

AN ABSTRACT OF THE THESIS OF

Brett Thomas Cowgill for the degree of Honors Baccalaureate of Science in Civil Engineering presented on May 21, 2010. Title: Commercial Motor Vehicle Safety Belt Usage in Oregon.

Abstract Approved: _____

Karen Dixon

In 2009 the Federal Motor Vehicle Safety Administration (FMCSA) conducted the “Safety Belt Usage by Commercial Motor Vehicle Drivers Survey” for the National Highway Traffic Safety Administration (NHTSA). The survey found that, nationally, 74% of commercial truck drivers wear their safety belts at all times. In the western region of the United States, safety belt usage was 79%. The Oregon Department of Transportation (ODOT) wishes to verify whether this statistic holds true in the state of Oregon, and use this information to explore a variety of options for increasing safety belt usage. This study presented herein determined that 73.5% of commercial truck drivers wear their safety belts in the state of Oregon. Fatal crash data was examined for the states of California, Idaho, Nevada, Oregon, and Washington. It was found that Idaho and Nevada had significantly higher rates of fatal crashes in which the truck driver was not wearing a safety belt. Because of this, the safety belt laws for each state were examined. Idaho and Nevada were found to have a secondary safety belt law, rather than a primary law, meaning that a driver cannot be cited for failure to wear a safety belt unless the vehicle is stopped for another traffic violation.

Key Words: Safety belt, Crash, Federal Motor Vehicle Safety Administration

Corresponding e-mail address: cowgillb@onid.orst.edu

©Copyright by Brett Thomas Cowgill
May 21, 2010
All Rights Reserved

Commercial Motor Vehicle Safety Belt

Usage in Oregon

by

Brett Thomas Cowgill

A PROJECT

Submitted to

Oregon State University

University Honors College

in partial fulfillment of
the requirements for the
degree of

Honors Baccalaureate of Science in Civil Engineering (Honors Associate)

Presented May 21, 2010
Commencement June 2010

Honors Baccalaureate of Science in Civil Engineering project of Brett Thomas Cowgill
presented on May 21, 2010.

APPROVED:

Mentor, representing Civil Engineering

Committee Member, representing Civil Engineering

Committee Member, representing Civil Engineering

Head of the School of Civil and Construction Engineering

Dean, University Honors College

I understand that my project will become part of the permanent collection of Oregon State University, University Honors College. My signature below authorizes release of my project to any reader upon request.

Brett Thomas Cowgill, Author

Table of Contents

| | |
|------------------------------|----|
| Introduction..... | 1 |
| Background..... | 3 |
| Data Collection | 4 |
| Field Data..... | 4 |
| Locations..... | 5 |
| Results..... | 10 |
| Field Data..... | 10 |
| Crash Data..... | 18 |
| State Laws | 19 |
| Discussion | 23 |
| Data Collection | 23 |
| Field Data..... | 24 |
| Crash Data..... | 26 |
| State Laws | 26 |
| Conclusion | 28 |
| Bibliography | 29 |
| Appendices..... | 30 |
| Appendix A: Raw Data..... | 31 |
| Appendix B: State Laws | 32 |

List of Figures

| | |
|------------------------------------------------------------------|----|
| Figure 1: I-5/HWY-34 Interchange | 6 |
| Figure 2: I-5/HWY-34 Interchange Observation Point | 6 |
| Figure 3: Pilot Travel Center | 7 |
| Figure 4: Pilot Travel Center Observation Point | 8 |
| Figure 5: Jubitz Travel Center | 9 |
| Figure 6: Jubitz Travel Center Observation Point | 9 |
| Figure 7: Total Large Trucks Observed, by Day | 11 |
| Figure 8: I-5/HWY-34 Interchange Day Comparison | 12 |
| Figure 9: Safety Belt Usage at I-5/HWY-34 Interchange..... | 13 |
| Figure 10: Pilot Travel Center Day Comparison | 14 |
| Figure 11: Total Safety Belt Usage at Pilot Travel Center | 14 |
| Figure 12: Jubitz Travel Center Day Comparison | 15 |
| Figure 13: Total Safety Belt Usage at Jubitz Travel Center | 16 |
| Figure 14: Summary of Safety Belt Usage, by Location | 17 |
| Figure 15: Total Safety Belt Usage at All Locations..... | 17 |
| Figure 16: Large Truck Related Fatalities in 2008 | 19 |

List of Tables

Table 1: Sample Data Collection Form 4

Table 2: State Safety belt Laws 20

Table 3: Raw Data 31

Commercial Motor Vehicle Safety Belt Usage in Oregon

Introduction

Safety belt usage is a major concern for the Federal Motor Carrier Safety Administration (FMCSA), whose primary duty is to reduce crashes, injuries, and fatalities involving commercial motor vehicles. In the Rules and Regulations of the FMCSA, section 392.16 states that “A commercial motor vehicle which has a safety belt assembly installed at the driver’s seat shall not be driven unless the driver has properly restrained himself/herself with the safety belt assembly.”¹ As a commercial truck driver, safety belt use is required, yet there are many drivers who disregard this requirement. A recent 2009 national study called the “Seat Belt Usage by Commercial Motor Vehicle Drivers (SBUCMVD) Survey²” determined that, across the United States, only 74% of commercial truck drivers wear their safety belts. The western region of the United States, specifically, has a percentage of 79%.

These findings drew the attention of the officials at Oregon Department of Transportation (ODOT). In light of these results, ODOT proposed a new study to determine the safety belt usage for the State of Oregon. ODOT representatives hope to use this information to take action to increase the safety belt usage in Oregon.

Additionally, this study will examine state safety belt laws of western states to determine if differences in laws affect safety belt usage in each state. These differences

in law will be evaluated to determine how safety belt usage relates to fatal crashes among large trucks.

Background

The “Seat Belt Usage by Commercial Motor Vehicle Drivers (SBU CMVD) Survey” is a national field collection study that estimates safety belt usage of commercial motor vehicle (CMV) drivers. It was performed by the Federal Motor Carrier Safety Administration (FMCSA) under the National Highway Traffic Safety Administration (NHTSA). The study focused on large trucks (CMVs) observed from randomly selected roadside locations all over the United States.

Many factors were considered in the survey, including type of CMV, weather, speed, time of day, driver characteristics (gender, race, age), use of cell phones, location (urban, suburban, or rural), and many more. The 2009 study found that safety belt usage was higher in states with a primary safety belt law (78%), versus a secondary law (67%). Urban, suburban, and rural areas had safety belt usage rates of 72%, 74%, and 73%, respectively. The Western region of the United States, as a whole, was found to have a percentage of safety belt usage of 79%. The Oregon Department of Transportation (ODOT) believes this regional value may be high for the conditions in Oregon, so the purpose of this study is to determine the safety belt usage percentage among drivers of large trucks in Oregon.

Data Collection

The collection of field data is the core of this project. The methods are developed to gather unbiased data that accurately model the safety belt usage conditions in Oregon.

Field Data

To collect field data for this study, the author observed large trucks for a period of two hours, on two different days, at three different locations. At each location, large trucks were observed on a Friday and a mid-week day (Tuesday – Thursday). This sampling strategy was intended to provide an unbiased sample of data, because passenger car behavior varies depending on the day of the week and it was unknown whether large trucks would follow the same pattern. The findings of this relationship will be discussed later in the Results section. The author observed each large truck to determine if the driver was wearing a safety belt. A sample data collection table is provided in Table 1.

Table 1: Sample Data Collection Form

| Yes | No | Unknown |
|------------|-----------|----------------|
| X | X | X |
| X | | |

Locations

Characteristics of ideal data collection locations include large volumes of trucks, and a safe observation vantage point. Also, the author assumed that truck drivers were more likely to wear their seatbelts near areas where they were stopping for food, fuel, etc. Thus, the author collected from various truck stops. The author hypothesized that truck driver seatbelt usage was influenced by the surrounding environment. The population of the immediate area is the basis for the selection of three data collection locations. Hence, the three locations are classified as rural, suburban^{3a}, and urban.

I-5/HWY-34 Interchange:

This location was chosen because of its rural setting. The largest city near this location is Albany, Oregon (population: 47,747)⁴ which is approximately 5.5 miles away.^b The I-5/HWY-34 interchange is the best place in this area for trucks to stop because it is easy to access from I-5 and has supplies for truck drivers. A map of this location and an image of the observation point are shown in Figure 1 and Figure 2.

^a Suburban is defined as a smaller community adjacent to or within commuting distance of a city.

