana Department of Transportation Director and the Governor's Representative, Malcolm Long, Grants Bureau Chief, David Jacobs and the State Highway Traffic Safety Supervisor, Janet Kenny and other staff for their support, level of effort, and obvious commitment to occupant protection (OP) in Montana. Special recognition and appreciation goes to Erin Root, Occupant Protection Program Planner, for her administrative skills, coordination assistance, and logistical support to the team members throughout the assessment process.

The team would also like to acknowledge the hard work and dedication of all the individuals who took the time to share their knowledge and expertise during the assessment.

This assessment also benefited from the guidance of the NHTSA Headquarters and Regional Office staff: Janice Hartwill-Miller, Leah Scully and John Westerhold, and support from their supervisors, Occupant Protection Division Chief Marietta Bowen and Regional Administrator Greg Fredericksen.

Special thanks also goes to Ashley Bieski for her assistance during the assessment process and in producing this report.

Each member of the team appreciates the opportunity to have served on this assessment and hopes that consideration and implementation of the proposed recommendations will enable Montana to continue to improve its occupant protection program.

### Notes:

The information included in this document has been collected from a variety of sources including interviews, official documents, websites, and other materials. Sources may not be consistent. Some copyrighted material has been used under the "Fair Use" Doctrine of the US copyright statute.

## ASSESSMENT BACKGROUND

This year, due to the pandemic, States have experienced work disruptions such as remote work policies, social distancing requirements, and State travel constraints. This virtual assessment was conducted via telephone and computer technology between all parties (i.e., Montana personnel, National Highway Traffic Safety Administration (NHTSA) Headquarters and Regional Office staff, and six Assessment Team Members) involved, eliminating travel expenses and all in-person interactions.

The purpose of the Occupant Protection (OP) Program Assessment, while virtual, will continue to provide the State of Montana with a review of its OP program through identification of the program's strengths, accomplishments, and challenges, and to make recommendations for improvement.

The technical assessment is intended to:

- Provide an opportunity for open, non-threatening dialogue between Montana's State Highway Traffic Safety Section and its partners;
- Assist with long-range planning;
- Assist with resource allocation;
- Identify strengths, challenges, and opportunities for improvement;
- Generate administrative and political support for program improvement; and
- Serve as a benchmark against which to measure future improvements.

The assessment process provides an organized approach for measuring program progress by following the format of the *Uniform Guidelines for State Highway Safety Programs, Highway Safety Program Guideline No. 20, Occupant Protection* (November 2006). The guideline that precedes each section of this report is taken from that document. The U.S. Department of Transportation developed the *Uniform Guidelines for State Highway Safety Programs* in collaboration with the states.

All states, in cooperation with their political subdivisions, should have a comprehensive OP program that educates and motivates its citizens to use available motor vehicle OP systems. A combination of laws, aggressive enforcement, public information, education, and incentives is necessary to achieve significant, lasting increases in seat belt use, which will prevent fatalities and decrease the number and severity of injuries. The OP Program Assessment examines these significant components of the State's occupant protection program.

The NHTSA Headquarters and Regional Office staff facilitated the OP Program Assessment. Working with the Montana Department of Transportation (MDT), NHTSA assembled a team of five technical experts who have demonstrated expertise in various aspects of occupant protection program development, implementation, and evaluation.

The assessment consisted of a thorough review of Montana provided OP program briefing materials and interviews with state and community level program directors, coordinators, advocates, traffic safety partners, law enforcement personnel, and the MDT staff. The conclusions drawn by the assessment team were based upon, and limited by, the facts and information provided in the briefing materials and by the various experts who participated in the assessment interviews.

Following the completion of the presentations, the team reviewed and analyzed the information presented, noting the Montana OP program strengths and challenges as well as recommendations for improvement. On the final day of the virtual assessment, the team briefed the MDT on the results of the assessment and discussed major points and recommendations.

The assessment team noted that many OP and general traffic safety activities are conducted throughout Montana. It is not the intent of this report to thoroughly document all of these successes, nor to give credit to the large number of individuals at all levels who are dedicated to traffic safety. By its very nature, the report focuses on areas that need improvement. This should not be viewed as criticism of current activities, but an attempt to provide assistance and support for program enhancement, which is consistent with the overall goals of these types of assessments.

This report is a consensus report. The recommendations provided are based on the unique characteristics of the State of Montana and what the assessment team members believe Montana, its political subdivisions, and partners could do to improve the reach and effectiveness of its OP program.

This report is not a NHTSA document; it belongs to Montana. Montana may use the assessment report as the basis for planning OP program improvements, assessing legislative priorities, providing for additional training, and evaluating funding priorities.

## KEY RECOMMENDATIONS

- **Refine the Montana State Highway Traffic Safety Section grant selection process to solicit grant applications from communities of concern that do not traditionally apply for funding. The State Highway Traffic Safety Section should conduct problem identification and outreach to potential traffic safety partners to solicit new requests for occupant protection funding. This would allow the State Highway Traffic Safety Section to target their funding to specific partners that can best impact traffic safety goals.**
- **Refine the Montana State Highway Traffic Safety Section mini-grant program. The State Highway Traffic Safety Section should fund agencies that can best impact traffic safety goals. The State Highway Traffic Safety Section should identify these partners at the beginning of the grant solicitation process and set clear parameters that the effort must be conducted within, to include time of the day, days of the week, months of the year, certain locations, etc.**
- **Include representatives from your traffic safety partners in the review, evaluation, and selection of sub-recipient applications for funding.**
- **Enhance Montana’s seat belt law by implementing the following components:**
  - **Include a primary enforcement component for all seating positions in the vehicle and prohibit the transport of any passengers in the cargo area of a pickup truck.**
  - **Remove the exemptions to the seat belt law.**
  - **Increase the civil penalty for a violation of the seat belt law.**
  - **Add enhanced penalties for multiple violations of the seat belt law.**
  - **Re-classify violation of the seat belt law to be considered a moving violation and assess points on the driver record.**
- **Enhance Montana’s child passenger safety law by implementing the following components:**
  - **Enact a law that requires children under eight years of age, that weigh less than 80 pounds, and are less than 4’9” tall to be in a child restraint.**
  - **Require children under the age of 13 to sit in the rear seat of the vehicle when rear seating positions are available.**
  - **Amend the law to allow for escalating penalties for subsequent child passenger safety law violations.**
  - **If a child passenger safety law violation penalty is waived because the driver provided proof of purchase of a seat, require the licensee to receive education on the installation of the child restraint.**
  - **Require that all children under the age of two ride in a rear-facing child restraint.**
  - **Add a provision to the law prohibiting passengers from riding in the cargo area of a pickup truck.**
  - **Remove the exclusions to the child passenger safety law.**

- Ensure that a conviction for a violation of the child passenger safety law is recorded on the motorist's driving record.
- Create a provision allowing the use of fine dollars collected for educational programs designed to increase the correct and consistent use of child restraints.
- **Enhance Montana's seat belt law by implementing the following components:**
  - Include a primary enforcement component for all seating positions in the vehicle and prohibit the transport of any passengers in the cargo area of a pickup truck.
  - Remove the exemptions to the seat belt law.
  - Increase the civil penalty for a violation of the seat belt law.
  - Add enhanced penalties for multiple violations of the seat belt law.
  - Re-classify violation of the seat belt law to be considered a moving violation and assess points on the driver record.
- **Include a short course of instruction on the importance of occupant protection enforcement and education in the Basic Training curriculum at the Montana Law Enforcement Academy. Secondly, include Traffic Occupant Protection Strategies and/or an abbreviated Child Passenger Safety course at annual in-service for law enforcement.**
- **Continue work on the E-citation and the Integrated Justice Information System to facilitate records management and allow agencies to share information and obtain citation data in real-time.**
- **Assure there are an adequate number of Law Enforcement Liaisons to be able to effectively cover the entire State.**
- **The State Highway Traffic Safety Section should form a working group to:**
  - Review webpages on the Montana Department of Transportation website to consolidate and combine information for easier access by the public.
  - Review all sub-recipients' and traffic safety advocate websites and social media sites and select sites to include links on the State Highway Traffic Safety Section's webpages.
  - Develop a schedule to provide messaging to social media (Facebook, Twitter, Instagram, snapchat) for the Montana Department of Transportation and partners so information is updated and current.
  - Add materials and resources for placement and download by public and traffic safety advocates.
  - Work towards providing a "one stop shop" for the public, traffic safety advocates, media, and law enforcement to access all things traffic safety in Montana in one location.
- **Publish and share with traffic safety advocates and sub-recipients the data and information provided in your statewide observational surveys and crash data. Include relevant information and crash data specific to local communities in a usable format for circulation on media platforms.**

- **When delivering messaging, including media advertising, direct the public to one central location to review, download or seek additional information and resources. This could be an updated State Highway Traffic Safety Section website.**
- **Add or contract a dedicated Child Passenger Safety Co-Coordinator or Training Coordinator within the State Highway Traffic Safety Section for all child passenger safety related work.**
- **Conduct a statewide observational survey, including various geographic and demographic locations, to assess a realistic status of the rate of child restraint use for children 12 and younger.**
- **Survey the public about their understanding of the Child Passenger Safety laws and best practice recommendations.**
- **Develop a menu of State standardized abbreviated curricula that Child Passenger Safety Technicians can access and teach to law enforcement, expectant parents, hospital staff, physicians' offices, social services, foster care, elementary schools, parent/teacher groups, etc.**
- **Expand the number of Buckle Up Montana Coalitions to include the eastern area of the State.**
- **Increase the number of standardized resources (e.g., online, downloadable materials, video, brochures, infographics, banners, posters, etc.) including Child Passenger Safety information and seat check locations. Place online in one location so the public, sub-recipients, media, law enforcement can readily locate and obtain the information.**
- **Continue the quest for a uniform electronic crash reporting system that will afford the State Highway Traffic Safety Section and all its stakeholders and partners the ability to receive timely and consistent data regarding crashes, injuries, and contributing factors.**
- **Take advantage of the next re-sampling requirement to design and implement an impeccable statewide observational seat belt use survey that is reviewed and verified each year by a survey statistician. The survey statistician can also assist in ascertaining the extent that increases or decreases in use rates are potentially attributable to sampling factors. Contract the survey to an outside agency to enable observers to collect data at all the sites within a short timeframe, and to task quality assurance to an independent entity.**
- **Take advantage of the next re-sampling requirement to build more variables into the survey to capture a few details on user and non-user populations. Experienced and well-trained observers can proficiently differentiate drivers from passengers, pickup trucks from passenger cars, and usually male and female occupants.**

# 1. PROGRAM MANAGEMENT

## GUIDELINE:

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

- *Provide leadership, training and technical assistance to other State agencies and local occupant protection programs and projects;*
- *Establish and convene an occupant protection advisory task force or coalition to organize and generate broad-based support for programs. The coalition should include agencies and organizations that are representative of the State's demographic composition and critical to the implementation of occupant protection initiatives;*
- *Integrate occupant protection programs into community/corridor traffic safety and other injury prevention programs; and*
- *Evaluate the effectiveness of the State's occupant protection program.*

## 1A. STRENGTHS

- The State Highway Traffic Safety Section (SHTSS) is a section within the Rail, Transit and Planning Grants Bureau of the Montana Department of Transportation (MDT). The small SHTSS staff is well supported by a supervisor with an extensive background in traffic safety, and an understanding and support of the mission of the Section.
- The SHTSS is an active and integral member of the Comprehensive Highway Safety Plan (CHSP) team that assisted in the development and preparation of the 2020 CHSP. After reviewing crash trend data and surveying safety stakeholders, the team identified Occupant Protection (OP) as one of four Emphasis Areas (EAs) to concentrate valuable resources. The SHTSS works to closely align goals, strategies, and emphasis areas of the CHSP with the *Highway Safety Plan (HSP)*, and *Highway Safety Improvement Plan (HSIP)* resulting in one comprehensive and strategic safety direction for the State.
- The SHTSS staff hosts an annual meeting/training every year for potential sub-recipients that are considering applying for grant funds. The training is designed to provide data, assess progress towards meeting targets and long range goals, and discuss and develop strategies and activities for each emphasis area. Information about how potential sub-recipients can apply for funds to assist the agency in meeting their traffic safety goals is provided as well as training on the SHTSS's policies and procedures to manage grants for sub-recipients.

