

Beatriz Fuentes of Springfield leads new effort for primary seat belt law in Massachusetts

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Submitted photo Beatriz Fuentes, left, is pushing for a tougher seat belt law after her daughter, Natalie, right, was killed in a car crash in Springfield.

BOSTON – Beatriz Fuentes of Springfield still agonizes over why her daughter Natalie failed to wear a seat belt the night in 2006 when she was thrown from a car and killed.

A survivor from a prior accident, the daughter, 21, knew first-hand that seat belts save lives. In 2003, Natalie was wearing a seat belt when as a passenger in a friend's car, she suffered serious cuts and other injuries – broken bones and a swollen brain – but the belt worked and spared her life, she said.

In July 2006, after watching fireworks with her mother, Natalie climbed into her own Volkswagen Jetta as a passenger, allowing her boyfriend to drive, the mother said. The car flipped over about 10 p.m. at Carew and Savoy streets in Springfield and hit a mailbox, a telephone pole and a bus stop after the boyfriend turned to avoid a car that stopped suddenly in front of them, the mother said. Alcohol and speeding were not factors in the crash.

Natalie, a 2003 graduate of Springfield Central High School, normally strapped in when driving, she said. "I'm confused and sick to my stomach about why that particular night she did not wear her seat belt," said Fuentes, who is a multi-cultural community outreach coordinator for the **Brain Injury Association of Massachusetts**, working out of Pittsfield.

She said she is virtually sure of one thing: Natalie would have used a seat belt if Massachusetts had a **“primary” seat belt law** and would likely still be alive. The state currently has a mandatory seat belt law, but it has a weaker “secondary” enforcement for adults, allowing police to ticket someone for failing to wear a belt only if they are pulled over for another reason. Under a primary law, police could look inside a vehicle and stop anyone just for neglecting to buckle up.

Fuentes said a primary law would reinforce the responsibility of passengers and drivers to wear a belt.

Fuentes, 47, is helping lead a new charge in Massachusetts to persuade the state Legislature to pass a primary seat belt law. Fuentes said the current mandatory belt law lacks teeth and isn't taken seriously by many motorists.

It's been nearly five years since the state Legislature took a roll call vote on a primary belt law.

In May 2006, the Senate voted 24-15 to approve a primary belt law, but the House voted 80-76 to defeat the bill. The House abruptly turned against the law. Earlier that year, it had voted 76-74 to approve a primary belt law.



Beatriz Fuentes pushes for primary

seatbelt law In Massachusetts, you currently cannot be pulled over for not wearing a seatbelt, but can get a citation for it if pulled over for something else. [Watch video](#)

Supporters said the time is right for another vote in the House, which is viewed as the toughest hurdle for the law.

Backers said a good sign is that a top House leader, **Speaker Pro Tempore Patricia A. Haddad**, D- Somerset, is for the first time the chief sponsor of one bill for a primary belt law.

“I would like to do it for all those people who lost a loved one because they were not wearing a seat belt,” Haddad said.

In an interview, Haddad said her bill could provide a spirited debate, but she said she is unsure if the bill will get drowned out this session by a series of other issues such as overhauling health care, legalizing casinos and creating jobs.

Sen. **Patricia D. Jehlen**, D-Somerville, is the main sponsor of "Natalie's bill," which is separate **legislation to create primary belt law** named after Fuentes's late daughter.

Fuentes, a Latino, also said she wants to separate racial profiling from a primary belt law, saying that profiling is a legitimate concern but is a different issue. She points out that Rep. Cheryl A. Coakley-Rivera, D-Springfield, a Hispanic leader, is cosponsoring Jehlen's bill. Other local cosponsors include Reps. Stephen Kulik, D- Worthington, Ellen Story, D-Amherst, and Sen. James T. Welch, D-West Springfield.

Critics have said a primary belt law would give police another tool for pulling over minorities such as Hispanics and blacks. Critics have also said that a primary law goes too far in infringing on personal liberties.



Republican file photo Sen. Gale D. Candaras said she is concerned about the ability to enforce a law that would give police the right to pull over someone for failing to wear a seat belt.

Sen. Gale D. Candaras, D-Wilbraham, who has opposed a primary belt law in the past, said she still has concerns about giving police more reasons for primary stops. Candaras said the state's current mandatory belt law does not work and a primary law may not help.

"I am very concerned about putting more laws on the books, always," said Candaras, who is a lawyer. "For me to put another law on the books involving police and law enforcement, I have to be 100 percent sure it will be a law that will be uniformly enforced and that it will really work, that it will actually compel people to do something."

Candaras said she always wears a seat belt and more education is needed to promote the benefits.

Candaras said she is also concerned with enforcing a primary belt law. She said it's difficult for police to see if someone is wearing a belt, particularly during rain or at night.

"I'm a little concerned about who gets stopped and when they get stopped," Candaras said. "A good law should be uniform in its application."

Massachusetts is among 20 states without a primary belt law, according to the website of the **Insurance Institute for Highway Safety** in Arlington, Va. Connecticut, Maine and New York have primary enforcement.

The state's low rate of seat belt use – and a chance to receive millions in additional federal dollars – could prompt a primary belt law.

According to Cindy Campbell, senior program manager with the **Massachusetts Highway Safety Division**, a primary belt law would annually save 18 lives and prevent 654 serious non-fatal injuries from vehicle accidents in Massachusetts. Such a law would also save \$171 million in related medical and other costs involving people with serious injuries.

The state could also receive \$13.6 million in federal incentive money this year if it passed a primary belt law by June 30, she said.

In 2009, 73.6 percent of people used a seat belt in Massachusetts, ranking No. 47 in the nation, according to statistics provided by Campbell. Massachusetts was ahead of South Dakota, New Hampshire and Wyoming.