^b Distance is measured between freeway exits on Interstate-5

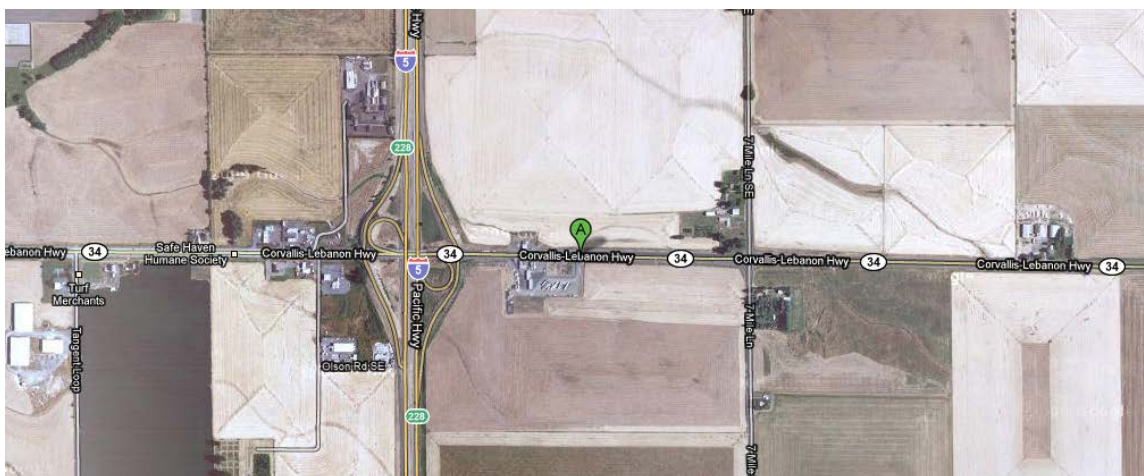


Figure 1: I-5/Hwy-34 Interchange



Figure 2: I-5/Hwy-34 Interchange Observation Point

Pilot Travel Center, Salem, Oregon:

The Pilot Travel Center is on the periphery of Salem, Oregon (population: 153,435)⁴ and, therefore, would be considered as the suburban location. The Pilot Travel Center is a good place for truck drivers to stop because it is far enough away from the city to provide an easy exit from, and entry to, Interstate-5. Also, there is sufficient capacity to handle numerous large trucks, so drivers can make their stops efficient. A map of this location and an image of the observation point are shown in Figure 3 and Figure 4.



Figure 3: Pilot Travel Center



Figure 4: Pilot Travel Center Observation Point

Jubitz Travel Center, Portland, OR:

The Jubitz Travel Center is the urban location for this study. It is located in Portland, Oregon (population: 557,706)⁴ and has the most amenities of all of the truck stops that were observed. It has refueling stations, a hotel, food, and entertainment, making it a busy and popular place for large trucks to stop. A map of this location and an image of the observation are shown in Figure 5 and Figure 6.

A red Volvo semi-truck with a white trailer is parked on a street. The truck is facing left. In the background, there is a light-colored building with a green roof and several trees. The sky is overcast.

Figure 6: Jubitz Travel Center Observation Point

Results

The raw data collected in the field is analyzed to determine the relationships between various parameters. Then, the affect of safety belt usage is examined in fatal crashes across five western states of the United States. Finally, the state laws of each state are examined to explore their affects on safety fatal crashes.

Field Data

The author analyzed the data collected in the field in a few different ways. First, the data from each location is broken down by collection day to determine if there is any difference between a mid-week day and a Friday. Then, the data is pooled to find the overall percentage of truck drivers who wear their safety belts at each location. Finally, all three locations are combined to find the overall percentage.

Figure 7 shows the number of large trucks observed at each location on each day. This demonstrates the activity pattern of truck drivers with respect to the day of the week.

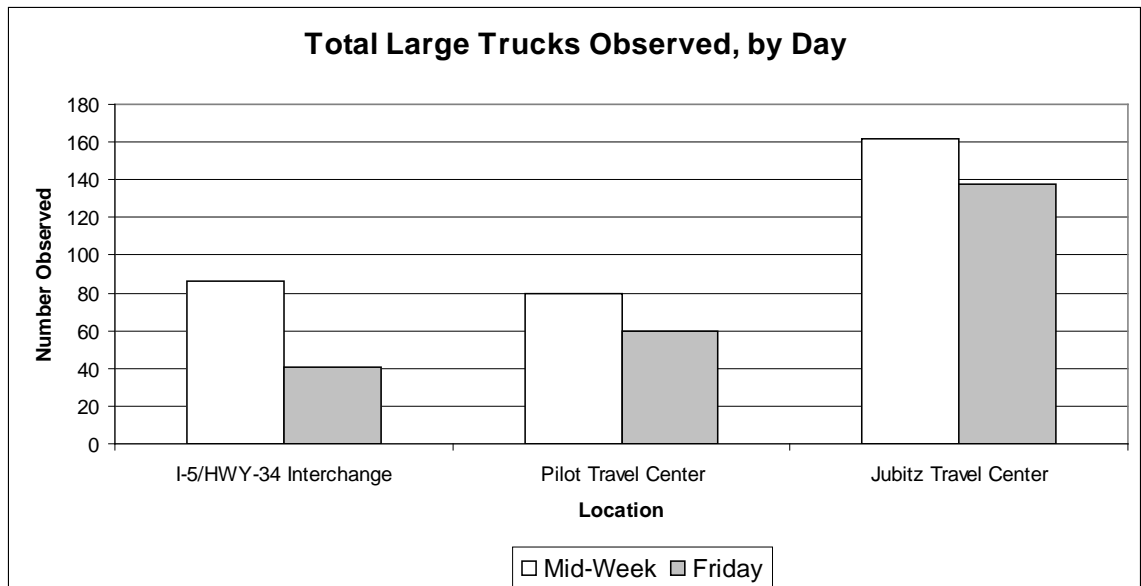


Figure 7: Total Large Trucks Observed, by Day

As Figure 7 illustrates, a higher volume of large trucks occurred during the mid-week observation periods than the Friday observation periods. This relationship will be addressed later in the Discussion section.

I-5/HWY-34 Interchange:

The I-5/HWY-34 Interchange is the rural data collection site and, not surprisingly, has the fewest number of trucks observed in each two hour observation period. Figure 8 shows the difference in safety belt usage by truck drivers between the midweek day and Friday. In this case, the midweek day is Tuesday.

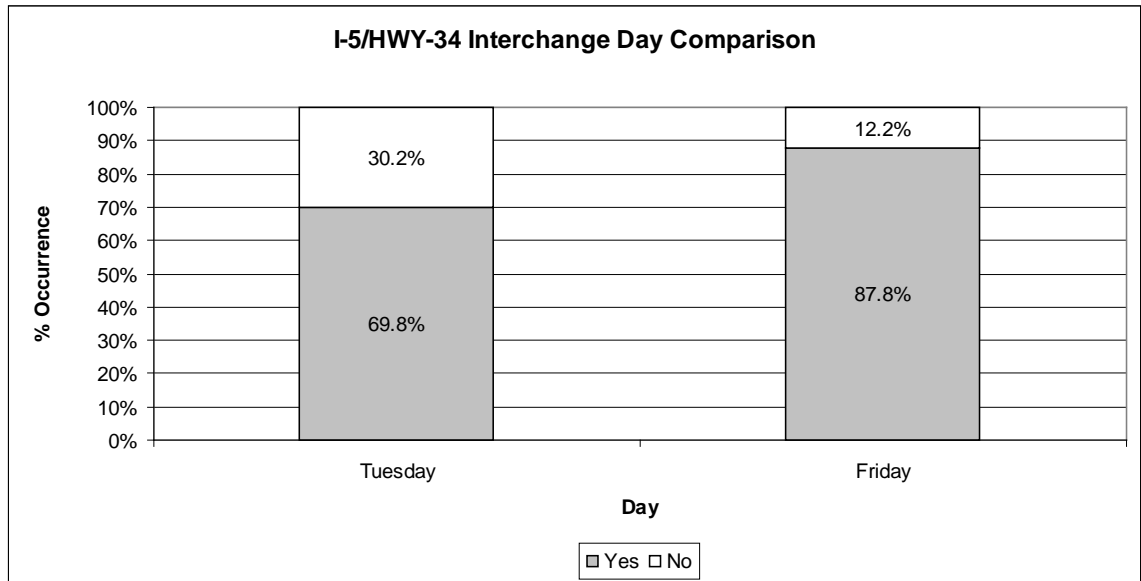


Figure 8: I-5/HWY-34 Interchange Day Comparison

It should be noted that significantly more law enforcement vehicles were identified while collecting data on Friday. This factor is not included in the rest of the data collection, but may be an indicator as to why the percentage of drivers wearing safety belts is high. In fact, the data collected on Friday at this location is the highest percentage of truck driver safety belt usage of any location by 11.1%.

To evaluate the safety belt usage for the rural observation site as a whole, data from both days are combined. Figure 9 shows the percentage of safety belt usage among truck drivers.

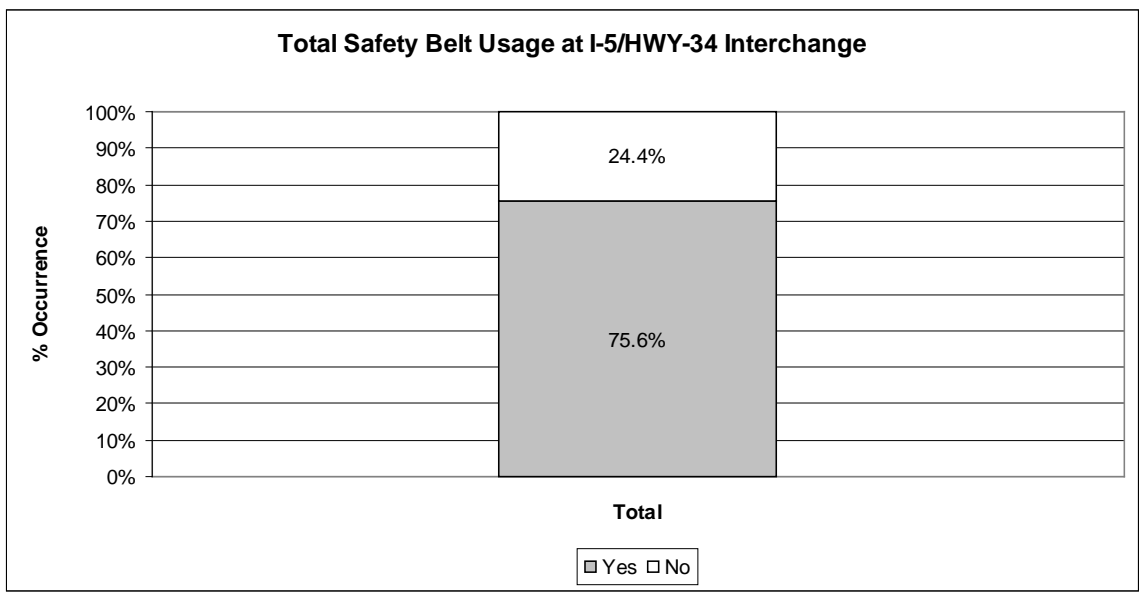


Figure 9: Safety Belt Usage at I-5/HWY-34 Interchange

The percentage of truck drivers at the rural location, who wear their safety belts, is 75.6%. This is less than 79%, the percentage determined by the Federal survey.