- The Webgrants electronic grant management system was implemented in 2017 to provide a means for sub-recipients to submit grant applications, project reports, and reimbursement requests electronically. This provides sub-recipients with a user-friendly option for submission of grant paperwork in a timely manner. The SHTSS offers training to sub-recipients on the use of Webgrants to ensure users are familiar with the functionality of the system. In addition, the SHTSS provides invaluable support and technical assistance to the sub-recipients during the project proposal and application process.
- As noted in the HSP and during the assessment process, the OP programming staff are committed to following up, evaluating, and adjusting projects throughout the Fiscal Financial Year to address any concerns noted during the monitoring phases.
- The MDT has adopted the *Vision Zero* strategy. The MDT works with its safety partners to promote this ultimate vision by using the messaging and branding to build awareness. Safety partners are working together to seek broader adoption of strengthened policies, implementation of proven effective countermeasures, and engagement by residents in making safe driving choices.
- There is a high level of engagement from Montana’s land-based Tribes in traffic safety which includes a focus on OP.
- The SHTSS OP program coordinator is a passionate advocate for seat belt use and child passenger safety. She is a tremendous resource to the agency as well as to partners throughout the OP community and her commitment to providing the best overall OP program is evident in her dedication to the program.
- While currently a vacant position, the location of the State’s Fatality Analysis Reporting System (FARS) analyst within the SHTSS will present an extraordinary opportunity for SHTSS staff to work closely with the analyst most familiar with the State’s fatality picture.
- The four Buckle Up Montana program coalitions are located in high-risk areas of the State. The coordinators of these coalitions are very passionate and help sustain OP gains through education, outreach, child passenger safety, and other efforts.

## **1B. CHALLENGES**

- The Buckle Up Montana Coalitions were reduced from 12 coalitions to just four coalitions due to funding issues. This creates issues with garnering regional and local support to aid in the achievement of the SHTSS OP goals.
- The vast geographic land size of the State and lack of financial resources present challenges to delivering effective OP programs.

- COVID-19 limited the opportunities for training, and the OP coordinator was not able to participate in trainings offered through the National Highway Traffic Safety Administration (NHTSA) and the Governor’s Highway Safety Association (GHSA).
- Despite having a large community of supportive and engaged traffic safety partners, all decisions regarding funding for project proposals received are made internally by the SHTSS staff without benefit of input from a committee/group of traffic safety collaborators.
- The grant application process and recruitment of sub-recipients has not changed significantly in the past several years. In a review of grants from Fiscal Financial Year 2018-2021, the current grant application process has resulted in similar or the same traffic safety partners receiving grant funds for several years in a row. This hampers the State Highway Traffic Safety Section’s desire to be innovative and utilize grant funds to support new projects designed to improve seat belt use and the correct and consistent use of child restraint systems.
- When enforcement mini-grant applications are approved for funds, few parameters for the overtime enforcement are outlined by the SHTSS. For instance, assuming the crash data supported these efforts, there is no guidance from the SHTSS that the enforcement partners conduct seat belt enforcement at night, on certain roadways, or during specific times of the year that coordinate with additional outreach and education from the SHTSS. The enforcement mini-grants seem to prioritize events that draw large crowds with little to no parameters established. As a result, enforcement efforts are not conducted in a strategic manner intended to best impact the problem.
- Despite putting resources into child passenger safety efforts, the SHTSS has not established a performance measure against which to evaluate the impact of those efforts.

## 1C. RECOMMENDATIONS

- **Refine the Montana State Highway Traffic Safety Section grant selection process to solicit grant applications from communities of concern that do not traditionally apply for funding. The State Highway Traffic Safety Section should conduct problem identification and outreach to potential traffic safety partners to solicit new requests for occupant protection funding. This would allow the State Highway Traffic Safety Section to target their funding to specific partners that can best impact traffic safety goals.**
- **Refine the Montana State Highway Traffic Safety Section mini-grant program. The State Highway Traffic Safety Section should fund agencies that can best impact traffic safety goals. The State Highway Traffic Safety Section should identify these partners at the beginning of the grant solicitation process and set clear parameters that the effort must be conducted within, to include time of the day, days of the week, months of the year, certain locations, etc.**

- **Include representatives from your traffic safety partners in the review, evaluation, and selection of sub-recipient applications for funding.**
- Expand highway safety training opportunities to sub-recipients through additional training opportunities such as a Highway Safety Conference, Law Enforcement, Prosecutor, and/or Judicial Conference to provide updates and training on highway safety priority areas for attendees that will receive continuing education credits for attendance.
- Establish a child passenger safety performance measure against which to evaluate Montana's Child Passenger Safety programming efforts.

## 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. This legal framework should include:*

- *Legislation permitting primary enforcement that requires all motor vehicle occupants to use systems provided by the vehicle manufacturer;*
- *Legislation permitting primary enforcement that requires that children birth to 16 years old (or the State's driving age) be properly restrained in an appropriate child restraint system (i.e., certified by the manufacturer to meet all applicable Federal safety standards) or seat belt;*
- *Legislation permitting primary enforcement that requires children under 13 years old to be properly restrained in the rear seat (unless all available rear seats are occupied by younger children);*
- *Graduated Driver Licensing (GDL) laws that include three stages of licensure, and that place restrictions and sanctions on high-risk driving situations for novice drivers (i.e., nighttime driving restrictions, passenger restrictions, zero tolerance, required seat belt use);*
- *Regulations requiring employees and contractors at all levels of government to wear seat belts when traveling on official business;*
- *Official policies requiring that organizations receiving Federal highway safety program grant funds develop and enforce an employee seat belt use policy; and*
- *Outreach to state insurance commissioners to encourage them to persuade insurers to offer incentives to policyholders who use seat belts and child restraints. Insurance commissioners are likely to have significant influence with insurers that write policies in their states.*

### 2A. STRENGTHS

- *Montana's seat belt law (§61-13-103) requires that seat belts must be properly adjusted and fastened in all designated seating positions of a motor vehicle.*
- *Montana's child restraint system law (§61-9-419 - §61-9-423) includes a \$100 civil penalty and is subject to primary enforcement.*

- Montana’s Graduated Permit and Driver License law (§61-5-131 – §61-5-135) requires a teenager under 18 must hold a first year restricted license.
  - Conditions During Permit Stage:
    - Teen drivers must acquire at least 50 hours of supervised driving experience, including 10 hours at night.
    - Everyone in the vehicle must wear a seat belt.
    - The teen driver must not receive any traffic violations or alcohol/drug offenses in the six-month period before advancing to Graduated Driver License (GDL) Step 2 (First-Year Restricted License).
  - Penalties for violating the Step 2 license restrictions are:
    - First Offense – between 20 and 60 hours of community service.
    - Second Offense – suspension of the teen’s driver license for six months.
  
- The 2020 Comprehensive Highway Safety Plan’s (CHSP) strategies to impact highway safety emphasis area goals include the following for achieving occupant protection (OP) targets:
  - Support efforts from safety partners and stakeholders to implement a primary seat belt law.
  - Support increasing the current seat belt penalty of \$25 to be consistent with the \$100 penalty for the child passenger safety restraint law.
  - Support enhancement and implementation of mandatory minor (under 18 years of age) OP laws per best practices and GDL requirements which includes other risky driving behaviors.
  - Promote local jurisdictional adoption of seat belt ordinance if appropriate.
  
- The State Highway Traffic Safety Section (SHTSS) benefits from a relationship with Lobbyists in the State that serve as a tremendous resource to the SHTSS, serving on a variety of committees and task forces and advocating on important pieces of legislation designed to improve traffic safety.
  
- The State of Montana employees are subject to a policy requiring seat belt use when traveling in a State fleet vehicle.
  
- All Montana Department of Transportation (MDT) - SHTSS’s contracts include the following language:
  - Section 2.11 **Seat Belt Policy**. All sub-recipients are required to adopt a seat belt use policy that applies to all employees during work hours, whether traveling in a work vehicle or a personal vehicle, in compliance with State law.
  
- Multiple employers and law enforcement agencies in Montana have mandatory seat belt use policies for their employees.
  
- Two of Montana’s land-based Tribes have adopted primary seat belt laws.
  
- The SHTSS supports efforts to educate the public on the consequences of not wearing a seat belt.

## 2B. CHALLENGES

- The State of Montana has advocated for a primary seat belt law as recently as 2021, but to date has been unsuccessful in convincing legislative leadership to allow the bill to move out of Committee for a vote on the floor of the State house. As such, Montana’s adult seat belt law remains a secondary enforcement provision.
- It was noted that advocates of a primary seat belt law still struggle with the perception that a primary law would contribute to accusations of profiling by law enforcement and a primary seat belt law is an attempt by government to infringe on the “personal freedoms” of the State’s citizenry.
- There are no local ordinances for primary seat belt violations in Montana.
- Montana’s seat belt law allows for exemptions, as follows:
  - Any person possessing a written statement that he/she is medically unable to wear a seat belt.
  - An occupant of a motor vehicle in which all seat belts are being used by other occupants.
  - An occupant of vehicle licensed as special mobile equipment.
  - An occupant who makes frequent stops with a motor vehicle during official job duties.
- A violation of the seat belt law is \$20. No court costs are added to the fine. The fine is substantially lower than most seat belt laws in the country and may be contributing to the continued apathy of the remaining approximately ten percent of Montana residents that are not buckling up. In addition, there is no provision for escalating penalties for subsequent violations of the seat belt law and no points are assessed on the driver record. Finally, a driver that allows multiple passengers to ride unbuckled is only at risk of getting one seat belt violation despite all passengers in the vehicle being unbuckled.
- The stakeholders throughout Montana have worked to strengthen Montana Child Passenger Safety laws and align them with recommendations from the National Highway Traffic Safety Administration and the American Academy of Pediatrics as recently as 2021, but has been unsuccessful in swaying legislative leadership to allow the bill to move out of Committee for a vote on the floor of the State house.

- Montana’s child restraint system law includes several components that diminish the law’s ability to best protect children traveling on Montana roads, as follows:
  - The law does not require children under the age of 13 to sit in the rear seat when rear seat positions are available.
  - There is no provision for escalating penalties for subsequent violations.
  - Once a violation is issued, the penalty may be waived if proof of acquisition of an appropriate child safety restraint is presented within seven days of the violation to the office of the charging officer and there has been no previous dismissal of a violation of the child passenger safety law.
  - There is no provision that requires passengers under the age of two to ride in rear-facing child restraints.
  - There is no provision prohibiting passengers from riding in the cargo area of a pickup truck.
  - The law allows for the following exclusions:
    - The transportation of passengers via motorbus, school bus, taxicab, moped, quadricycle, or motorcycle.
    - The transportation of passengers via a vehicle that has a seating capacity as designated by the manufacturer of two persons and there are two persons four years of age or older in the vehicle.
    - The transport of passengers in a vehicle that is not required to be equipped with seat belts under 49 CFR 571.
    - The transportation of a passenger who because of a physical or medical condition or body size cannot be placed in a child safety restraint.
  
