

SENATE JOINT RESOLUTION 728

By Cohen

A RESOLUTION relative to Tennessee's seat belt laws and the "Click It or Ticket" campaign administered by the Department of Transportation.

WHEREAS, traffic crashes are a leading cause of death in Tennessee and the United States and consequently a significant threat to public health; and

WHEREAS, according to the National Highway Traffic Safety Administration, the failure to buckle up contributes to more fatalities than any other single traffic safety related behavior; and

WHEREAS, this national tragedy is best illustrated by the staggering statistic that every hour of every day, at least one (1) person in this country dies because he or she failed to use his or her seat belt; and

WHEREAS, traffic deaths related to the failure to buckle up are rendered even more senseless by the fact that seat belts are the most effective safety device installed in motor vehicles today, as they are estimated to save 9,500 lives each year; and

WHEREAS, to encourage seat belt use among Tennessee drivers, the Department of Transportation has implemented an education and law enforcement campaign entitled "Click It or Ticket"; and

WHEREAS, while the goal of the "Click It or Ticket" campaign (to save lives through increased seat belt usage) is laudable, the premise of such program is fundamentally untrue; and

WHEREAS, by means of public service announcements and advertisements that are disseminated through a wide variety of media, the "Click It or Ticket" campaign implies that a Tennessee driver will be stopped and ticketed if a law enforcement officer observes the driver

operating a motor vehicle without having properly secured his or her seat belt, thus insinuating that Tennessee has a primary seat belt enforcement law; and

WHEREAS, many states do classify failure to wear a seat belt as a primary offense, but Tennessee does not; instead, Tennessee law classifies a violation of the seat belt law as a secondary offense, meaning that a law enforcement officer may issue a citation for failure to wear a seat belt to an adult driver only if such driver is stopped by the officer for a separate violation of law and issued a citation or warrant for such separate violation; and

WHEREAS, for the Tennessee Department of Transportation to intimate via the media that Tennessee has a primary seat belt enforcement law, no matter how worthy the cause, is fundamentally dishonest in disseminating misleading information to the citizens of this State; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that the Department of Transportation is hereby directed to cease and desist its use of any component of the "Click It or Ticket" campaign, or any other public service announcement or advertisement, that states or otherwise implies that Tennessee has a primary seat belt enforcement law.

BE IT FURTHER RESOLVED, that an enrolled copy of this resolution be transmitted to the Commissioner of Transportation.