Pilot Travel Center:

The Pilot Travel Center is the suburban data collection site. Figure 10 compares the safety belt usage of truck drivers observed on the mid-week day (Thursday) and Friday.

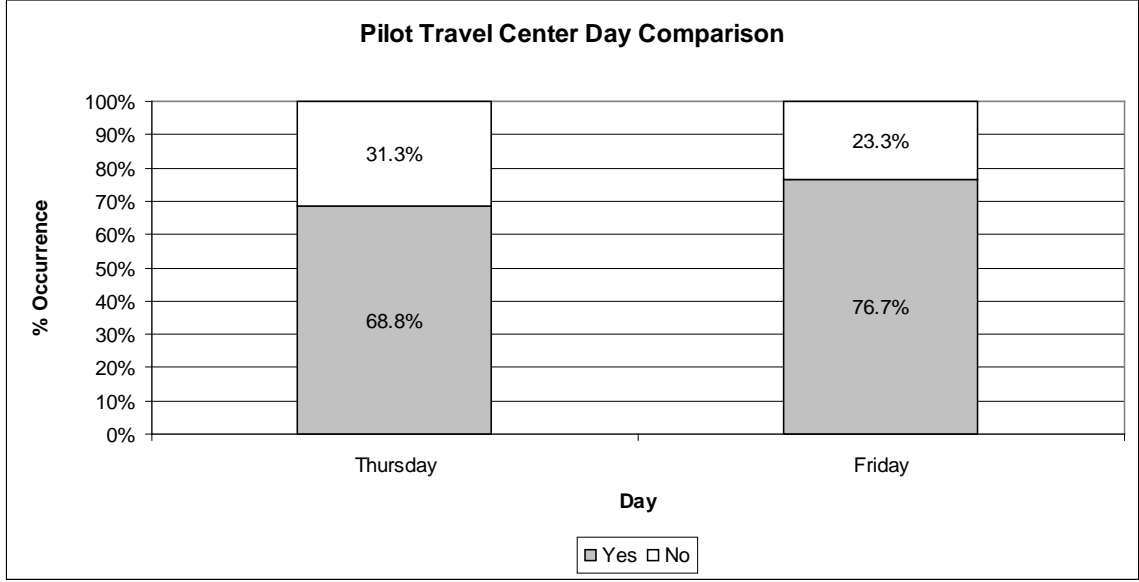


Figure 10: Pilot Travel Center Day Comparison

As the graph shows, a higher percentage of truck drivers wear their safety belts on Friday. The data from each day is combined to determine the overall percentage of truck driver safety belt usage, shown in Figure 11.

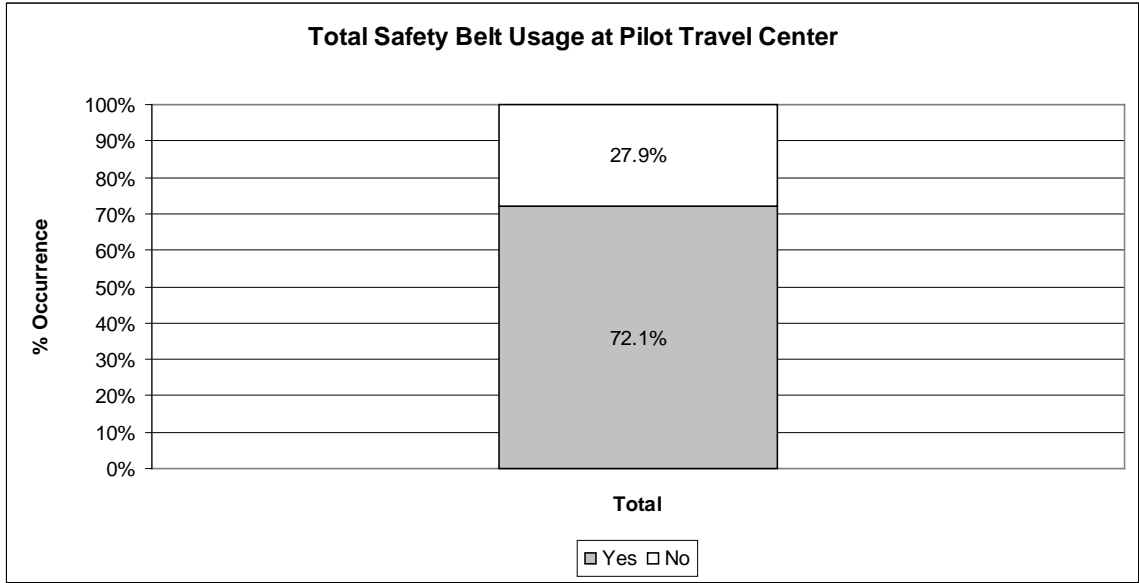


Figure 11: Total Safety Belt Usage at Pilot Travel Center

The total safety belt usage at the suburban location is 72.1%. Again, this is lower than the 79% identified on the Federal survey.

Jubitz Travel Center:

The Jubitz Travel Center is the urban observation location. Figure 12 compares the safety belt usage between the mid-week day (Tuesday) and Friday.

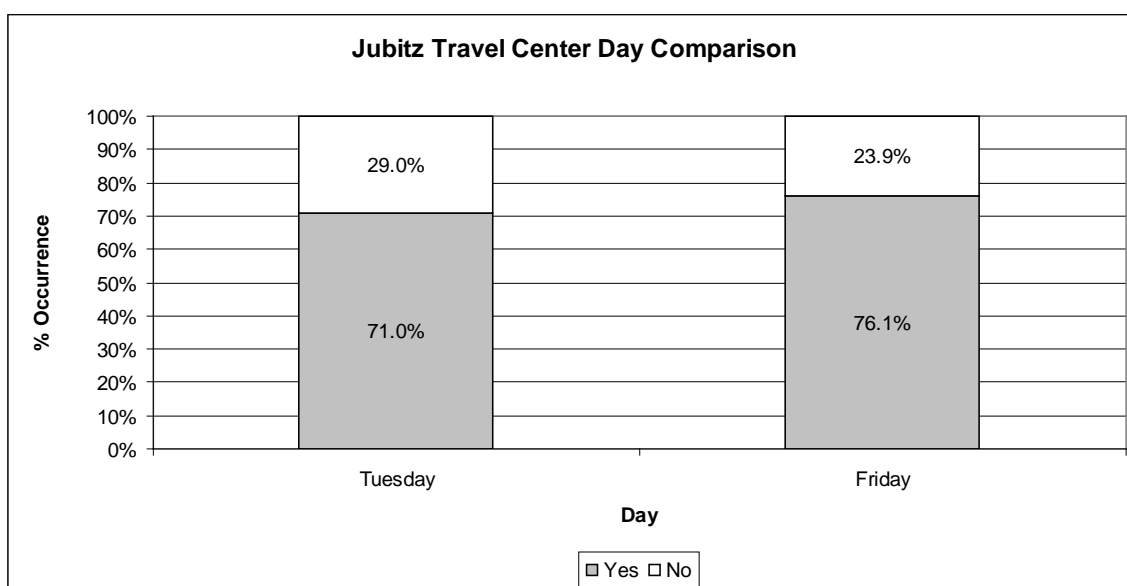


Figure 12: Jubitz Travel Center Day Comparison

Again, like the previous two locations, Friday has a higher occurrence of safety belt usage among truck drivers. The data from the day comparison graph above is combined to show the safety belt usage of truck drivers at the urban location, shown in Figure 13.