- Montana’s Graduated Permit and Driver License law has a number of components that diminish the law’s ability to best protect teens driving on Montana’s roadways, as follows:
  - The Graduated Instruction Permit is issued at 14 years and six months versus the more standard age of 16 years.

## 2C. RECOMMENDATIONS

- **Enhance Montana’s seat belt law by implementing the following components:**
  - **Include a primary enforcement component for all seating positions in the vehicle and prohibit the transport of any passengers in the cargo area of a pickup truck.**
  - **Remove the exemptions to the seat belt law.**
  - **Increase the civil penalty for a violation of the seat belt law.**
  - **Add enhanced penalties for multiple violations of the seat belt law.**
  - **Re-classify violation of the seat belt law to be considered a moving violation and assess points on the driver record.**

- **Enhance Montana’s child passenger safety law by implementing the following components:**
  - **Enact a law that requires children under eight years of age, that weigh less than 80 pounds, and are less than 4’9” tall to be in a child restraint.**
  - **Require children under the age of 13 to sit in the rear seat of the vehicle when rear seating positions are available.**
  - **Amend the law to allow for escalating penalties for subsequent child passenger safety law violations.**
  - **If a child passenger safety law violation penalty is waived because the driver provided proof of purchase of a seat, require the licensee to receive education on the installation of the child restraint.**
  - **Require that all children under the age of two ride in a rear-facing child restraint.**
  - **Add a provision to the law prohibiting passengers from riding in the cargo area of a pickup truck.**
  - **Remove the exclusions to the child passenger safety law.**
  - **Ensure that a conviction for a violation of the child passenger safety law is recorded on the motorist’s driving record.**
  - **Create a provision allowing the use of fine dollars collected for educational programs designed to increase the correct and consistent use of child restraints.**
  
- Enhance Montana’s Graduated Permit and Driver License law by implementing the following:
  - Increase the age when an Instructional Permit is issued to 16 years of age.
  - Increase the supervised driving time to 70 hours or more.
  - Increase the age when a Graduated Driver License is issued to 17 years of age.
  - Begin nighttime driving restrictions at 10:00 p.m.
  - Add language to increase the driving time on the Learner’s Permit when the driver is convicted of a moving violation.
  - Implement a provision to extend their Graduated Driver License upon conviction of a moving violation.
  
- Promote and support local ordinances for primary seat belt violations in Montana.
  
- Re-invigorate the seat belt coalition of energized individuals to improve support for bills presented for legislative consideration that would make the use of seat belts by all ages a primary enforceable law as well as enhancements to the child passenger safety law and the graduated driver license law.
  
- The Buckle Up Montana Coalitions and other school-based programs should consider having school children draft primary seat belt legislation and child passenger safety legislation and meet with local legislators in their community to advocate for improvements to these laws.
  
- Require sub-recipients to submit their seat belt use policy to the Montana State Highway Traffic Safety Section as part of their grant application.

- The State Highway Traffic Safety Section indicated that Montana State Fund is the largest workman's compensation insurer and provides discounts to companies that have a seat belt policy in place. The State Highway Traffic Safety Section should capitalize on this and conduct outreach to the State insurance commissioner to encourage them to persuade insurers to offer incentives to policyholders who use seat belts and child restraints. Insurance commissioners are likely to have significant influence with insurers that write policies in their states.

### 3. LAW ENFORCEMENT

#### GUIDELINE:

*Each State should conduct frequent, high-visibility law enforcement efforts, coupled with communication strategies, to increase seat belt and child safety seat use. Essential components of a law enforcement program should include:*

- *Written, enforced seat belt use policies for law enforcement agencies with sanctions for noncompliance to protect law enforcement officers from harm and for officers to serve as role models for the motoring public;*
- *Vigorous enforcement of seat belt and child safety seat laws, including citations and warnings;*
- *Accurate reporting of occupant protection system information on police accident report forms, including seat belt and child safety seat use or non-use, restraint type, and airbag presence and deployment;*
- *Communication campaigns to inform the public about occupant protection laws and related enforcement activities;*
- *Routine monitoring of citation rates for non-use of seat belts and child safety seats;*
- *Use of National Child Passenger Safety Certification (basic and in-service) for law enforcement officers;*
- *Utilization of Law Enforcement Liaisons (LELs), for activities such as promotion of national and local mobilizations and increasing law enforcement participation in such mobilizations and collaboration with local chapters of police groups and associations that represent diverse groups (e.g., NOBLE, HAPCOA) to gain support for enforcement efforts.*

#### 3A. STRENGTHS

- It was reported that many, if not all, Montana law enforcement agencies (LEAs) have written policies requiring all officers to use seat belts while operating patrol vehicles. All sub-recipients are required to have a written policy as well, to receive grant funding. The culture of officers and seat belt use has shifted recently, whereby compliance is the rule, rather than the exception.
- Two of Montana's land-based Tribes (Blackfeet and Fort Peck) have primary seat belt laws for adults. Two of the three land-based Tribes do receive Selective Traffic Enforcement Program (STEP) grant funds to further their abilities to dedicate officers on overtime to conduct enforcement, specifically targeting impaired driving and occupant protection (OP). At least one of the land-based Tribes, Confederated Salish and Kootenai has reduced their number and severity of the crashes on their reservation because of this enforcement program.
- All LEAs in Montana capture OP data on their crash reports, to include airbag deployment, seat belt/child safety restraint use/nonuse.

- The law enforcement community in Montana works extremely well together as a whole and has built strong collaborative partnerships across jurisdictional boundaries. Since the agencies are small and spread out, they rely on one another for assistance and plan events and enforcement initiatives together. There are specific annual/seasonal events (Red Ants Pants Festival, Rockin' the Rivers Festival, etc.) where agencies combine resources to provide a unified police presence and conduct enforcement efforts. In addition, Montana Highway Patrol (MHP) is required to investigate all fatal crashes, no matter whether the crash area is covered by another law enforcement agency.
- Montana law enforcement officers also have exceptionally strong partnerships with other strategic highway safety partners, whether it be with Montana Department of Transportation (MDT), Department of Health, Safe Kids, or a myriad of other agencies and task forces throughout Montana.
- The MHP Safety Enforcement Traffic Team (SETT) is a six-member team, which conducts statewide enforcement efforts, with a primary emphasis on impaired driving, but also focuses on OP. The locations where they conduct enforcement moves from location to location, depending on the needs of the specific area. These sites are data-driven and/or event-driven.
- There are 26 Montana law enforcement officers who are trained as Child Passenger Safety Technicians (CPSTs) (15 are with MHP) and three who are Child Passenger Safety Technician Instructors (CPSTIs). The MHP also conducts *National Standardized Child Passenger Safety Technician Training* at the Montana Law Enforcement Academy periodically.
- The law enforcement community in Montana have access to valuable public information and educational materials for their OP enforcement mobilizations. Many officers use these tools and have a strong rapport with the media, have a social media presence and avail themselves to conduct on-camera televised or radio spots promoting occupant protection.

### **3B. CHALLENGES**

- A violation of the seat belt law is \$20. No court costs are added to the fine. The fine is substantially lower than most seat belt laws in the country and may be contributing to the continued apathy of the remaining approximately ten percent of Montana residents that are not buckling up. In addition, there is no provision for escalating penalties for subsequent violations of the seat belt law and no points are assessed on the driver record. Finally, a driver that allows multiple passengers to ride unbuckled is only at risk of getting one seat belt violation despite all passengers in the vehicle being unbuckled.

- Currently, OP education and the necessity for enforcing the law as a means of educating the public is no longer provided to Montana law enforcement during their basic academy training. One Trooper who is a CPST Instructor provides a brief CPS training to other law enforcement officers when asked, however this is sporadic and not provided statewide.
- Montana's child passenger safety law includes several components that diminish the law's ability to best protect children traveling on Montana roads, as follows:
  - The law does not require children under the age of 13 to sit in the rear seat when rear seat positions are available.
  - There is no provision for escalating penalties for subsequent violations.
  - Once a violation is issued, the penalty may be waived if proof of acquisition of an appropriate child safety restraint is presented within seven days of the violation to the office of the charging officer and there has been no previous dismissal of a violation of the child passenger safety law.
  - There is no provision that requires passengers under the age of two to ride in rear-facing child restraints.
  - There is no provision prohibiting passengers from riding in the cargo area of a pickup truck.
- Montana does not have a standardized statewide Crash Reporting Records Management System (RMS) for all LEAs. MHP does have an electronic statewide crash reporting system, and other agencies may have an electronic crash report, however their system is not compatible with MHP's system. Other agencies use hand-written paper copies of crash reports and forward them to MHP. Since MHP is the central repository for the State's crash reports, staff at MHP must then enter crash report data manually into their system thereby introducing delay, additional staff time, and the possibility for human error.
- There are not enough networking opportunities available for the law enforcement officers with great enthusiasm and passion for OP to share ideas, nor rewarding opportunities for officers who go above and beyond. One example is a series of abbreviated CPS awareness courses being taught by an officer to his local community groups and other law enforcement personnel by request, which is not being recognized or shared across the State.
- There is no uniform E-citation system. While a few agencies, like MHP, do have E-citation capability, most do not. In 2005, Montana began the Integrated Justice Information System (IJIS) Broker Project, whereby there would be a sharing of information in real time, between law enforcement, the courts, corrections, etc. The E-citation was supposed to be implemented in the next phase however, it appears that there has not been much activity to further this initiative along. Conviction rates are not available to law enforcement or the State Highway Traffic Safety Section. Without conviction data, an assessment of citations as an effective deterrent is difficult.

- While Native Americans encompass seven percent of Montana’s population, they are involved in approximately 20 percent of Montana fatalities on average. In 2018, there were 31 Native American fatalities (down by ten in 2017), which represented 17 percent of all roadway fatalities, and are overrepresented by comprising 15 percent to 22 percent of all fatalities in the last ten years.
- One of Montana’s land-based Tribes law enforcement agency is very proactive in enforcement efforts. This agency receives STEP grant monies to further dedicate officers, on overtime, to conduct enforcement, specifically targeting impaired driving and OP. There are a total of three land-based Tribes who receive these STEP funds. However, while they do a tremendous job within their areas, they are hampered with impediments to continue this effort among all seven land-based Tribes.
- The Law Enforcement Liaison (LEL) program in Montana is being revised. Currently there is only one LEL in the State. Furthermore, he is not trained in CPS or *Traffic Occupant Protection Strategies* (TOPS), or any other OP-related training.
- Only eight out of 119 LEAs currently have certified Child Passenger Safety Technicians (CPSTs).

### 3C. RECOMMENDATIONS

- **Enhance Montana’s seat belt law by implementing the following components:**
  - **Include a primary enforcement component for all seating positions in the vehicle and prohibit the transport of any passengers in the cargo area of a pickup truck.**
  - **Remove the exemptions to the seat belt law.**
  - **Increase the civil penalty for a violation of the seat belt law.**
  - **Add enhanced penalties for multiple violations of the seat belt law.**
  - **Re-classify violation of the seat belt law to be considered a moving violation and assess points on the driver record.**
- Enhance Montana’s child passenger safety law by implementing the following components:
  - Enact a law that requires children under eight years of age, that weigh less than 80 pounds, and are less than 4’9” tall to be in a child restraint.
  - Require children under the age of 13 to sit in the rear seat of the vehicle when rear seating positions are available.
  - Amend the law to allow for escalating penalties for subsequent child passenger safety law violations.
  - If a child passenger safety law violation penalty is waived because the driver provided proof of purchase of a seat, require the licensee to receive education on the installation of the child restraint.
  - Require that all children under the age of two ride in a rear-facing child restraint.
  - Add a provision to the law prohibiting passengers from riding in the cargo area of a pickup truck.
  - Remove the exclusions to the child passenger safety law.

