

## **Legal Loopholes In Highway Needlessly Kill and Injure Americans**

The latest fatality and injury numbers from the federal government show almost 33,000 persons died and 2.2 million more injured in vehicle collisions in 2013, a small decrease over 2012. While the numbers are encouraging, they were only minimally lower than the year before. There is still just too many people seeing their lives, and lives of friends and family, ruined, changed and curtailed on the nation's roads and highways.

In "[Lethal Loopholes](#)," [Jacqueline S. Gillan](#), President of [Advocates For Highway and Auto Safety](#) (AHAS) points out that drunk driving continues to be a problem on the road. According to Gillan, one alcohol-linked fatality happened every 52 minutes. The majority of states don't require all [drunk driving offenders](#) and were convicted, to install an interlock device which would keep them from drinking and driving in the future.

"Complacency and lack of action have resulted in a dangerous and deadly patchwork of laws in the country," says Gillan. "Lethal loopholes in traffic safety laws are killing us."

A fifty-page report released by AHAS, says the [National Highway Traffic Safety Administration](#) has fallen down on the job.

In a particular scathing statement given by Gillan in Congressional testimony in June 2017, the advocate looks at autonomous vehicle (AV) technology and how legislation has failed to keep up with high-tech.

Gillan told Congress: "The NHTSA has a statutory duty to ensure the safety of AVs. Unfortunately, NHTSA has chosen to issue only "voluntary guidelines" for the development of AVs. Voluntary guidelines are not legally binding, are unenforceable, and are inadequate to ensure safety and protect the public."

Gillan did chastise representatives for failing to provide enough money for the NHTSA to do their job properly. Gillan told the Congressional hearing: "NHTSA must be given additional funding to meet demands being placed on the agency about the advent of AV technology."

## **Highway Safety Laws Still Needed Nevada**

2013 Fatalities: 262 10-Year Fatality Total: 3,217 Annual Economic Cost Due to Motor Vehicle Crashes:

\$2,277 Billion

Highway Safety Laws Needed in Nevada:

Primary Enforcement

Seat Belt Law (Front & Rear)

Booster Seat Law Through Age 7

GDL - Minimum Age 16 for Learner's Permit

GDL - Nighttime Restriction Provision (Without S)

GDL - Passenger Restriction Provision (Without S)  
GDL - Stronger Cell Phone Restriction Provision  
Ignition Interlock Law for All Offenders

## **Focus Areas**

The latest report available lists seven areas where legal loopholes are not contributing to the safety of American motorists. The three Gillan gives the most attention to are:

- Primary Enforcement of Seat Belt Laws
- Distracted Driving Issues, and
- Impaired, aka 'drunk driving' laws

### **Primary Enforcement Seat Belt Laws**

All states except New Hampshire have a seat belt law, but only 33 states and DC allow primary enforcement of their front seat belt laws. Among the states that have primary enforcement seat belt laws, only 17 and DC cover occupants in all seating positions (front and rear).

### **Distracted Driving**

To date, 39 states and DC ban text messaging for all drivers, including two states (NM and SC) that adopted this law in 2014.

### **Impaired Driving Laws**

As a result of federal laws enacted with strong sanctions, all 50 states and DC have adopted .08% BAC laws, a national 21 minimum drinking age, and zero tolerance BAC laws for youth.