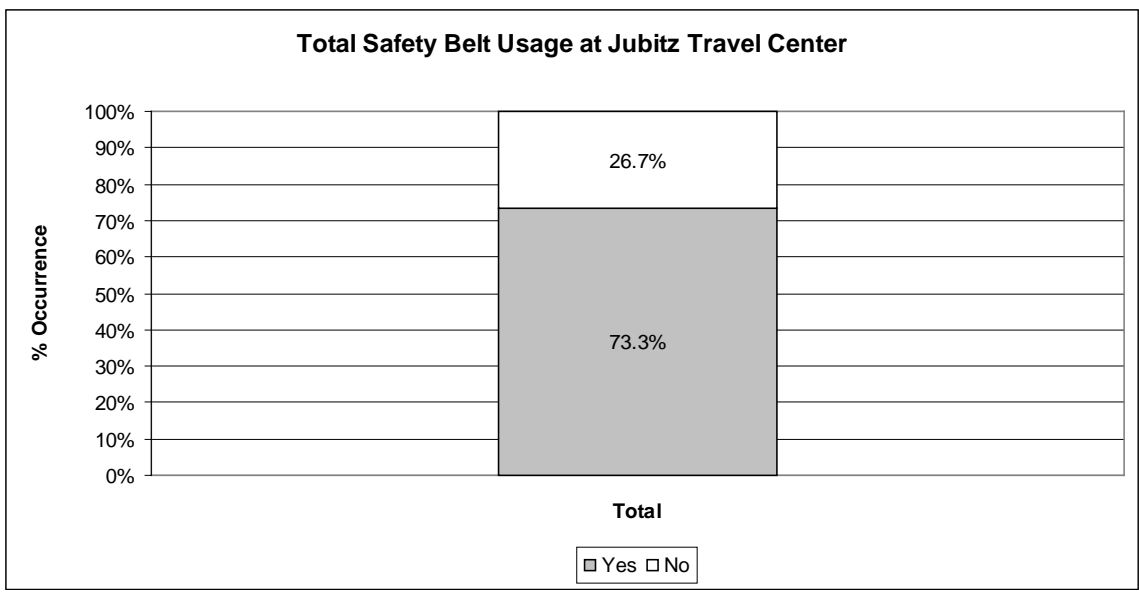


Figure 13: Total Safety Belt Usage at Jubitz Travel Center

Approximately 73.3% of truck drivers use their safety belts at the urban location. Again, this is lower than the percentage of 79% found by the Federal survey.

To summarize the safety belt usage at each location, Figure 9, Figure 11, and Figure 13 have been combined to show each result, side by side. Figure 14 shows this result.

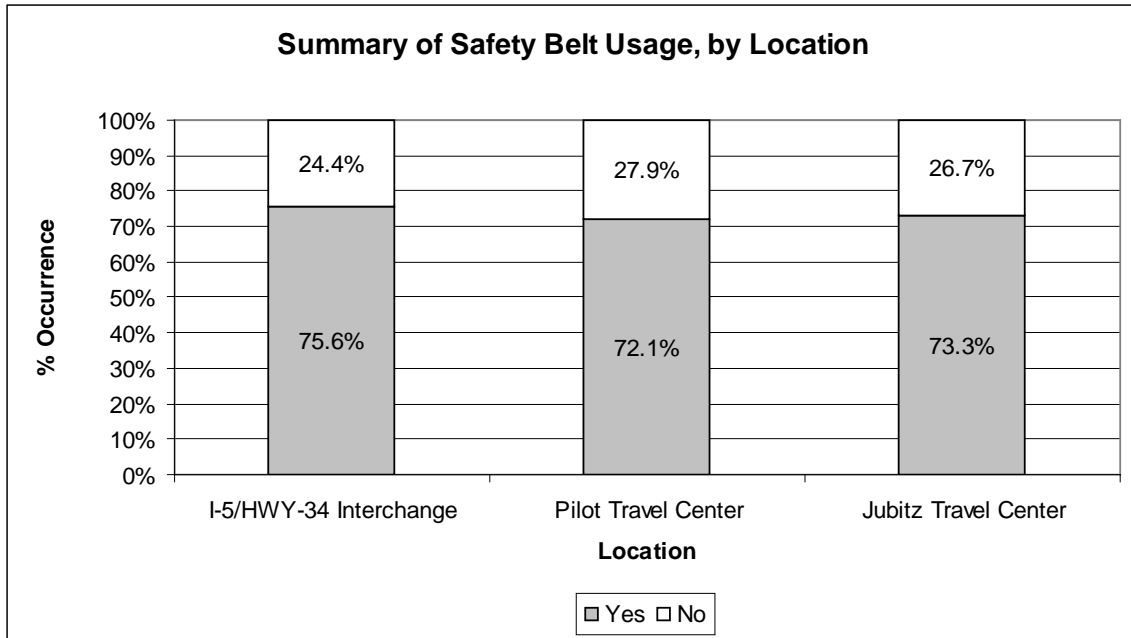


Figure 14: Summary of Safety Belt Usage, by Location

Finally, all data from each location is combined to determine the overall percentage of safety belt usage among truck drivers. Figure 15 shows this result.

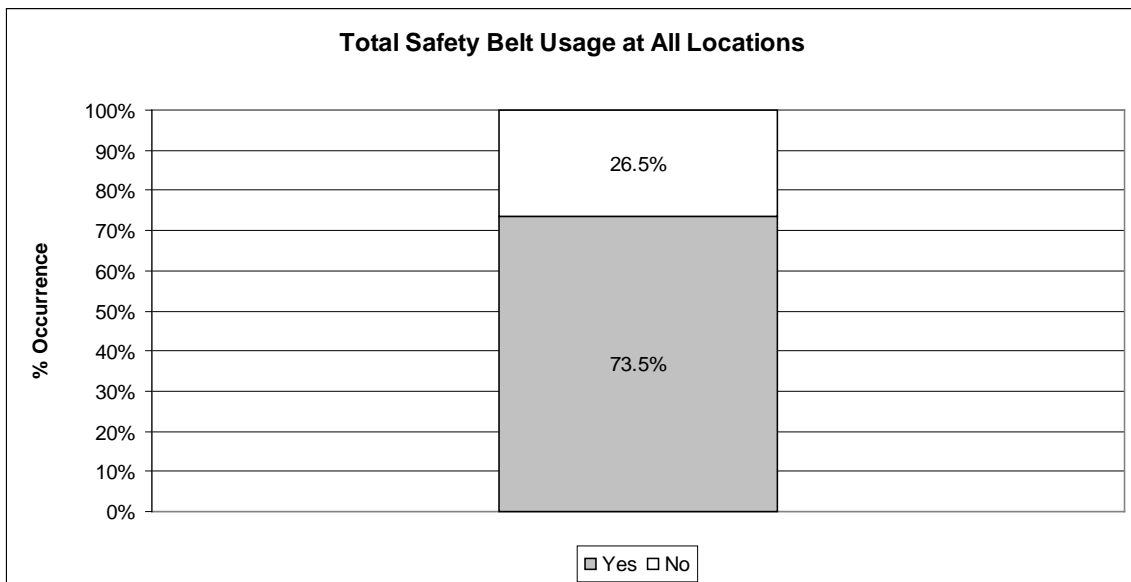


Figure 15: Total Safety Belt Usage at All Locations

The combined percentage of safety belt usage is determined to be 73.5%. This is lower, as expected, than the result of the Federal study, which found safety belt usage among truck drivers to be 79%.

Crash Data

In order to make a connection between truck driver safety belt usage and safety, the Fatality Analysis Reporting System (FARS) is utilized. FARS is a collection of fatal crash data from the 50 States, the District of Columbia, and Puerto Rico. In order for a crash to be included in FARS, it must have occurred on a public roadway and a fatality must result within 30 days after the crash. It was developed to answer “a multitude of questions concerning the safety of vehicles, drivers, traffic situations, roadways, and environmental conditions,”⁵ by the National Center for Statistics and Analysis of the National Highway Traffic Safety Administration.

In this study, FARS is used to acquire data for large truck related crashes and safety belt usage. The data was not examined on a case by case basis to determine specific details of each crash (i.e. which of the involved parties were recorded as the fatality). The focus is primarily on the States of California, Idaho, Nevada, Oregon, and Washington. Figure 16 shows the percentage of fatal crashes involving large trucks in each state and the safety belt usage of the associated drivers.

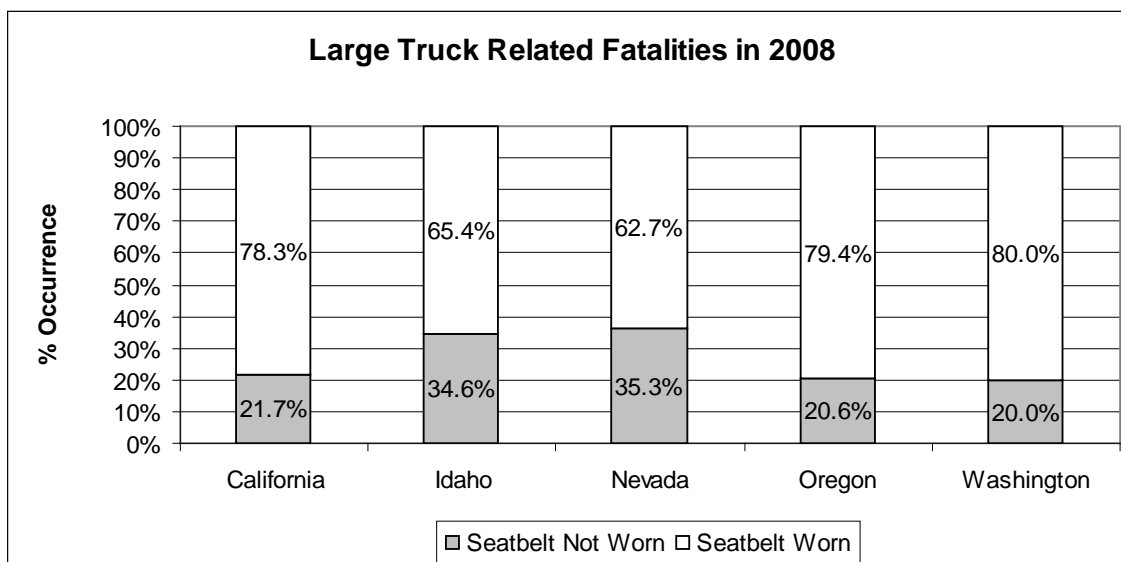


Figure 16: Large Truck Related Fatalities in 2008

As Figure 16 shows, Idaho and Nevada have a noticeably larger rate of fatal crashes in which drivers of large trucks did not wear their safety belts when compared to the other states. This led the author to investigate the current safety belt laws for each State.