- Ensure that a conviction for a violation of the child passenger safety law is recorded on the motorist's driving record.
- Create a provision allowing the use of fine dollars collected for educational programs designed to increase the correct and consistent use of child restraints.
- **Include a short course of instruction on the importance of occupant protection enforcement and education in the Basic Training curriculum at the Montana Law Enforcement Academy. Secondly, include Traffic Occupant Protection Strategies and/or an abbreviated Child Passenger Safety course at annual in-service for law enforcement.**
- Standardize and implement the statewide crash reporting Records Management System so the data collection and mining of crash reports could be done more efficiently.
- Implement an annual or biennial traffic safety statewide conference where those officers who are making great strides in education and enforcement of occupant protection are recognized, and to allow networking opportunities and exchanging of ideas which work in other parts of the State. An added benefit is the opportunity for professional continuing education.
- **Continue work on the E-citation and the Integrated Justice Information System to facilitate records management and allow agencies to share information and obtain citation data in real-time.**
- Prioritize the four remaining land-based Tribes, which do not receive grant funds, to see if there are additional ways to provide resources and support (other than mini-grants) to curtail Native American impaired driving and seat belt non-compliance.
- **Assure there are an adequate number of Law Enforcement Liaisons to be able to effectively cover the entire State.**
- Require all Law Enforcement Liaison(s) to attend *Traffic Occupant Protection Strategies* and/or the *National Standardized Child Passenger Safety Technician Training* to better promote occupant protection enforcement.
- Encourage more law enforcement officers to attain and retain Certified Child Passenger Safety Technician certifications.

## 4. COMMUNICATION

### GUIDELINE:

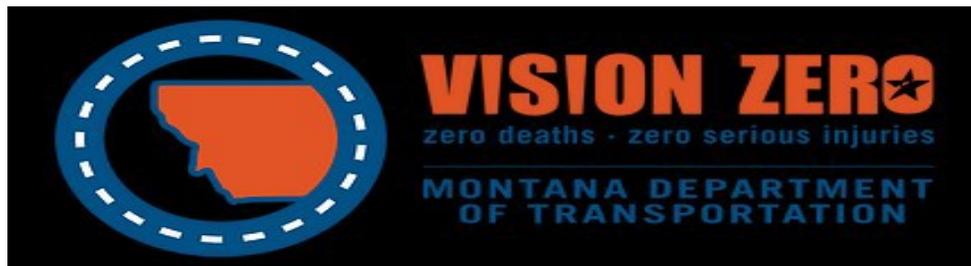
*As part of each State's communication program, the State should enlist the support of a variety of media, including mass media, to improve public awareness and knowledge and to support enforcement efforts to about seat belts, air bags, and child safety seats. To sustain or increase rates of seat belt and child safety seat use, a well-organized effectively managed communication program should:*

- *Identify specific audiences (e.g., low belt use, high-risk motorists) and develop messages appropriate for these audiences;*
- *Address the enforcement of the State's seat belt and child passenger safety laws; the safety benefits of regular, correct seat belt (both manual and automatic) and child safety seat use; and the additional protection provided by air bags;*
- *Continue programs and activities to increase the use of booster seats by children who have outgrown their toddler seats but who are still too small to safely use the adult seat belts;*
- *Capitalize on special events, such as nationally recognized safety and injury prevention weeks and local enforcement campaigns;*
- *Provide materials and media campaigns in more than one language as necessary;*
- *Use national themes and materials;*
- *Participate in national programs to increase seat belt and child safety seat use and use law enforcement as the State's contribution to obtaining national public awareness through concentrated, simultaneous activity;*
- *Utilize paid media, as appropriate;*
- *Publicize seat belt use surveys and other relevant statistics;*
- *Encourage news media to report seat belt use and non-use in motor vehicle crashes;*
- *Involve media representatives in planning and disseminating communication campaigns;*
- *Encourage private sector groups to incorporate seat belt use messages into their media campaigns;*
- *Utilize and involve all media outlets: television, radio, print, signs, billboards, theaters, sports events, health fairs;*
- *Evaluate all communication campaign efforts.*

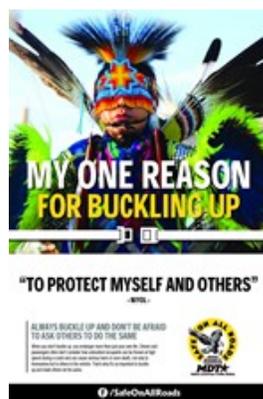
### 4A. STRENGTHS

- The State Highway Traffic Safety Section (SHTSS) retains the services of an experienced media contractor who:
  - Creates advertising spots,
  - Places ad buys on radio and TV outlets as well as digital and online channels,
  - Provides news releases and messaging for earned media efforts during the national mobilizations, and,
  - Provides direct marketing for the *Safe On All Roads* (SOAR) and Child Passenger Safety (CPS) campaigns.

- The SHTSS has a strong working partnership with other sections of the Montana Department of Transportation (MDT).
- Paid media is used with strategic placement of campaign advertisements on television, web-based and social media platforms, radio, print, and outdoor boards with evaluation of media buys using reach and frequency and the number of impressions.
- The MDT and SHTSS has adopted the goal of zero fatalities and has branded traffic safety campaigns with the *Vision Zero* slogan and market this on materials distributed from the SHTSS.



- The media contractor conducts evaluation of the marketing campaigns used throughout the State.
- The SHTSS provides funding for the SOAR program which reaches out to all seven of Montana’s land-based Tribes in the State.
- The SHTSS, the media contractor, and the SHTSS sub-recipients encourage news media within the State to report seat belt use and non-use in motor vehicle crashes.
- The SHTSS sponsors a yearly meeting for traffic safety advocates and sub-recipients to meet and receive information and education.
- The SHTSS SOAR “*My One Reason*” campaign successfully reached Native American Youth as indicated in their evaluation.



- The “*Dad and the Daughter*” video campaign successfully reached audiences across the State, as evidenced by the *State Attitudes and Awareness Survey*. Ninety-eight percent of respondents said the video increased their desire and willingness to always use a seat belt.
- Law enforcement agencies participate in the national *Click it or Ticket* mobilization, which was supported by state and local earned media efforts, and paid advertising.
- The MDT uses variable message boards for traffic safety messages.

#### **4B. CHALLENGES**

- Montana is the fourth largest state in the United States and covers approximately 147,000 square miles.
- 184 fatalities occurred in 2019, of which 74 vehicle occupants (56 percent) were recorded as unrestrained.
- Native Americans make up approximately seven percent of Montana’s population, and are overrepresented by comprising 15 percent to 22 percent of all traffic fatalities in the last ten years.
- The SHTSS information and resources are difficult to find on the MDT website. The MDT has not regularly provided analytics to understand if and who in Montana are visiting and using the resources within the SHTSS webpages.
- There are several competing websites and social media sites providing resources and traffic safety information making it difficult for the public to locate answers or seek resources to traffic safety questions.
- The traffic safety advocates are not fully apprised of the State observational survey results.
- Although the public has voiced that they are attentive to variable message boards, the MDT limits the behavioral messages.
- Current media/messaging developed by the SHTSS delivers a softer social norming message which has shown by itself to be beneficial, but without an enforcement message may prove to be ineffective at reaching the remaining population of unrestrained motorists.

- The *State Attitudes and Awareness* survey is not being used to its full advantage. The sample size is small for a statewide survey. The scope of questions is relatively narrow, and limited to questions recommended by the Governors Highway Safety Association. Additional state-specific data on support for legislation, awareness of and opinions on the current secondary seat belt and child restraint laws, as well as data concerning other traffic safety issues of interest to the State are not collected.

#### 4C. RECOMMENDATIONS

- **The State Highway Traffic Safety Section should form a working group to:**
  - **Review webpages on the Montana Department of Transportation website to consolidate and combine information for easier access by the public.**
  - **Review all sub-recipients' and traffic safety advocate websites and social media sites and select sites to include links on the State Highway Traffic Safety Section's webpages.**
  - **Develop a schedule to provide messaging to social media (Facebook, Twitter, Instagram, snapchat) for the Montana Department of Transportation and partners so information is updated and current.**
  - **Add materials and resources for placement and download by public and traffic safety advocates.**
  - **Work towards providing a "one stop shop" for the public, traffic safety advocates, media, and law enforcement to access all things traffic safety in Montana in one location.**
- Request additional variable sign messaging during months with high volumes of traffic.
- Expand the *State Attitudes and Awareness Survey* currently being conducted by the media contractor to include a wider range of questions on occupant protection. Enlarge the sample size to a sufficient level for demographic analysis of results.
- Request from the Montana Department of Transportation monthly analytics on visitor use of the current website pages to determine what resources and information are being requested by the public.
- **Publish and share with traffic safety advocates and sub-recipients the data and information provided in your statewide observational surveys and crash data. Include relevant information and crash data specific to local communities in a usable format for circulation on media platforms.**
- As the seat belt rate approaches 90 percent, consideration needs to be given to delivering strong enforcement messaging to motivate the last ten percent to buckle up.
- **When delivering messaging, including media advertising, direct the public to one central location to review, download or seek additional information and resources. This could be an updated State Highway Traffic Safety Section website.**

## 5. OCCUPANT PROTECTION FOR CHILDREN

### GUIDELINE:

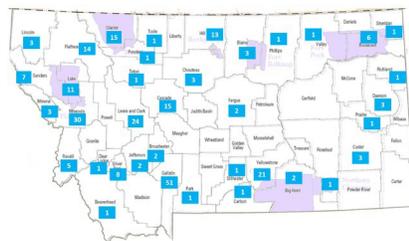
*Each State should enact occupant protection laws that require the correct restraint of all children, in all seating positions and in every vehicle. Regulations and policies should exist that provide clear guidance to the motoring public concerning occupant protection for children. Each State should require that children birth to 16 years old (or the State's driving age) be properly restrained in the appropriate child restraint system or seat belt. Gaps in State child passenger safety and seat belt laws should be closed to ensure that all children are covered in all seating positions, with requirements for age-appropriate child restraint use. Key provisions of the law should include: driver responsibility for ensuring that children are properly restrained; proper restraint of children under 13 years of age in the rear seat (unless all available rear seats are occupied by younger children); a ban of passengers from the cargo areas of light trucks; and a limit on the number of passengers based on the number of available seat belts in the vehicle. To achieve these objectives, State occupant protection programs for children should:*

- *Collect and analyze key data elements in order to evaluate the program progress;*
- *Assure that adequate and accurate training is provided to the professionals who deliver and enforce the occupant protection programs for parents and caregivers;*
- *Assure that the capability exists to train and retain nationally certified child passenger safety technicians to address attrition of trainers or changing public demographics;*
- *Promote the use of child restraints and assure that a plan has been developed to provide an adequate number of inspection stations and clinics, which meet minimum quality criteria;*
- *Maintain a strong law enforcement program that includes vigorous enforcement of the child occupant protection laws;*
- *Enlist the support of the media to increase public awareness about child occupant protection laws and the use of child restraints. Strong efforts should be made to reach underserved populations;*
- *Assure that the child occupant protection programs at the local level are periodically assessed and that programs are designed to meet the unique demographic needs of the community;*
- *Establish the infrastructure to systematically coordinate the array of child occupant protection program components;*
- *Encourage law enforcement participation in the National Child Passenger Safety Certification (basic and in-service) training for law enforcement officers.*

### 5A. STRENGTHS

- Montana has a Child Passenger Safety (CPS) Law, Montana Code Annotated §61-9-421, that addresses children from birth to age six as a primary violation. The fine for failure to use a restraint according to manufacturer instruction is punishable by a \$100.00 fine.

- Montana’s Child Passenger Safety (CPS) program is housed within the Montana Department of Transportation (MDT) in the State Highway Traffic Safety Section (SHTSS). The CPS Program is managed by a full-time employee of the MDT as part of her duties as a highway safety planner. She serves as the CPS program coordinator. The program is active throughout the State and throughout the year. The Tri County Buckle Up Montana (BUMT) Program part-time coordinator serves as the Montana CPS Program co-coordinator, and it is approximately 25% of her role.
- The State CPS program has strong support from many credible partners such as the Montana Highway Patrol, Helena School District, AAA, State Farm, Safe Kids Montana, and others.
- Occupant Protection mini-grants are available for CPS programs. Applications are web-based, are easy to access, and are comprehensive. Applications for existing and/or innovative programs and initiatives are accepted and reviewed throughout the year.
- Four BUMT programs are grassroot OP coalitions; each program includes a CPS component and are located in Flathead, Missoula, Cascade County, and Tri-County. Each of the four have a designated CPS coordinator.
- The *Safe On All Roads* (SOAR) initiative increases awareness of the importance of securing children in child restraint systems and seat belts on the seven land-based Tribes. All SOAR coordinators are required to become Child Passenger Safety Technicians (CPST).
- Montana has 241 individuals who hold current certifications as CPSTs, and an additional 19 that are currently certified CPST Instructors. One CPST is currently authorized to be an Instructor Candidate, eight certified individuals have also completed specialized technical training in *Safe Travel for All Children: Transporting Children with Special Healthcare Needs*, and three CPSTs are authorized to serve as Technician Proxies by Safe Kids Worldwide to assist with child restraint installation verifications for recertification purposes.

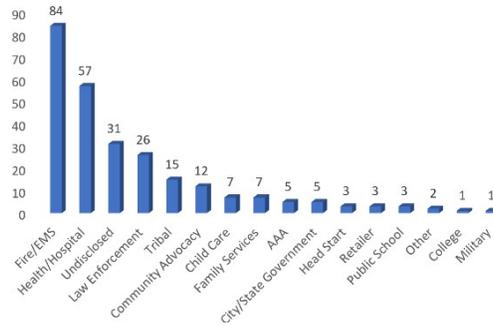


Certified CPS Technicians in MT

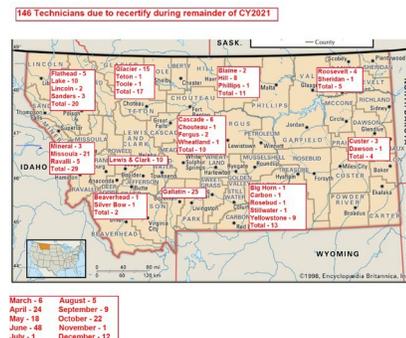
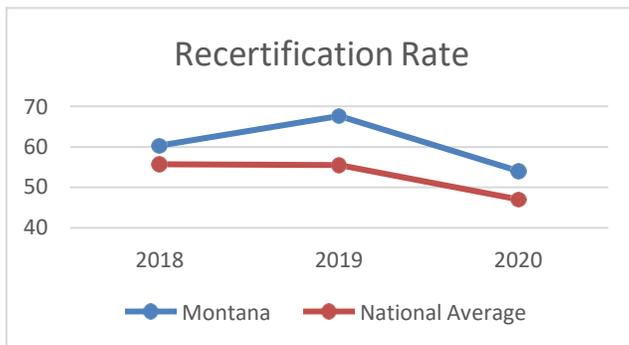


Certified CPS Instructors in MT

- The CPSTs are from a variety of agency types and locations.

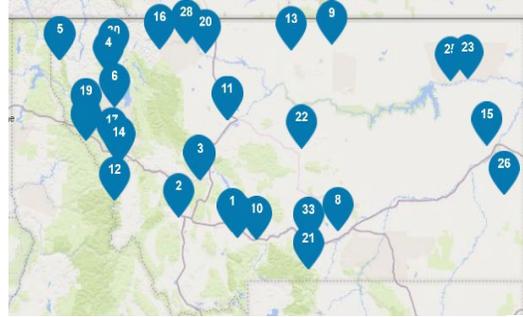


- Twelve of the 19 instructors are authorized by Safe Kids Worldwide to be Lead Instructors.
- The recertification rates for CPSTs have remained above the national average for the past three years. To assist with planning locations of the continuing education workshops a logistical map has been developed by the CPS Coordinator.



- Three training trailers are available in the State for instructors to be able to teach the *National Standardized Child Passenger Safety Technician Training* courses. The courses are taught over a four full day timeframe utilizing the recommended training agenda in the standardized curriculum. The trailers are stocked with child restraint systems and other equipment needed to be utilized during the courses.
- The Montana CPS Program offers one statewide CPS Continuing Education Workshop each year. Additionally, several smaller ones are conducted in person in other areas of Montana. Travel stipends are available to those traveling from 50 miles or more from the workshop location.

- There are currently 33 Fitting Stations in Montana that are dispersed throughout the State and within diverse agencies. All of the fitting stations are supported by Montana CPS Program with printed materials, child restraint systems, and other supplies. Some offer individually developed community education to local hospitals, schools, child care centers, and groups in addition to individualized assistance with correct installation and use education.



- In Federal Fiscal Year (FFY) 2020, 40 fitting stations distributed almost 350 child restraint systems and inspected nearly 700.
- The MDT hosts a website with CPS information for residents and visitors of Montana. There are numerous credible links, videos, and printable materials. All of the information reflects current best practice recommendations by the National Highway Traffic Safety Administration (NHTSA), the American Academy of Pediatrics (AAP), and Safe Kids Worldwide.
- All fitting stations that receive child restraint systems from BUMT are required to submit quarterly reports that include activities and inspection data to the SHTSS. The data are analyzed by the State program coordinator.
- Three of the permanent fitting stations are located within Montana’s land-based Tribes: Blackfeet Indian Reservation, Fort Belknap Indian Reservation, Fort Peck Indian Reservation. All three locations are staffed with certified CPSTs that are Native American.
- A survey of all CPSTs was conducted in September 2019. The SHTSS received responses from 113 CPSTs to many of the 14 questions. The responses were reviewed by Montana CPS Program staff and used in planning and improvement of the statewide CPS program.

## 5B. CHALLENGES

- Montana’s Child Passenger Safety (CPS) law addresses children only up to age six who weigh less than 60 pounds. There are exemptions and omissions that are not aligned with the NHTSA’s best practice recommendations.
- The CPS program coordinator is one employee of the MDT who has multiple programs to coordinate. She is assisted by a part-time co-coordinator who appears to not have ample time to devote to CPS projects.

- Montana is largely rural with vast distances between communities. This makes it difficult to recruit and mentor new CPSTs, technician proxies, and instructor candidates statewide.
- No quality assurance measures have been set in place for assessing fitting station effectiveness and assurance that only the most current information is being disseminated.
- A violation of the seat belt law is \$20. No court costs are added to the fine. The fine is substantially lower than most seat belt laws in the country and may be contributing to the continued apathy of the remaining approximately ten percent of Montana residents that are not buckling up. In addition, there is no provision for escalating penalties for subsequent violations of the seat belt law and no points are assessed on the driver record. Finally, a driver that allows multiple passengers to ride unbuckled is only at risk of getting one seat belt violation despite all passengers in the vehicle being unbuckled.
- There are no educational components available that address the cost of injuries to adults and children. The State is not estimating cost of injuries and crashes specific to Montana. Trauma data is available but not fully employed as a resource currently, as this component of the seat belt coalition has recently diminished in function. Reliance on national injury cost calculations is less effective in efforts to influence legislation, elicit corporate support for OP initiatives, or get the full attention of the public.
- There have been no observational studies solicited by the SHTSS regarding use/non-use of child restraint systems.
- There have been no surveys conducted of the public's understanding of the CPS laws and best practice recommendations.
- There is evidence that very minimal education regarding the CPS law is currently provided in the law enforcement academy. Law enforcement agencies appear to focus CPS enforcement to children who are unrestrained.
- There were no data available regarding the number of child restraint citations issued by law enforcement other than *Click It or Ticket* by Montana Highway Patrol. No evidence was presented to the assessment panel that officers from other agencies are issuing citations for child restraint violations.
- There is no central repository to compile all citations electronically. Very few agencies are using E-citations. The assessment panel was informed that it is not possible to easily obtain data from all law enforcement agencies, or even a majority of them. The SHTSS cannot access and analyze this data to better understand their local population and law enforcement agencies' needs for clarification, education, and willingness to enforce the CPS laws.

- There are several counties where there is only one CPST surrounded by counties with none. In the survey conducted with CPSTs, over 10 percent of respondents indicated that they did not know any other technicians, felt isolated, or chose to work alone.
- It is unclear if birthing hospitals are using the *American Academy of Pediatrics Newborn Discharge Policies*, have created their own, or have none. Evidence was presented to the assessment panel that child restraint tolerance testing may or may not be done in accordance with the AAP policies regarding premature and low birth weight babies.
- Although there is evidence that CPS educational presentations have been developed by individuals on a local level, there does not appear to be State-standardized presentations and programs provided statewide for expectant parents, school transportation, schools (both teachers and students), social services, EMS, childcare centers, or other agencies that interact with and/or transport children.

## 5C. RECOMMENDATIONS

- Enhance the Child Passenger Safety law to include mandated appropriate child restraint systems for children. A well-crafted Child Passenger Safety law should include the following elements:
  - Children should be correctly restrained in a child restraint system appropriate for their age, weight, and height until age 13.
  - Children should remain in rear-facing child restraints, used according to manufacturer instructions, for as long as possible and to the uppermost weight and height limit of the child restraint but to a minimum of age two.
  - Children should remain in child restraint systems with a harness and used according to manufacturer instructions, for as long as possible.
  - Children should remain in a booster seat or child restraint system until they are tall enough to fit into vehicle seat belt systems according to vehicle manufacturer instructions.
  - Children should be correctly restrained in appropriate child restraint systems in the rear seat of vehicles until age 13 if possible.
  - The number of child passengers should be limited to the number of seating positions with available seat belts.
  - Children should be prohibited from riding in the cargo area of pickup trucks.
  - No exemption for trucks or vans that exceed 6,500 pounds gross vehicle weight.
  - No exemptions for vehicles owned by childcare providers, school systems, churches, and private busses.
  - No exemptions for rideshare vehicles, including taxis and all other passenger vehicles for hire.
- **Add or contract a dedicated Child Passenger Safety Co-Coordinator or Training Coordinator within the State Highway Traffic Safety Section for all child passenger safety related work.**

- Pursue opportunities to pass a primary enforcement adult seat belt law. Having a secondary enforcement law lessens the importance of buckling up to children as they grow and become older. Numerous national studies have shown that unbuckled parents and older occupants in the car increases the incidence of children not buckling up.
- **Conduct a statewide observational survey, including various geographic and demographic locations, to assess a realistic status of the rate of child restraint use for children 12 and younger.**
- **Survey the public about their understanding of the Child Passenger Safety laws and best practice recommendations.**
- Implement a mentoring program to help new and current Child Passenger Safety Technicians gain experience and network with trained peers.
- Implement quality assurance measures to assure all State supported fitting stations meet a minimum State-established standard.
- **Develop a menu of State standardized abbreviated curricula that Child Passenger Safety Technicians can access and teach to law enforcement, expectant parents, hospital staff, physicians' offices, social services, foster care, elementary schools, parent/teacher groups, etc.**
- Survey all Montana hospitals for information about their discharge policies for newborns, neonatal critical care units, emergency departments and pediatric units. Assess the need for developing a toolkit for qualified Child Passenger Safety Technicians to be able to assist with updating the policies or to identify a group that would be qualified to consult with the hospital pediatric policy teams.