State Laws

After finding that Idaho and Nevada seem to be more prone to truck drivers not wearing safety belts, who were involved in fatal crashes, the author examined the state safety belt laws. There are two different levels of safety belt laws. A primary safety belt law allows police officers to ticket a driver for not wearing a safety belt, without any other traffic wrongdoing taking place. A secondary safety belt law allows police officers to issue a ticket for not wearing a safety belt only when there is another citable traffic violation.⁶

In reviewing the safety belt laws for the given states, both Idaho and Nevada have a secondary safety belt law, while California, Oregon, and Washington have primary laws. In addition, the maximum fine for the first safety belt offense in Idaho and Nevada is \$10 and \$25, respectively. Table 2 shows each State's safety belt law and maximum fine for the first offense.

Table 2: State Safety belt Laws

| State | Law Type | Max. Fine for 1st Offense |
|--------------|-----------------|---------------------------------------------|
| California | Primary | \$20 |
| Idaho | Secondary | \$10 |
| Nevada | Secondary | \$25 |
| Oregon | Primary | \$97 |
| Washington | Primary | \$124 |

It is interesting to note that even though California has a primary safety belt law, the maximum fine for the first offense is relatively low compared to Oregon and Washington. This will be discussed further in the Discussion section.

California State Law:

The state of California has a primary safety belt law. The law stipulates that a motor vehicle “shall not be operated on a highway unless the driver and all passengers are properly restrained by a safety belt.” The safety belts must conform to motor vehicle safety standards established by the United State Department of Transportation. Violation of this law is punishable by a fine of \$20 for a first offense, and \$50 for each offense thereafter.⁷

Idaho State Law:

Idaho has a secondary state safety belt law. The law states that each occupant of a motor vehicle shall have a safety restraint fastened about his or her body at all times when the vehicle is in motion. A citation may be issued to the operator or any occupant of the vehicle who is 18 years or older who fails to wear a safety belt. If the occupant who fails to wear a safety belt is under the age of 18, the citation is issued to the operator of the vehicle. A citation may be issued if this law is broken, and a fine of \$10 will be assessed. This law may only be enforced when the vehicle has been stopped for a separate violation.⁸

Nevada State Law:

The state of Nevada has a secondary safety belt law. The law states that everyone who weighs 60 pounds or more, or is 6 years or older must use a safety belt. Children who weigh less than 60 pounds must be restrained in a child seat. A citation for violation of this law can only be issued if the violation is discovered when the vehicle is stopped for another violation. The fine for a citation for failure to wear a safety belt is \$25.⁹

Oregon State Law:

The state of Oregon has a primary safety belt law. According to the Oregon State safety belt law, a person commits a violation if they operate a motor vehicle without a

safety belt, operate a vehicle with a passenger under the age of 16 years old who does not wear a safety belt, or is a passenger over the age of 16 years old who does not wear a safety belt. Failure to wear a safety belt is a Class D violation, which results in a \$97 fine.¹⁰

Washington State Law:

The state of Washington has a primary safety belt law. The law states that each person 16 years of age or older operating or riding in a motor vehicle shall wear a safety belt. Also, no person may operate a motor vehicle unless all children under the age of 16 years are properly restrained by a safety belt or child seat. A violation of this law results in a fine of \$124.¹¹

Discussion

There are several challenges associated with the data collection of this project, but there are many interesting results as well. The field data reveals some relationships between the attributes of a specific location and safety belt usage, and various state laws are found to have a great influence on fatal crashes.

Data Collection

The author hypothesized that safety belt usage among truck drivers would be at its highest rate near locations where there is a high probability of a presence of law enforcement. By collecting data at various truck stops, it is assumed that the safety belt usage rate determined by this study would be slightly higher than the actual usage rate.

Originally, it was not known whether the commercial trucking industry would follow the same patterns as passenger cars. On Fridays, there are typically more drivers on the road due to people taking a three day weekend, or leaving work a bit early. This is the reason for collecting data on a mid-week day and a Friday.

As shown in Table 1, the data collected included some unknown values. This is due to many different factors. The observation of truck drivers is much more difficult than originally expected. It is important to find an inconspicuous observation point, so that the drivers would not suspect they were being watched. The difficulty is greater than expected in determining with certainty whether a driver is wearing a safety belt or not. The variability in the design of truck cabs creates extra difficulty in determining safety

belt usage. Some trucks had dark, tinted windows. Others had small windows that concealed most of the driver's torso. Sometimes, even when the cab design allowed for easy examination, the driver would be wearing a dark colored shirt that made the safety belt blend in, making it hard to make a definitive observation. These factors are magnified when the trucks are moving at higher speeds. Due to these difficulties, an "unknown" observation column has to be used. It is assumed, however, that the trucks observed that fall into the "unknown" category have no bearing on the observations of the other trucks. The percentage of safety belt usage among identifiable trucks is assumed to be independent of the "unknown" trucks. Therefore, the "unknown" trucks are assumed to follow the same safety belt usage percentage as the identifiable trucks.

Field Data

As Figure 6 shows, there was a higher volume of large trucks during the mid-week observation periods than on Friday. From a business standpoint, this behavior is understandable. It is common knowledge that traffic on Fridays is heavier than in the middle of the week, so trucking companies must attempt to avoid congestion on the highways. Having trucks delayed in rush hour traffic or traveling at low speeds is not efficient or economical. Planning truck schedules around times where traffic volume will be lower means trucks will encounter less delay.

The day to day comparisons for each observation location, Figures 7, 9, and 11, show the percentage of truck driver safety belt usage. In each instance, the percentage is greater on Friday, than during the mid-week. This is an interesting correlation between

safety belt usage and the volume of large trucks observed. There are more trucks traveling during the week, yet their safety belt usage is lower at each location. It could be inferred that there is a larger presence of law enforcement on the highways during peak hour traffic times. Thus, truck drivers are more conscious about wearing their safety belts when they think there is a higher chance of being spotted by an officer.

A correlation between truck driver safety belt usage and population of the surrounding area could not be determined when comparing the observation locations. In order for a relationship to be established between safety belt usage and population, the percentages should have decreased or increased with population. Instead, the suburban location has the lowest percentage, thereby breaking any correlation that may be found. The hypothesis that safety belt usage is higher at the urban location because of higher traffic volumes and increased law enforcement presence is incorrect. The highest percentage is actually at the rural location, the I-5/HWY-34 interchange.

Combining the data from all observation locations revealed an overall safety belt usage percentage of 73.5%. The FMCSA's survey found that drivers in Oregon have a safety belt usage percentage of 79%. This result supports the original hypothesis that the conclusions drawn from the survey reflect values that are higher than what actually occurs in the field. It was believed that the survey results would be inflated due to the nature of the data collection. By asking truck drivers whether they wear their safety belts, it puts them in a predicament. If they do not wear their safety belt, and answer accordingly on the survey, they are admitting to a violation of the law. However, if the truck drivers wear their safety belts, they have no reason to answer otherwise. Hence, the

safety belt usage percentage reported by the FMCSA is probably higher than what actually occurs in the field.

Crash Data

Figure 14 compares safety belt usage statistics between five states in large truck related fatal crashes. California, Idaho, Nevada, Oregon, and Washington are examined for this comparison. The FARS database is used to obtain fatal crash data, and sort it depending on the usage of safety belts. The figure clearly illustrates an alarming difference in safety belt usage in fatal crashes between the states. Nevada and Idaho both have a high percentage of fatal crashes involving large trucks in which safety belts are not worn, at around 35%. By comparison, California, Oregon, and Washington have percentages around 21%. This disparity between percentages broadened the study to investigate reasons as to why these states are so different.

State Laws

After discovering the disparity between states regarding safety belt use in fatal crashes involving large trucks, the various state laws are investigated. Table 2 summarizes the results of this investigation. The main difference between states is the type of safety belt law. California, Oregon, and Washington, the three states with the lower percentage of fatal crashes in which safety belts were not worn, have a primary

safety belt law. A primary safety belt law allows law enforcement to cite a driver for failure to wear a safety belt. On the other hand, a secondary safety belt law only allows law enforcement to cite a driver for failure to wear a safety belt if the driver has already been stopped for committing another violation. This reduced threat of a citation is likely the reason for a lower percentage of drivers wearing safety belts.

Conclusion

The FMCSA Rules and Regulations require all commercial truck drivers to properly use safety belts, but there are many who do not. In an effort to improve highway safety, the SBU CMVD survey was conducted for the FMCSA, which determined that the national average safety belt usage is 74%, but the average in the western region is 79%. This study found that the safety belt usage in Oregon is 73.5%, lower than the regional average.

As the data shows, safety belt usage is higher where there is a greater degree of enforcement. Usage is higher on Fridays when there are more vehicles, as well as law enforcement, on the road. Safety belt usage is also higher in states that have established a primary safety belt law, rather than secondary. The FARS data shows that states with a secondary safety belt law have a higher occurrence of fatal crashes in which truck drivers failed to wear a safety belt. The relationship between safety belt usage and enforcement is clear. Increasing safety belt usage will save lives. All states should adopt a primary safety belt law, and boost enforcement to increase the usage of safety belts on our highways.

Bibliography

1. "Part 392.16: Use of Seat Belts." *Federal Motor Carrier Safety Administration*. Web. 05 Mar. 2010. <<http://www.fmcsa.dot.gov/rules-regulations/administration/fmcsr/fmcsrruletext.aspx?chunkKey=09016334800238e0&keyword=392.16>>
2. *Seat Belt Usage by Commercial Motor Vehicle Drivers 2009 Survey*. Publication. Westat. Web.
3. "suburban." *Merriam-Webster Online Dictionary*. 2010.
4. U.S. Census Bureau, 2006-2008 American Community Survey
5. *Fatality Analysis Reporting System: Fatal Crash Data Overview*. *National Highway Traffic Safety Administration*. United States Department of Transportation. Web. 12 Feb. 2010.
<http://www.nhtsa.dot.gov/portal/nhtsa_static_file_downloader.jsp?file=/staticfiles/DOT/NHTSA/NCSA/Content/PDF/FARSBrochure.pdf>.
6. "State Seat Belt Laws." *Governors Highway Safety Association (GHSA)*. Web. 12 Feb. 2010. <http://www.ghsa.org/html/stateinfo/laws/seatbelt_laws.html>.
7. California Motor Vehicle Safety Act. Sec. 27302-27317. California Vehicle Code.
8. Idaho Rules of the Road. Sec. 49-673. Idaho Motor Vehicles.
9. Nevada Traffic Laws. Chap. 484.641. Nevada Revised Statutes, 2007.
10. Oregon Motor Vehicle Safety. ORS 811.210. Oregon Law.
11. Washington Rules of the Road. Chap. 46.61. Revised Code of Washington.

Appendices

Appendix A: Raw Data

Table 3: Raw Data

| | Day | Yes | No | Unknown |
|-------------------------------|------------|------------|-----------|----------------|
| I-5/HWY-34 Interchange | Tuesday | 60 | 26 | 24 |
| | Friday | 36 | 5 | 20 |
| Pilot Travel Center | Thursday | 55 | 25 | 18 |
| | Friday | 46 | 14 | 34 |
| Jubitz Travel Center | Tuesday | 115 | 47 | 72 |
| | Friday | 105 | 33 | 74 |

Appendix B: State Laws

California State Law:

27315. VEHICLE CODE

(a) The Legislature finds that a mandatory seatbelt law will contribute to reducing highway deaths and injuries by encouraging greater usage of existing manual seatbelts, that automatic crash protection systems which require no action by vehicle occupants offer the best hope of reducing deaths and injuries, and that encouraging the use of manual safety belts is only a partial remedy for addressing this major cause of death and injury. The Legislature declares that the enactment of this section is intended to be compatible with support for federal safety standards requiring automatic crash protection systems and should not be used in any manner to rescind federal requirements for installation of automatic restraints in new cars.

(b) This section shall be known and may be cited as the Motor Vehicle Safety Act.

(c) (1) As used in this section, "motor vehicle" means a passenger vehicle, a motortruck, or a truck tractor, but does not include a motorcycle.

(2) For purposes of this section, a "motor vehicle" also means a farm labor vehicle, regardless of the date of certification under Section 31401.

(d) (1) A person shall not operate a motor vehicle on a highway unless that person and all passengers 16 years of age or over are properly restrained by a safety belt. This paragraph does not apply to the operator of a taxicab, as defined in Section 27908, when the taxicab is driven on a city street and is engaged in the transportation of a fare-paying passenger. The safety belt requirement established by this paragraph is the minimum safety standard applicable to employees being transported in a motor vehicle. This paragraph does not preempt more stringent or restrictive standards imposed by the Labor Code or another state or federal regulation regarding the transportation of employees in a motor vehicle.

(2) The operator of a limousine for hire or the operator of an authorized emergency vehicle, as defined in subdivision (a) of Section 165, shall not operate the limousine for hire or authorized emergency vehicle unless the operator and any passengers six years of age or over or weighing 60 pounds or more in the front seat are properly restrained by a safety belt.

(3) The operator of a taxicab shall not operate the taxicab unless any passengers six years of age or over or weighing 60 pounds or more in the front seat are properly restrained by a safety belt.

(e) A person 16 years of age or over shall not be a passenger in a motor vehicle on a highway unless that person is properly restrained by a safety belt. This subdivision does not apply to a passenger in a sleeper berth, as defined in subdivision (x) of Section 1201 of Title 13 of the California Code of Regulations.

(f) An owner of a motor vehicle, including an owner or operator of a taxicab, as defined in Section 27908, or a limousine for hire, operated on a highway shall maintain safety belts in good working order for the use of occupants of the vehicle. The safety belts shall

conform to motor vehicle safety standards established by the United States Department of Transportation. This subdivision, however, does not require installation or maintenance of safety belts if not required by the laws of the United States applicable to the vehicle at the time of its initial sale.

(g) This section does not apply to a passenger or operator with a physically disabling condition or medical condition that would prevent appropriate restraint in a safety belt, if the condition is duly certified by a licensed physician and surgeon or by a licensed chiropractor who shall state the nature of the condition, as well as the reason the restraint is inappropriate. This section also does not apply to a public employee, when in an authorized emergency vehicle as defined in paragraph (1) of subdivision (b) of Section 165, or to a passenger in a seat behind the front seat of an authorized emergency vehicle as defined in paragraph (1) of subdivision (b) of Section 165 operated by the public employee, unless required by the agency employing the public employee.

(h) Notwithstanding subdivision (a) of Section 42001, a violation of subdivision (d), (e), or (f) is an infraction punishable by a fine of not more than twenty dollars (\$20) for a first offense, and a fine of not more than fifty dollars (\$50) for each subsequent offense. In lieu of the fine and any penalty assessment or court costs, the court, pursuant to Section 42005, may order that a person convicted of a first offense attend a school for traffic violators or another court-approved program in which the proper use of safety belts is demonstrated.

(i) In a civil action, a violation of subdivision (d), (e), or (f) or information of a violation of subdivision (h) does not establish negligence as a matter of law or negligence per se for comparative fault purposes, but negligence may be proven as a fact without regard to the violation.

(j) If the United States Secretary of Transportation fails to adopt safety standards for manual safety belt systems by September 1, 1989, a motor vehicle manufactured after that date for sale or sold in this state shall not be registered unless it contains a manual safety belt system that meets the performance standards applicable to automatic crash protection devices adopted by the United States Secretary of Transportation pursuant to Federal Motor Vehicle Safety Standard No. 208 (49 C.F.R. 571.208) as in effect on January 1, 1985.

(k) A motor vehicle offered for original sale in this state which has been manufactured on or after September 1, 1989, shall comply with the automatic restraint requirements of Section S4.1.2.1 of Federal Motor Vehicle Safety Standard No. 208 (49 C.F.R. 571.208), as published in Volume 49 of the Federal Register, No. 138, page 29009. An automobile manufacturer that sells or delivers a motor vehicle subject to this subdivision, and fails to comply with this subdivision, shall be punished by a fine of not more than five hundred dollars (\$500) for each sale or delivery of a noncomplying motor vehicle.

(l) Compliance with subdivision (j) or (k) by a manufacturer shall be made by self-certification in the same manner as self-certification is accomplished under federal law.

(m) This section does not apply to a person actually engaged in delivery of newspapers to customers along the person's route if the person is properly restrained by a safety belt prior to commencing and subsequent to completing delivery on the route.

(n) This section does not apply to a person actually engaged in collection and delivery activities as a rural delivery carrier for the United States Postal Service if the person is

properly restrained by a safety belt prior to stopping at the first box and subsequent to stopping at the last box on the route.

(o) This section does not apply to a driver actually engaged in the collection of solid waste or recyclable materials along that driver's collection route if the driver is properly restrained by a safety belt prior to commencing and subsequent to completing the collection route.

(p) Subdivisions (d), (e), (f), (g), and (h) shall become inoperative immediately upon the date that the United States Secretary of Transportation, or his or her delegate, determines to rescind the portion of the Federal Motor Vehicle Safety Standard No. 208 (49 C.F.R. 571.208) which requires the installation of automatic restraints in new motor vehicles, except that those subdivisions shall not become inoperative if the secretary's decision to rescind that Standard No. 208 is not based, in any respect, on the enactment or continued operation of those subdivisions.

27315.1. Section 27315 applies to any person in a fully enclosed three-wheeled motor vehicle that is not less than seven feet in length and not less than four feet in width, and has an unladen weight of 900 pounds or more.

27315.3. (a) As used in this section, "passenger motor vehicle" means any passenger vehicle as defined in Section 465 and any motortruck as defined in Section 410 of less than 6,001 pounds unladen weight, but does not include a motorcycle as defined in Section 400.

(b) Every sheriff's department and city police department and the Department of the California Highway Patrol shall maintain safety belts in good working order for the use of occupants of any vehicle which it operates on a highway for the purpose of patrol. The safety belts shall conform to motor vehicle safety standards established by the United States Department of Transportation. This subdivision does not, however, require installation or maintenance of safety belts where not required by the laws of the United States applicable to the vehicle at the time of its initial sale.

(c) Notwithstanding subdivision (a) of Section 42001, any violation of subdivision (b) is an infraction punishable by a fine, including all penalty assessments and court costs imposed on the convicted department, of not more than twenty dollars (\$20) for a first offense, and a fine, including all penalty assessments and court costs imposed on the convicted department, of not more than fifty dollars (\$50) for each subsequent offense.