## 6. 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. To encourage statewide and community involvement, States should:*

- *Establish a coalition or task force of individuals and organizations to actively promote use of occupant protection systems;*
- *Create an effective communications network among coalition members to keep members informed about issues;*
- *Provide culturally relevant materials and resources necessary to conduct occupant protection education programs, especially directed toward young people, in local settings;*
- *Provide materials and resources necessary to conduct occupant protection education programs, especially directed toward specific cultural or otherwise diverse populations represented in the State and in its political subdivisions.*

*States should undertake a variety of outreach programs to achieve statewide and community involvement in occupant protection education, as described below. Programs should include outreach to diverse populations, health and medical communities, schools, and employers.*

#### **a. Diverse Populations**

*Each State should work closely with individuals and organizations that represent the various ethnic and cultural populations reflected in State demographics. Individuals from these groups might not be reached through traditional communication markets. Community leaders and representatives from the various ethnic and cultural groups and organizations will help States to increase the use of child safety seats and seat belts. The State should:*

- *Evaluate the need for, and provide, if necessary, materials and resources in multiple languages;*
- *Collect and analyze data on fatalities and injuries in diverse communities;*
- *Ensure representation of diverse groups on State occupant protection coalitions and other work groups;*
- *Provide guidance to grantees on conducting outreach in diverse communities;*
- *Utilize leaders from diverse communities as spokespeople to promote seat belt use and child safety seat;*
- *Conduct outreach efforts to diverse organizations and populations during law enforcement mobilization periods.*

### **b. Health and Medical Communities**

*Each State should integrate occupant protection into health programs. The failure of drivers and passengers to use occupant protection systems is a major public health problem that must be recognized by the medical and health care communities. The SHSO, the State Health Department and other State or local medical organizations should collaborate in developing programs that:*

- *Integrate occupant protection into professional health training curricula and comprehensive public health planning;*
- *Promote occupant protection systems as a health promotion/injury prevention measure;*
- *Require public health and medical personnel to use available motor vehicle occupant protection systems during work hours;*
- *Provide technical assistance and education about the importance of motor vehicle occupant protection to primary caregivers (e.g., doctors, nurses, clinic staff);*
- *Include questions about seat belt use in health risk appraisals;*
- *Utilize health care providers as visible public spokespeople for seat belt and child safety seat use;*
- *Provide information about the availability of child safety seats at, and integrate child safety seat inspections into, maternity hospitals and other prenatal and natal care centers;*
- *Collect, analyze, and publicize data on additional injuries and medical expenses resulting from non-use of occupant protection devices.*

### **c. Schools**

*Each State should encourage local school boards and educators to incorporate occupant protection education into school curricula. The SHSO in cooperation with the State Department of Education should:*

- *Ensure that highway safety and traffic-related injury control, in general, and occupant protection, in particular, are included in the State-approved K-12 health and safety education curricula and textbooks;*
- *Establish and enforce written policies requiring that school employees use seat belts when operating a motor vehicle on the job; and*
- *Encourage active promotion of regular seat belt use through classroom and extracurricular activities as well as in school-based health clinics; and*
- *Work with School Resource Officers (SROs) to promote seat belt use among high school students;*
- *Establish and enforce written school policies that require students driving to and from school to wear seat belts. Violation of these policies should result in revocation of parking or other campus privileges for a stated period of time.*

#### ***d. Employers***

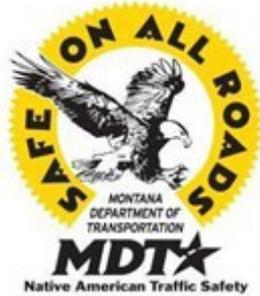
*Each State and local subdivision should encourage all employers to require seat belt use on the job as a condition of employment. Private sector employers should follow the lead of Federal and State government employers and comply with Executive Order 13043, “Increasing Seat Belt Use in the United States” as well as all applicable Federal Motor Carrier Safety Administration (FMCSA) Regulations or Occupational Safety and Health Administration (OSHA) regulations requiring private business employees to use seat belts on the job. All employers should:*

- *Establish and enforce a seat belt use policy with sanctions for non-use;*
- *Conduct occupant protection education programs for employees on their seat belt use policies and the safety benefits of motor vehicle occupant protection devices.*

#### **6A. STRENGTHS**

- The State Highway Traffic Safety Section (SHTSS) retains the services of an experienced media contractor who:
  - Creates advertising spots and messaging which resonate with Montanans including their diverse communities.
  - Places ad buys on radio and TV outlets throughout the year as well as using digital and online channels.
  - Provides news releases and messaging for earned media efforts including templates for sub-recipients to use.
  - Brings messaging to community sporting events.
- The Montana Highway Patrol and local law enforcement are partners in outreach, supporting traffic safety programs and advocates around the State.
- The SHTSS hosts a yearly meeting to present information to current and potential sub-recipients from across the State regarding upcoming requirements and processes.
- The SHTSS has a Law Enforcement Liaison (LEL) program which is in touch with the needs of law enforcement and passes valuable information and resources to law enforcement agencies around the State.
- The SHTSS supports four active Buckle Up Montana (BUMT) Coalitions around the State.
  - Cascade County
  - Flathead County
  - Missoula County
  - Tri-County (Lewis & Clark, Broadwater, and Jefferson)
- The SHTSS supports the *Safe On All Roads* (SOAR) program consisting of seven coordinators assigned to all the land-based Tribes around the State.

- BUMT coalitions and seven SOAR coordinators work with area schools providing traffic safety education for driver education programs.



- For the past five years the Montana Department of Transportation (MDT) and SHTSS partnered with Family, Career and Community Leaders of America (FCCLA) and driver education programs to promote teen traffic safety.
- The FCCLA groups are offered grant funding to implement a traffic safety campaign in their schools.
- During Fiscal Financial Year 2019, BUMT Coalitions participated in several activities to educate the public on the importance and benefits of using a seat belt and properly restraining children in car seats.
  - Saved by the Belt Awards.
  - Respect the Cage.
  - Rollover Simulator.



- The Department of Justice supports a robust *Arrive Alive @25* program around the State.
- The Child Passenger Safety (CPS) Coordinator and instructors distributed a monthly newsletter for technicians providing resources and up-to-date information.

- The MDT publishes a *Newsline* newsletter for their stakeholders four times a year and includes the SHTSS events and messaging.



- The MDT and local coalitions have a variety of community leaders, organizations, law enforcement, and stakeholders on their strategic planning committees and as coalition partners.
- Materials and resources are provided to numerous organizations including schools, hospitals, and pediatric offices throughout the State.
- There are many Facebook and website locations available for traffic safety resources.
- Materials including educational brochures, posters, and handouts are distributed and produced by various BUMT Coalitions and organizations around the State.
- BUMT Coalitions have partnered with the medical and Emergency Medical Services (EMS) communities as well as diverse populations in their counties.

## **6B. CHALLENGES**

- The MDT planning groups and local coalitions contain few partners from the media and education communities.
- Montana is the fourth largest state in the United States and covers approximately 147,000 square miles.
- The SHTSS has only four active Buckle Up Montana Coalitions serving the western part of the State.
- Although there are several educational programs (FCCLA, Respect the Cage, Rollover Simulator) there is not an effective evaluation performed on the success of these programs or of the work being done by the Buckle Up Montana Coalitions.
- While there are educational programs and materials distributed and executed throughout the Buckle Up Montana Coalition counties and the seven SOAR Coordinators on Montana's land-based Tribes, the programs are not standardized or consistent across the State or locations.
- There is not a uniform effort to work with the State's employers to promote seat belt use and traffic safety issues.

## 6C. RECOMMENDATIONS

- **Expand the number of Buckle Up Montana Coalitions to include the eastern area of the State.**
- Work with Buckle Up Montana Coalitions, *Safe On All Roads* coordinators, Child Passenger Safety technicians and instructors, and law enforcement to develop and promote standardized and comprehensive programs and resources that target grade school and high school students, colleges, and universities, and all identified low belt use populations. Ensure the programs include:
  - Implementation instructions to ensure the programs are developed effectively.
  - Peer-to-peer education and/or mentor programs to reach younger audiences.
  - Program evaluation tools.
  - Efforts to obtain earned media through State and local outlets.
  - Seat belt use policies that include penalties for violating the policy.
- Expand business outreach by supporting a more comprehensive employee program, which might include:
  - E-newsletter.
  - Sample seat belt policies and guidelines for reducing motor vehicle crashes.
  - Costs and injury data that supports the use of seat belts.
  - Award programs for employers that reach a 90 percent seat belt use rate among employees.
- **Increase the number of standardized resources (e.g., online, downloadable materials, video, brochures, infographics, banners, posters, etc.) including Child Passenger Safety information and seat check locations. Place online in one location so the public, sub-recipients, media, law enforcement can readily locate and obtain the information.**

## 7. DATA AND EVALUATION

### GUIDELINE:

*Each State should access and analyze reliable data sources for problem identification and program planning. Each State should conduct several different types of evaluation to effectively measure progress and to plan and implement new program strategies. Program management should:*

- *Conduct and publicize at least one statewide observational survey of seat belt and child safety seat use annually, making every effort to ensure that it meets current, applicable Federal guidelines;*
- *Maintain trend data on child safety seat use, seat belt use and air bag deployment in fatal crashes;*
- *Identify high-risk populations through observational usage surveys and crash statistics;*
- *Conduct and publicize statewide surveys of public knowledge and attitudes about occupant protection laws and systems;*
- *Obtain monthly or quarterly data from law enforcement agencies on the number of seat belt and child passenger safety citations and convictions;*
- *Evaluate the use of program resources and the effectiveness of existing general communication as well as special/high-risk population education programs;*
- *Obtain data on morbidity, as well as the estimated cost of crashes, and determine the relation of injury to seat belt use and non-use;*
- *Ensure that evaluation results are an integral part of new program planning and problem identification.*

### 7A. STRENGTHS

- The State Highway Traffic Safety Section (SHTSS) of the Montana Department of Transportation (MDT) has an online crash database that is accessible to the public. The online tool enables users to access crash frequency data statewide and by county, city, and reservation. A user-friendly spreadsheet provides inquirers with occupant restraint use or non-use by crash severity for 26 different variable descriptors. This exceptionally valuable tool, according to SHTSS, is frequently used by traffic safety partners who are well-versed in its applications for problem identification and evaluation of program efforts.
- Data is the backbone of the occupant protection (OP) program and is relied upon in the problem identification, project selection, and monitoring phases of the OP program. There is good alignment between the Comprehensive Highway Safety Plan (CHSP) and Montana's Highway Safety Plan (HSP), specifically with regard to OP data. These data are shared in meetings and made accessible online with stakeholders, emphasis area team members, and collaborators.

- Montana’s SHTSS conducts a *State Attitudes and Awareness* survey to gauge effectiveness of statewide mobilization efforts. The most recent survey, conducted in September 2020, garnered 195 respondents, ranging from 18 to 49 years of age. The online survey, though relatively small in sample size, provides useful periodic tracking of message recognition, changes in self-reported behavior, perceptions of enforcement, sources of information, and attitudes toward traffic safety. Additionally, the SHTSS tracks teen self-reported seat belt use through a bi-annual Youth Risk Behavior Survey.
- Montana’s SHTSS encourages OP grant sub-recipients to conduct evaluation studies to measure their program effectiveness, including observational surveys of seat belt use. Quarterly citation data is used as a performance metric, and is obtained from law enforcement agencies who participate in the Montana traffic safety program.
- The SHTSS leadership is involved in the Federal Highway Administration’s Safety Culture pooled fund program. Several pooled fund studies have been either conducted in Montana or are directly relevant to the Montana safety culture environment. The SHTSS has capitalized on these resources and incorporated findings from this research to facilitate OP program planning.
- Fatality crash data was reported to be reliable and complete with regard to fields of occupant restraint use and airbag deployment for adults and children. Child restraint use is recorded by age breakdowns of 0-4 years, 5-9 years, and 10-13 years for all crash-involved children. Child restraint use can be further classified as forward-facing, rear-facing, or booster seat.
- Montana elected to conduct a 2020 observational survey of statewide seat belt use, although it was optional. The decision to carry out this survey is indicative of the genuine interest in continuous monitoring of progress toward zero deaths and injuries on Montana roadways.

## **7B. CHALLENGES**

- The State is not estimating cost of injuries and crashes specific to Montana. Trauma data is available but not fully employed as a resource currently, as this component of the seat belt coalition has recently diminished in function. Reliance on national injury cost calculations is less effective in efforts to influence legislation, elicit corporate support for OP initiatives, or get the full attention of the public.
- Just over ten percent of Montanans are not buckling up according to the most recent (2020) observational survey, and on average, over half of those involved in fatal crashes are not restrained. The challenge for the SHTSS is to determine from available data who and where non-compliant motor vehicle occupants are. However, the statewide observational survey is limited to percent use by road type. This does not give the SHTSS office enough data to implement a program that strategically addresses the non-user groups of the population at large.

- The statewide observational survey is conducted by the SHTSS and MDT staff. Survey sample design, surveyor training, quality assurance, and survey verification are developed and carried out with in-house staff or grant sub-recipients. A benefit to this approach is cost-efficiency and consistency. Furthermore, using MDT/SHTSS staff for each phase of survey design and administration *is* allowable. However, the veracity of the data can be called into question when the administrators of a program are also the evaluators. With regard to the Montana statewide observational seat belt survey, the use of program planners to train surveyors as well as verify results, and the use of sub-recipients with no National Highway Traffic Safety Administration (NHTSA) approved survey training to perform quality assurance monitoring, is an invitation to reproach by data purists.
- Montana does not conduct an observational child restraint use survey. Child passenger safety programming is currently without benefit of use, non-use, and misuse information throughout the State.
- Electronic crash reporting is challenged by the absence of a single online reporting system. The Montana Highway Patrol (MHP) has fully implemented electronic crash reporting. Major cities in Montana have also implemented electronic crash reporting but use different software. Smaller jurisdictions input data from paper reports. Crashes are entered manually twice. The incompatible reporting systems result in a non-comprehensive Montana crash picture that is slow and cumbersome and does not afford the State the ability to collect, analyze, and use timely data.
- There is no uniform E-citation system. The number of law enforcement agencies issuing E-citations is very low.
- Conviction rates are not available to law enforcement or the State Highway Traffic Safety Section. Without conviction data, an assessment of citations as an effective deterrent is difficult.
- Measures of program effectiveness are not obtained for all programs. Several sub-recipients conduct observational surveys to measure effectiveness. Other evaluations are more anecdotal than data-based. At the project level, the evaluation portion of the grant cycle appears to lean toward administrative performance, and outcome metrics were rarely mentioned.
- The *State Attitudes and Awareness* survey is not being used to its full advantage. The sample size is small for a statewide survey. The scope of questions is relatively narrow and limited to questions recommended by the Governors Highway Safety Association. Additional state-specific data on support for legislation, awareness of and opinions on the current secondary seat belt and child restraint laws, as well as data concerning other traffic safety issues of interest to the State are not collected.

- County and statewide crash data provided online by the SHTSS is underutilized by stakeholders, advocates, and sub-recipients. Some evidence was provided that some groups rely heavily on this tool for problem identification, while others seemed either unfamiliar with the interactive spreadsheet or dependent on others for summary reports instead of generating data firsthand.
- The motivation and professionalism of Montana’s traffic safety sub-recipients and traffic safety partners is undeniable. There is a need to arm them with more information about where to get data, how to use it effectively, and how to measure and report their own impacts on occupant protection.

## 7C. RECOMMENDATIONS

- Use Montana trauma data to estimate the cost of unbelted fatalities and serious injuries to the citizens of Montana. Use this data to support strengthening restraint laws and to inform Montanans of the economic costs borne by them from lack of a primary seat belt law.
- Expand the *State Attitudes and Awareness Survey* currently being conducted by the media contractor to include a wider range of questions on occupant protection. Enlarge the sample size to a sufficient level for demographic analysis of results.
- **Continue the quest for a uniform electronic crash reporting system that will afford the State Highway Traffic Safety Section and all its stakeholders and partners the ability to receive timely and consistent data regarding crashes, injuries, and contributing factors.**
- **Take advantage of the next re-sampling requirement to design and implement an impeccable statewide observational seat belt use survey that is reviewed and verified each year by a survey statistician. The survey statistician can also assist in ascertaining the extent that increases or decreases in use rates are potentially attributable to sampling factors. Contract the survey to an outside agency to enable observers to collect data at all the sites within a short timeframe, and to task quality assurance to an independent entity.**
- **Take advantage of the next re-sampling requirement to build more variables into the survey to capture a few details on user and non-user populations. Experienced and well-trained observers can proficiently differentiate drivers from passengers, pickup trucks from passenger cars, and usually male and female occupants.**
- Add a child restraint survey to Montana’s sources for occupant restraint data. A child restraint survey can significantly bolster the State’s child occupant protection program by providing baseline restraint use data and changes over time, both of which are necessary for problem identification and program evaluation efforts.

- Amplify the *Vision Zero* message with a data emphasis. Highlight successful projects by emphasizing an increase in belt use or child restraint use. Be very vocal about the 89.9 percent use rate achieved in 2020, but publicize the number of lives saved by each percentage point increase in seat belt use.
- Focus data-driven enforcement more strategically. Law enforcement reported a reliance primarily on crash data and familiarity with problem areas based on geography or events to identify areas to concentrate enforcement. Combine this information with non-restraint use, observed and in the crash data, and roadway classifications of lowest use/highest crash rates, for more effective deployment.
- Continue working toward E-citation implementation throughout Montana.
- Complete the occupant protection data base with a full picture of non-users. Consider, as resources allow, a nighttime observational survey, focus groups of resistant non-users, a survey in multiple areas across the State of teen belt use, and a survey to benchmark occupant restraint use on all seven of Montana's land-based Tribes.

# ASSESSMENT AGENDA

## 2021 Montana Virtual Occupant Protection Assessment

**Monday, May 10, 2021**

**9:30 am – 10:45 am (Eastern)**

**7:30 am – 8:45 am (Mountain) – Interview 1**

**Program Management**

David Jacobs	Grants Bureau Chief, MT DOT
Janet Kenny	State Highway Traffic Safety Section Supervisor, MT DOT
Pam Langve-Davis	Transportation Safety Planner, MT DOT
Bill Tuck	Grants Accountant, MT DOT
Erin Root	Occupant Protection Program Planner, MT DOT

***10:45 am – 11:05 am (Eastern) / 8:45 am – 9:05 am (Mountain) - Break***

**11:05 am – 12:10 pm (Eastern)**

**9:05 am – 10:10 am (Mountain) – Interview II**

**Legislation, Regulation, and Policy**

Jessie Luther	Attorney/Lobbyist, Taylor Luther Group
Janet Kenny	State Highway Traffic Safety Section Supervisor, MT DOT
Erin Root	Occupant Protection Program Planner, MT DOT

***12:10 pm – 1:10 pm (Eastern) / 10:10 am – 11:10 am (Mountain)– Lunch***

**1:10 pm – 2:20 pm (Eastern)**

**11:10 am – 12:20 pm (Mountain) – Interview III**

**Data and Evaluation**

Patricia Burke	Traffic Safety Engineer, MT DOT
Mark Keeffe	Transportation Planner / Operations Research Analyst, MT DOT
Janet Kenny	State Highway Traffic Safety Section Supervisor, MT DOT
Erin Root	Occupant Protection Program Planner, MT DOT

**2:20 pm – 2:35 pm (Eastern)**

**12:20 pm – 12:35 pm (Mountain) – Interview IV**

**Debrief / Questions from the Day**

Janet Kenny	State Highway Traffic Safety Section Supervisor, MT DOT
Erin Root	Occupant Protection Program Planner, MT DOT

**2:35 pm – 3:25 pm (Eastern)**

**12:35 pm – 1:25 pm (Mountain) – Assessment Team Debrief by Phone**

**Tuesday, May 11, 2021**

**9:30 am – 10:55 am (Eastern)**

**7:30 am – 8:55 am (Mountain) – Interview V**

**Communications**

Johna Wilcox	Senior Account Manager, Wendt Agency
Lauren Eichenfels	Transportation Planner, MT DOT
Janet Kenny	State Highway Safety Section Supervisor, MT DOT
Pam Bennett	Senior Media Strategist, Wendt Agency

***10:55 am – 11:15 am (Eastern) / 8:55 am – 9:15 am (Mountain) – Break***

**11:15 am – 12:25 pm (Eastern)**

**9:15 am – 10:25 am (Mountain) – Interview VI**

**Outreach (1<sup>st</sup> Session)**

Tracie Kiesel	Buckle Up Montana Coordinator – TriCo, Helena School District
Wendy Olson-Hansen	Buckle Up Montana Coordinator, Flathead City-County Health Department
Steve Schmidt	Buckle Up Montana Coordinator, Missoula City-County Health Department

***12:25 pm – 1:25 pm (Eastern) / 10:25 am – 11:25 am (Mountain) – Lunch***

**1:25 pm – 2:35 pm (Eastern)**

**11:25 am – 12:35 pm (Mountain) – Interview VII**

**Enforcement (1<sup>st</sup> Session)**

Lawrence Irwin	Lieutenant, MT Highway Patrol; Assistant Operations Commander State Coordinator, LESO Program
EJ Clark	Chief of Police, LEL, City of Belgrade
Chad Newman	Transportation Planner, LEL Program, MT DOT
Patrick McLaughlin	Sergeant, MT Highway Patrol

***2:35 pm – 2:55 pm (Eastern) / 12:35 pm – 12:55 pm (Mountain) – Break***

**2:55 pm – 4:00 pm (Eastern)**

**12:55 pm – 2:00 pm (Mountain) – Interview VIII**

**Outreach (2<sup>nd</sup> Session)**

Eileen Henderson	Safe on All Roads Coordinator, Blackfeet Nation Tribal Government
Sheila Cozzie	Transportation Planner, MT DOT

**4:00 pm – 4:15 pm (Eastern)**

**2:00 pm – 2:15 pm (Mountain) – Interview IX**

**Debrief / Questions from the Day**

Janet Kenny	State Highway Traffic Safety Section Supervisor, MT DOT
Erin Root	Occupant Protection Program Planner, MT DOT