(d) (1) For any violation of subdivision (b), in addition to the fines provided for pursuant to subdivision (c) and the penalty assessments provided for pursuant to Section 1464 of the Penal Code, an additional penalty assessment of two dollars (\$2) shall be levied for any first offense, and an additional penalty assessment of five dollars (\$5) shall be levied for any subsequent offense.

(2) All money collected pursuant to this subdivision shall be utilized in accordance with Section 1464 of the Penal Code.

(e) In any civil action, a violation of subdivision (b) or information of a violation of subdivision (c) shall not establish negligence as a matter of law or negligence per se for comparative fault purposes, but negligence may be proven as a fact without regard to the violation.

(f) Subdivisions (b) and (c) shall become inoperative immediately upon the date that the Secretary of the United States Department of Transportation, or his or her delegate, determines to rescind the portion of the Federal Motor Vehicle Safety Standard No. 208 (49 C.F.R. 571.208) which requires the installation of automatic restraints in new passenger motor vehicles, except that those subdivisions shall not become inoperative if the secretary's decision to rescind Standard No. 208 is not based, in any respect, on the enactment or continued operation of those subdivisions or subdivisions (d) to (h), inclusive, of Section 27315.

Idaho State Law:

49-673. SAFETY RESTRAINT USE.

(1) Except as provided in section 49-672, Idaho Code, and subsection (2) of this section, each occupant of a motor vehicle which has a gross vehicle weight of not more than eight thousand (8,000) pounds, and which was manufactured with safety restraints in compliance with federal motor vehicle safety standard no. 208, shall have a safety restraint properly fastened about his body at all times when the vehicle is in motion.

(2) The provisions of this section shall not apply to:

- (a) An occupant of a motor vehicle who possesses a written statement from a licensed physician that he is unable for medical reasons to wear a safety restraint;
- (b) Occupants of motorcycles, implements of husbandry and emergency vehicles;
- (c) Occupants of seats of a motor vehicle in which all safety restraints are then properly in use by other occupants of that vehicle; or
- (d) Mail carriers.

(3) (a) A citation may be issued to:

- (i) Any occupant of the motor vehicle aged eighteen (18) years or older who fails to wear a safety restraint as required in this section; and
 - (ii) The operator of the motor vehicle if the operator is aged eighteen (18) years or older and any occupant under eighteen (18) years of age fails to wear a safety restraint as required in this section. For purposes of this paragraph (a)(ii), it shall be deemed a single violation regardless of the number of occupants not properly restrained.
- (b) A person issued a citation pursuant to this subsection shall be subject to a fine of ten dollars (\$10.00), with five dollars (\$5.00) of such fine to be apportioned to the catastrophic health care cost fund, as set forth in section 57-813, Idaho Code. A conviction under this subsection shall not result in violation point counts as prescribed in section 49-326, Idaho Code, nor shall such a conviction be deemed to be a moving traffic violation for the purpose of establishing rates of motor vehicle insurance charged by a casualty insurer.

(4) A citation may be issued to the operator of the motor vehicle if the operator is under eighteen (18) years of age and the operator or any other occupant who is under eighteen (18) years of age fails to wear a safety restraint as required in this section. For purposes of this subsection, it shall be deemed a single violation regardless of the number of occupants not properly restrained. A person issued a citation pursuant to this subsection shall be subject to a fine of ten dollars (\$10.00), five dollars (\$5.00) of such fine to be apportioned to the catastrophic health care cost fund as set forth in section 57-813, Idaho Code, plus court costs. A conviction under this subsection shall not result in violation point counts as prescribed in section 49-326, Idaho Code. In addition, a conviction under

this subsection shall not be deemed to be a moving traffic violation for the purpose of establishing rates of motor vehicle insurance charged by a casualty insurer.

(5) Enforcement of this section by law enforcement officers may be accomplished only as a secondary action when the operator of the motor vehicle has been detained for a suspected violation of another law.

(6) The department shall initiate and conduct an educational program, to the extent sufficient private donations or federal funds for this specific purpose are available to the department, to encourage compliance with the provisions of this section and to publicize the effectiveness of use of safety restraints and other restraint devices in reducing risk of harm to occupants of motor vehicles.

(7) The department shall evaluate the effectiveness of the provisions of this section and shall include a report of its findings in its annual evaluation report on the Idaho highway safety plan which it submits to the national highway traffic safety administration and federal highway administration pursuant to 23 U.S.C. section 402.

(8) The failure to use a safety restraint shall not be considered under any circumstances as evidence of contributory or comparative negligence, nor shall such failure be admissible as evidence in any civil action with regard to negligence.

Nevada State Law:

NRS 484.641 Safety belts and shoulder harness assembly; requirements for child and other passenger; penalty; exemptions. [Effective until the date the Federal Government rescinds the requirement for the installation of automatic restraints in new private passenger motor vehicles, if that action is based upon the enactment or continued operation of certain amendatory and transitory provisions contained in chapter 480, Statutes of Nevada 1987.]

1. It is unlawful to drive a passenger car manufactured after:

(a) January 1, 1968, on a highway unless it is equipped with at least two lap-type safety belt assemblies for use in the front seating positions.

(b) January 1, 1970, on a highway, unless it is equipped with a lap-type safety belt assembly for each permanent seating position for passengers. This requirement does not apply to the rear seats of vehicles operated by a police department or sheriff's office.

(c) January 1, 1970, unless it is equipped with at least two shoulder-harness-type safety belt assemblies for use in the front seating positions.

2. Any person driving, and any passenger who:

(a) Is 6 years of age or older; or

(b) Weighs more than 60 pounds, regardless of age,

➤ who rides in the front or back seat of any vehicle described in subsection 1, having an unladen weight of less than 10,000 pounds, on any highway, road or street in this State shall wear a safety belt if one is available for his seating position.

3. A citation must be issued to any driver or to any adult passenger who fails to wear a safety belt as required by subsection 2. If the passenger is a child who:

(a) Is 6 years of age or older but less than 18 years of age, regardless of weight; or

(b) Is less than 6 years of age but who weighs more than 60 pounds,

↪ a citation must be issued to the driver for his failure to require that child to wear the safety belt, but if both the driver and that child are not wearing safety belts, only one citation may be issued to the driver for both violations. A citation may be issued pursuant to this subsection only if the violation is discovered when the vehicle is halted or its driver arrested for another alleged violation or offense. Any person who violates the provisions of subsection 2 shall be punished by a fine of not more than \$25 or by a sentence to perform a certain number of hours of community service.

4. A violation of subsection 2:

(a) Is not a moving traffic violation under NRS 483.473.

(b) May not be considered as negligence or as causation in any civil action or as negligent or reckless driving under NRS 484.377.

(c) May not be considered as misuse or abuse of a product or as causation in any action brought to recover damages for injury to a person or property resulting from the manufacture, distribution, sale or use of a product.

5. The Department shall exempt those types of motor vehicles or seating positions from the requirements of subsection 1 when compliance would be impractical.

6. The provisions of subsections 2 and 3 do not apply:

(a) To a driver or passenger who possesses a written statement by a physician certifying that he is unable to wear a safety belt for medical or physical reasons;

(b) If the vehicle is not required by federal law to be equipped with safety belts;

(c) To an employee of the United States Postal Service while delivering mail in the rural areas of this State;

(d) If the vehicle is stopping frequently, the speed of that vehicle does not exceed 15 miles per hour between stops and the driver or passenger is frequently leaving the vehicle or delivering property from the vehicle; or

(e) Except as otherwise provided in NRS 484.6415, to a passenger riding in a means of public transportation, including a school bus or emergency vehicle.

7. It is unlawful for any person to distribute, have for sale, offer for sale or sell any safety belt or shoulder harness assembly for use in a motor vehicle unless it meets current minimum standards and specifications of the United States Department of Transportation.

(Added to NRS by 1969, 1209; A 1985, 1953, 2294; 1987, 1106; 2001 Special Session, 151; 2003, 274, 506, 2080)

Oregon State Law:

811.210 Failure to properly use safety belts; penalty.

(1) A person commits the offense of failure to properly use safety belts if the person:

(a) Operates a motor vehicle on the highways of this state and is not properly secured with a safety belt or safety harness as required by subsection (2) of this section;

(b) Is the parent, legal guardian or person with legal responsibility for the safety and welfare of a child who is under 16 years of age and the child, while operating a Class I or Class II all-terrain vehicle that is not registered under ORS 803.420, is not properly secured with a safety belt or safety harness;

(c) Is the parent, legal guardian or person with legal responsibility for the safety and welfare of a child who is under 16 years of age and the child, while operating a Class II all-terrain vehicle registered under ORS 803.420, is not properly secured with a safety belt or safety harness as required by subsection (2) of this section;

(d) Except as provided in paragraphs (e) and (f) of this subsection, operates a motor vehicle on the highways of this state or on premises open to the public with a passenger who is under 16 years of age and the passenger is not properly secured with a child safety system, safety belt or safety harness as required by subsection (2) of this section;

(e) Is the parent, legal guardian or person with legal responsibility for the safety and welfare of a child who is under 16 years of age and the child, while riding in or on a Class I or Class II all-terrain vehicle that is not registered under ORS 803.420, is not properly secured with a safety belt or safety harness;

(f) Is the parent, legal guardian or person with legal responsibility for the safety and welfare of a child who is under 16 years of age and the child, while riding in or on a Class II all-terrain vehicle registered under ORS 803.420, is not properly secured with a safety belt or safety harness as required by subsection (2) of this section;

(g) Is a passenger in a privately owned commercial vehicle, as defined in ORS 801.210, that is designed and used for the transportation of 15 or fewer persons, including the driver, and the person is 16 years of age or older and is responsible for another passenger who is not properly secured with a child safety system as required under subsection (2)(a), (b) or (c) of this section; or

(h) Is a passenger in a motor vehicle being operated on the highways of this state who is 16 years of age or older and who is not properly secured with a safety belt or safety harness as required by subsection (2) of this section.

(2) To comply with this section:

(a) A person who is under one year of age, regardless of weight, or a person who weighs 20 pounds or less must be properly secured with a child safety system in a rear-facing position.

(b) A person who weighs 40 pounds or less must be properly secured with a child safety system that meets the minimum standards and specifications established by the Department of Transportation under ORS 815.055 for child safety systems designed for children weighing 40 pounds or less.

(c) Except as provided in subsection (3) of this section, a person who weighs more than 40 pounds and who is four feet nine inches or shorter must be properly secured with a child safety system that elevates the person so that a safety belt or safety harness properly fits the person. As used in this paragraph, "properly fits" means the lap belt of the safety belt or safety harness is positioned low across the thighs and the shoulder belt is positioned over the collarbone and away from the neck. The child safety system shall meet the minimum standards and specifications established by the Department of Transportation under ORS 815.055 for child safety systems designed for children who are four feet nine inches or shorter.

(d) A person who is taller than four feet nine inches must be properly secured with a safety belt or safety harness that meets requirements under ORS 815.055.

(e) Notwithstanding paragraphs (b) and (c) of this subsection, a person who is eight years of age or older need not be secured with a child safety system but must be properly secured with a safety belt or safety harness that meets requirements under ORS 815.055.

(3) If the rear seat of a vehicle is not equipped with shoulder belts, the requirements of subsection (2)(c) of this section do not apply provided the person is secured by a lap belt.

(4) The offense described in this section, failure to properly use safety belts, is a Class D traffic violation

811.215 Exemptions from safety belt requirements.

ORS 811.210 does not apply to:

(1) Privately owned commercial vehicles that are being used for the transportation of persons for compensation or profit. The exemption in this subsection does not apply to any of the following:

(a) Motor carriers, as defined in ORS 825.005, when operating in interstate commerce.

(b) Vehicles designed and used for the transportation of 15 or fewer persons, including the driver, except that the operator of a vehicle described in this paragraph is not required to:

(A) Be properly secured with a safety belt or safety harness as required by ORS 811.210 if the operator is a taxicab operator; or

(B) Ensure that a passenger is properly secured with a child safety system as described in ORS 811.210 (2)(a), (b) or (c).

(2) Any vehicle not required to be equipped with safety belts or safety harnesses at the time the vehicle was manufactured, unless safety belts or safety harnesses have been installed in the vehicle.

(3) Any vehicle exempted by ORS 815.080 from requirements to be equipped upon sale with safety belts or safety harnesses.

(4) Any person for whom a certificate is issued by the Department of Transportation under ORS 811.220.

(5) Any person who is a passenger in a vehicle if all seating positions in the vehicle are occupied by other persons.

(6) Any person who is being transported while in the custody of a police officer or any law enforcement agency.

(7) Any person who is delivering newspapers or mail in the regular course of work.

(8) Any person who is riding in an ambulance for the purpose of administering medical aid to another person in the ambulance, if being secured by a safety belt or safety harness would substantially inhibit the administration of medical aid.

(9) Any person who is reading utility meters in the regular course of work.

(10) Any person who is employed to operate a vehicle owned by a mass transit district while the vehicle is being used for the transportation of passengers in the public transportation system of the district.

(11) Any person who is collecting solid waste or recyclable materials in the regular course of work.

811.220 Certificates of exemption from safety belt requirement.

The Director of Transportation shall issue a certificate of exemption required under ORS 811.215 for any person on whose behalf a statement signed by a physician is presented to the Department of Transportation. For a physician's statement to qualify under this section, the physician giving the statement must set forth reasons in the statement why use of a child safety system, safety belt or safety harness by the person would be

impractical or harmful to the person by reason of physical condition, medical problem or body size.

811.225 Failure to maintain safety belts in working order; penalty.

(1) The registered owner of a motor vehicle commits the offense of failure of an owner to maintain safety belts in working order if:

(a) The vehicle is equipped with safety belts or safety harnesses that meet the standards established under ORS 815.055; and

(b) The owner fails to maintain the safety belts or safety harnesses in a condition that will enable occupants of all seating positions equipped with safety belts or safety harnesses to use the belts or harnesses.

Washington State Law:

RCW 46.61.688

Safety belts, use required — Penalties — Exemptions.

(1) For the purposes of this section, "motor vehicle" includes:

(a) "Buses," meaning motor vehicles with motive power, except trailers, designed to carry more than ten passengers;

(b) "Medium-speed electric vehicle" meaning a self-propelled, electrically powered four-wheeled motor vehicle, equipped with a roll cage or crush-proof body design, whose speed attainable in one mile is more than thirty miles per hour but not more than thirty-five miles per hour and otherwise meets or exceeds the federal regulations set forth in 49 C.F.R. Sec. 571.500;

(c) "Motorcycle," meaning a three-wheeled motor vehicle that is designed (i) so that the driver rides on a seat in a partially or completely enclosed seating area that is equipped with safety belts and (ii) to be steered with a steering wheel;

(d) "Multipurpose passenger vehicles," meaning motor vehicles with motive power, except trailers, designed to carry ten persons or less that are constructed either on a truck chassis or with special features for occasional off-road operation;

(e) "Neighborhood electric vehicle," meaning a self-propelled, electrically powered four-wheeled motor vehicle whose speed attainable in one mile is more than twenty miles per hour and not more than twenty-five miles per hour and conforms to federal regulations under 49 C.F.R. Sec. 571.500;

(f) "Passenger cars," meaning motor vehicles with motive power, except multipurpose passenger vehicles, motorcycles, or trailers, designed for carrying ten passengers or less; and

(g) "Trucks," meaning motor vehicles with motive power, except trailers, designed primarily for the transportation of property.

(2)(a) This section only applies to:

(i) Motor vehicles that meet the manual seat belt safety standards as set forth in 49 C.F.R. Sec. 571.208;

(ii) Motorcycles, when equipped with safety belts that meet the standards set forth in 49 C.F.R. Part 571; and

(iii) Neighborhood electric vehicles and medium-speed electric vehicles that meet the seat belt standards as set forth in 49 C.F.R. Sec. 571.500.

(b) This section does not apply to a vehicle occupant for whom no safety belt is available when all designated seating positions as required under 49 C.F.R. Part 571 are

occupied.

(3) Every person sixteen years of age or older operating or riding in a motor vehicle shall wear the safety belt assembly in a properly adjusted and securely fastened manner.

(4) No person may operate a motor vehicle unless all child passengers under the age of sixteen years are either: (a) Wearing a safety belt assembly or (b) are securely fastened into an approved child restraint device.

(5) A person violating this section shall be issued a notice of traffic infraction under chapter 46.63 RCW. A finding that a person has committed a traffic infraction under this section shall be contained in the driver's abstract but shall not be available to insurance companies or employers.

(6) Failure to comply with the requirements of this section does not constitute negligence, nor may failure to wear a safety belt assembly be admissible as evidence of negligence in any civil action.

(7) This section does not apply to an operator or passenger who possesses written verification from a licensed physician that the operator or passenger is unable to wear a safety belt for physical or medical reasons.

(8) The state patrol may adopt rules exempting operators or occupants of farm vehicles, construction equipment, and vehicles that are required to make frequent stops from the requirement of wearing safety belts.

RCW 46.63.030

Notice of traffic infraction — Issuance — Abandoned vehicles.

(1) A law enforcement officer has the authority to issue a notice of traffic infraction:

(a) When the infraction is committed in the officer's presence;

(b) When the officer is acting upon the request of a law enforcement officer in whose presence the traffic infraction was committed;

(c) If an officer investigating at the scene of a motor vehicle accident has reasonable cause to believe that the driver of a motor vehicle involved in the accident has committed a traffic infraction;

(d) When the infraction is detected through the use of a photo enforcement system under RCW 46.63.160; or

(e) When the infraction is detected through the use of an automated traffic safety camera under RCW 46.63.170.

(2) A court may issue a notice of traffic infraction upon receipt of a written statement of the officer that there is reasonable cause to believe that an infraction was committed.

(3) If any motor vehicle without a driver is found parked, standing, or stopped in violation of this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution, the officer finding the vehicle shall take its registration number and may take any other information displayed on the vehicle which may identify its user, and shall conspicuously affix to the vehicle a notice of traffic infraction.

(4) In the case of failure to redeem an abandoned vehicle under RCW 46.55.120, upon receiving a complaint by a registered tow truck operator that has incurred costs in removing, storing, and disposing of an abandoned vehicle, an officer of the law enforcement agency responsible for directing the removal of the vehicle shall send a notice of infraction by certified mail to the last known address of the person responsible under RCW 46.55.105. The notice must be entitled "Littering -- Abandoned Vehicle" and

give notice of the monetary penalty. The officer shall append to the notice of infraction, on a form prescribed by the department of licensing, a notice indicating the amount of costs incurred as a result of removing, storing, and disposing of the abandoned vehicle, less any amount realized at auction, and a statement that monetary penalties for the infraction will not be considered as having been paid until the monetary penalty payable under this chapter has been paid and the court is satisfied that the person has made restitution in the amount of the deficiency remaining after disposal of the vehicle.