4:15 pm – 4:45 pm (*Eastern*)

2:15 pm – 2:45 pm (*Mountain*) – Assessment Team Debrief by Phone

**Wednesday, May 12, 2021**

9:30 am – 10:45 am (*Eastern*)

7:30 am – 8:45 am (*Mountain*) – Interview X

**Child Passenger Safety**

Tracie Kiesel	Buckle Up Montana Coordinator–TriCo, CPSI, Helena School District
John Spencer	Sergeant, Law Enforcement Support Office, CPSI, Montana Highway Patrol
Kira Huck	State Director, CPST, Safe Kids Montana
Erin Root	Occupant Protection Program Planner, CPST, MT DOT

10:45 am – 11:05 am (*Eastern*) / 8:45 am – 9:05 am (*Mountain*) – Break

11:05 am – 12:10 pm (*Eastern*)

9:05 am – 10:10 am (*Mountain*) – Interview XI

**Enforcement (2<sup>nd</sup> Session)**

Louis Fiddler	Police Captain, Confederated Salish and Kootenai Tribe
Sheila Cozzie	Transportation Planner, MT DOT

12:10 pm – 12:25 pm (*Eastern*)

10:10 am – 10:25 am (*Mountain*) – Interview XII

**Debrief / Questions from the Day**

Janet Kenny	State Highway Traffic Safety Section Supervisor, MT DOT
Erin Root	Occupant Protection Program Planner, MT DOT

12:25 pm – 12:55 pm (*Eastern*)

10:25 am – 10:55 pm (*Mountain*) – Assessment Team Debrief by Phone

**Thursday, May 13, 2021**

**Team Member Discussion, Deliberation and Report Preparation**

**Friday, May 14, 2021**

9:30 am – 11:00 am - Final Report Out

## ASSESSMENT TEAM CREDENTIALS

### MARIAN ADAMS

Marian Adams graduated from the Pennsylvania State Police Academy in 1986 as a Trooper. After patrol assignments she became the Federal Grants Manager in 1995. During her 11 years in this position, she managed all of Federal Funded Highway Safety grants, the Occupant Protection (Click It or Ticket/Buckle Up mobilizations), Speed Enforcement, DUI Enforcement and Construction Zone Management Programs. Later in her career, she returned to the field to supervise patrol Troopers.

In 1995, she was trained in Operation Kids, a child passenger safety course for law enforcement officers. In 1996, she implemented the PA State Police Child Passenger Safety (CPS) Program, the first for a State Police agency. In 1997, she participated in the first NHTSA Standardized Child Passenger Safety Pilot Program and in 1998, began teaching the NHTSA Standardized CPS Course, which she continues to this day.

In 2000, NHTSA asked her to implement Child Passenger Safety Fitting Stations throughout the Commonwealth, and those commenced in February 2001, during National Child Passenger Safety Week. This was the first Fitting Station Program by a large, state-wide police agency and is on-going. Marian trained thousands of individuals in child passenger safety all across Pennsylvania and the U.S. She has presented seminars at several local, state, and national conferences and she also served on the National Child Passenger Safety Board as the CPS Advocate and was the Chair of the Curriculum Resources Committee.

Marian received her Bachelor of Science degree from the Pennsylvania State University. She was awarded two Governor's Highway Safety Awards for her work in child passenger safety. Also, her Department won multiple IACP Chief's Challenge awards due to her work in organizing this document. She has received numerous certifications and recognition for her work in law enforcement. She has taught many courses including: Standardized Field Sobriety (SFST), TASER, First-Aid, CPR/AED, Aerial Reconnaissance and TRACS (software for report-writing).

After her retirement with over 26 years with the PA State Police, she worked as a college administrator for three years before becoming a Child Passenger Safety Consultant. She volunteers her time as an American Red Cross Disaster Team member, the Pennsylvania State Police museum docent, and for two Safe Kids chapters.

## **KIMBERLY CHESSER**

As the Director, Kim serves as the State's Coordinator on behalf of the Governor's Representative for the Delaware Office of Highway Safety (OHS). She is responsible for planning, organizing, and directing the operations and programs of OHS in accordance with Federal and State rules, regulations, and guidelines. Kim oversees programs and projects using a data driven and strategic approach to change driver behavior and reduce crashes on Delaware roadways, while also looking to incorporate new and innovative ideas within the office. She played an integral part in the establishment and development of the OHS electronic grants management system.

A State of Delaware Employee since 1994, Kim has a vast array of experience in management, leadership, and collaboration. During her tenure with OHS, she has held multiple positions with responsibilities including the development of the State Highway Safety Plan, and the implementation of strategies outlined in the plan and serves as a core member in the development and implementation of the state's Strategic Highway Safety Plan.

Prior to assuming the Director position, Kim served as the Deputy Director. She also served in various program management positions and directly managed the Occupant Protection, Teen Driver, Distracted Driver, Motorcycle Safety, Impaired Driver and Speed Management Programs. As such, she developed the problem identification strategies, performance measures/targets and countermeasures for various program areas. She also conducted project monitoring and evaluation of project and program activities. Kim trained technicians as a certified Child Passenger Safety Instructor. She served as the Chair of the Teen Driver Task Force and the Impaired Driving Prevention Task Force. She has worked closely with the State's Drug Evaluation and Classification Program, Drug Recognition Expert (DRE) coordinator and others to expand the DRE program in the State. Kim also provided oversight to the Traffic Safety Resource Prosecutor and oversaw DUI Treatment and Education provider activities. Kim has presented at multiple conferences about the State's DRE Program and Corporate Partner Outreach Program.

Kim also supervised the Data Analyst, Law Enforcement Liaison, Pedestrian Safety Coordinator, and Traffic Records Committee Coordinator providing oversight and direction with their programs. Kim's leadership of the Delaware Highway Safety Office has demonstrated her passion to protect all users of Delaware roadways and reduce traffic crashes, serious injuries, and fatalities.

## **VERA FULLAWAY**

### **EXPERIENCE**

Traffic Safety Education, NA, Denver, CO

Consultant: Program Development and Improvement to Occupant Protection Programs on an organizational through statewide level

Safe Traffic System, Inc., Chicago, IL

Technical Consultant in Global Regulatory Compliance, Child Passenger Safety Product Development and Improvement, Account and Customer Support, Global Representative

RECARO Child Safety, Auburn Hills, MI

Training Specialist & Consultant for USA, Canada, and Mexico

Sky Ridge Medical Center & North Suburban Medical Center Fitting Station Co-Coordinator

Child Passenger Safety Consultant / Co-Owner Child Safety Solutions, LLC / Colorado

Clek, Inc., Toronto, Ontario, Canada

Child Passenger Safety Consultant and CPS Advocate

Combi USA, Charlotte NC

CPS Advocate, New Product Development and Support Team Car Seats & Strollers

Colorado State Patrol: Statewide CPS Program Technical Training Coordinator

State CPS Program Technical Training Coordinator

Columbine Ambulance Service Illness & Injury Prevention Foundation

Director of Education Programs

TerraSciences/ICS, Lakewood, CO

Maintenance Programmer, Computer Information Systems

Denver General Ambulance and various privately owned Emergency Ambulance

Services as Paramedic

### **EDUCATION**

Colorado State University [Physics/Microbiology]

Aimes Community College [Emergency Medical Technician]

St Anthony's Hospital Institute of Pre-Hospital Care [Emergency Paramedic]

Denver Technical College [Computer Information Systems / Programming]

## **SUMMARY OF QUALIFICATIONS**

- National Child Passenger Safety Board Emeritus (NCPSB)
- Recipient of the NHTSA Public Service Award
- NCPSB National Standardized Child Passenger Safety Curriculum Committee
- National Standardized CPS Course Technician Instructor /Trainer /Mentor
- Certified Safe Kids Worldwide CPS Technician Instructor since 1998
- Certification: Transporting Children with Special Healthcare Needs
- Certification: Transporting Children in the Emergency Medical Services Setting
- Colorado Statewide CPS Program Technical Training Coordinator
- Child Passenger Safety Team Colorado State Advisory Board Cochair
- Author / Editor of CPS Tech Update Publications (Colorado CPS Tech Update Monthly Publication, Safe Ride News, CPS Express for Safe Kids Worldwide, Internet Articles, various National, State and Regional CPS Programs)
- Author of numerous state standardized training curricula [professional & community programs]
- Statewide and Community CPS Program Development
- Institutional and Organizational CPS Program Development
- K-12 Injury Prevention Program Development
- Young Driver Program Development
- Child Restraint Manufacturer CPS Advocate
- Child Restraint Manufacturer Regulatory Compliance, Development, and Improvement
- Technical Writing: Instruction Manuals for Child Restraint Systems
- Website Development
- USDOT, NHTSA, Technical Assistance Team, Occupant Protection Program, Team Member, States of Arkansas, Florida, Louisiana, Missouri, Montana, North Carolina, New Hampshire, Ohio, Rhode Island, Utah, Virginia, and West Virginia.

## **NORRAINE WINGFIELD**

Norraine Wingfield, retired director of Traffic Safety for DCCCA and managed the Kansas Traffic Safety Resource Office and the Oklahoma and Missouri SAFE Program along with managing marketing and social media for the KDOT Bureau of Traffic Safety and Technology. She is a graduate of the University of Kansas, Child Passenger Safety Instructor and Technician, State Child Passenger Safety Coordinator, AAA and AARP Driver Safety Program Instructor and former member of the National Child Passenger Safety Board and the National AARP Driver Safety Advisory Committee.

She currently is a member of the Kansas Department of Transportation Occupant Protection and Older Driver Emphasis Area Teams.

Norraine has been a speaker for various traffic safety topics at Lifesavers, Kids in Motion, GHSA, Nebraska, Michigan and Missouri Transportation Conferences and has assisted in the development of the following nationally recognized programs: Child Passenger Safety Instructor Development Course, SAFE- Seat belts Are for Everyone, Booster to Belts and Safety Break! She has participated in nine National Highway Traffic Safety Administration Occupant Protection Assessments and has contributed as a panel member for the Transportation Research Board RFP/Grant.

She is the 2016 Kansas People Saving People Award and the first civilian to receive the Order of Distinguished Member of the Garrison for her traffic safety work with Fort Riley.

## **KATIE WOMACK**

Katie Womack is a Senior Research Scientist at the Texas A&M Transportation Institute and manager of the Behavioral Research Program at the Institute's Center for Transportation Safety. Ms. Womack is a career member of the Institute's full-time staff, having been there since graduate school. Her educational background includes a Master's degree in Sociology from Texas A&M University, and B.A. degrees in Sociology and Psychology from Texas A&M University--Commerce. She is a member of the Texas A&M Institutional Review Board (IRB), which reviews all research involving human subjects.

Ms. Womack's primary areas of interest are in survey research and traffic safety research. She has been the principal investigator or co-principal investigator on numerous research studies; including over 100 Texas Department of Transportation (TxDOT) funded projects, in addition to several National Highway Traffic Safety Administration (NHTSA) funded projects.

Occupant restraint surveys and studies have been a focal point of Ms. Womack's work for more than 30 years. Ms. Womack is currently responsible for observational surveys to assess the safety belt and child restraint use rates for the state of Texas. She conducts annual attitudinal surveys on traffic safety topics for Texas. She has previously served as the Data and Evaluation panel member for NHTSA Occupant Protection Assessment teams in 14 states.

Ms. Womack has been a certified Child Passenger Safety Technician since 1998 (CPST-389). She is responsible for coordinating the annual statewide child passenger safety conference for Texas.