Commentary

Seat Belt Use Laws and Occupant Crash Protection in the United States

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Abstract: Current federal rule-making requires restraints such as air bags or automatic seat belts in new cars starting with model year 1987 unless states with two-thirds of the United States population enact seat belt use laws meeting certain criteria. Belt use laws have been enacted by 26 states and the District of Columbia as of July 1, 1986. The first laws to go into effect increased use from less than 20 per cent to 50–70 per cent in the first month; in most cases rates subsequently dropped to below 50 per cent. Texas has been an exception to this trend because it has had much tougher enforcement of its seat belt law than other states. This pattern is similar to the experience of Canadian provinces that passed laws in the mid-1970s; enforcement/publicity programs in Canada have produced belt use rates that are currently greater than 60 per cent. An enforcement program in Elmira, New York also increased use rates sharply. New York, which had the first and one of the strongest and most successful laws so far, had an estimated fatality reduction of 9 per cent during the first nine months of the law. It is likely that a 10 per cent reduction in fatalities is the maximum that can be expected from belt use laws without special enforcement efforts. Provision of automatic restraints in combination with belt use laws would greatly increase crash protection. (*Am J Public Health* 1986; 76:1438–1442.)

Introduction

An effective way to reduce injuries in motor vehicle crashes is to restrain occupants so that they stay inside the vehicle and so that their contact with harmful interior structures is reduced or eliminated. This can be accomplished by seat belts, air bags, or a combination of the two.

The objective of restraining motor vehicle occupants in car crashes has been difficult to achieve. Most automobiles currently on the roads are equipped with seat belts that must be manually fastened on each car trip. Use rates of manual belts on a voluntary basis have typically been low—15 per cent or less in the United States[1]—and attempts to increase their use through public information and educational programs have been ineffective or have had only limited success.[2,3]

To improve seat belt use rates, about 30 countries throughout the world enacted laws during the 1970s requiring motorists to use seat belts. Most of these laws have succeeded in increasing use rates to greater than 50 per cent and reducing fatalities and serious injuries somewhat.[4] However, worldwide experience with belt use laws is quite varied. In Great Britain, exceptionally high use rates of above 90 per cent have been achieved, resulting in fatality reductions in excess of 20 per cent.[5] At the other extreme, nine years after passage of a law in Puerto Rico, use rates were only 3 per cent.[6]

Restraint Use Laws in the United States

Although the federal government required that all new cars be equipped with lap and shoulder belts by 1968 and the majority of state legislatures considered seat belt use legislation during the 1970s, no belt use laws were passed. However, beginning with Tennessee in 1978, states initiated laws requiring restraints to be used for infants and young children. By mid-1985, all 50 states and the District of Columbia had enacted child restraint use laws, many of which allowed use of seat belts as an alternative to special child restraint devices. A logical next step was to extend these laws to other ages, which was done first in New York State. Subsequently, New York issued a regulation that required seat belt use by learner permit holders. Following this regulation, a law requiring belt use by junior licensees and probationary license holders was passed and then was superseded by another law requiring belt use by all front seat occupants, as of December 1984.

Department of Transportation Rule on Automatic Restraints

After New York's belt use law was passed, Secretary of Transportation Elizabeth Dole issued a final rule on Federal Motor Vehicle Safety Standard (FMVSS) 208, Occupant Crash Protection. FMVSS 208 has had a long and complicated history, described in detail elsewhere.[7] Rule-making on FMVSS 208 was begun in 1969; in 1970 a notice of proposed rule-making was issued that would have required passenger cars manufactured after January 1, 1973 to be equipped with "passive" or automatic restraints, that is, restraints that function automatically when needed without any action being required from occupants. The two known ways to meet the injury criteria of the present standard are by air bags that inflate automatically from inside the steering wheel or dashboard in crashes and by seat belts that automatically fasten around occupants when they enter the car. The automatic restraint provisions of FMVSS 208 have been delayed or altered several times since 1970; they have generally been vigorously opposed by automobile manufacturers and vigorously supported by public health professionals.

Under the FMVSS 208 final rule, automobile manufacturers are again required to install automatic restraints in all new cars by the 1990 model year (starting with 10 per cent in 1987). However, if states comprising two-thirds of the nation's population pass seat belt use laws meeting certain minimum criteria by 1989, the automatic restraint requirements will be rescinded. These criteria include:

- requiring proper seat belt use by drivers and front seat passengers of passenger cars required by federal regulation to be equipped with seat belts;

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- issuing no waivers except for medical reasons;
- providing a minimum $25 fine for violations;
- requiring that violations of the law may be used in mitigating damages sought by that person in litigation to recover damages for crash injuries;
- establishing prevention and education programs to encourage compliance with the laws; and
- establishing programs to evaluate the effect of the laws.[8]

Passage of State Seat Belt Laws

Since this rule, 25 more states and the District of Columbia have enacted laws as of July 1, 1986, and laws were pending in several other states. This count excludes Nevada, whose law goes into effect only if Nevada is authorized a 70 mile per hour maximum speed limit by the federal government. These laws have been spurred in large part by a multimillion dollar lobbying campaign sponsored by US automobile manufacturers.

The enacted laws cover 73 per cent of the population of the United States. The states, effective dates of the laws, and penalty and enforcement provisions are provided in Table 1. The laws that have been passed typically require seat belt use by front seat occupants of most types of motor vehicles (except large trucks) that are equipped with seat belts. There is variation in the laws, and many do not meet several of the Secretary's minimum criteria. In addition, the laws differ in a way not anticipated by the Department of Transportation's rule-making—only eight of the 27 states with belt use laws permit motorists to be stopped for a seat belt law violation alone (primary enforcement). In the other 19 states, a vehicle must first be stopped for some other traffic offense (secondary enforcement).

Effects of the Laws on Belt Use Rates

Ten of the laws were in force in 1985, and there is now some information available on their initial impact. Much of the information currently available consists of observations of seat belt use in daily traffic that has been collected before the laws and at one or more times after the laws went into effect. Results from studies in five states are presented in Table 2.

Different techniques for making observations of seat belt use have been employed in the various studies cited in Table 2, but the data are consistent in showing that in the first month in which penalties were introduced, there was a surge in belt use from pre-law levels. In all the states, belt use rates were 20 per cent or less (typically about 15 per cent) prior to the law; they generally rose to between 50 and 70 per cent in the first month. The initial rise in belt use was followed by declines in four of the five states, typically beginning by the fourth month of the law; belt use rates in these states at the last observation period ranged between 38–46 per cent. Texas provides an exception to this pattern, as belt use rates rose farther, to 63 per cent, after five months of enforcing the law. In addition, data from the National Highway Traffic Safety Administration's ongoing 19-city survey indicated that belt use was 35 per cent in Chicago in November 1985 (fourth month of Illinois law) and 40 per cent in New York City in August (eighth month).[13]

Effects of the Laws on Fatalities

An increase from 15 per cent to 45 per cent in belt use translates to about a 15 per cent reduction in fatalities of front seat occupants. The theoretical fatality reduction is computed by the formula $R = [(AE - BE)/(1 - BE)]*100$, where R is the per cent reduction in fatalities, A is the proportion using belts after the law, B is the proportion using belts pre-law, and E is the proportional reduction in the likelihood of fatality in a crash (0.45).[8] However, this assumes that belt use rates achieved in the daily traffic are equal to those in the crash population, and typically this is not the case. Motorists with higher crash or injury risks (e.g., males, teenagers, speeders) are also less likely than other drivers to comply with belt use laws.[9,12,14] Drinking drivers, who make a major contribution to fatal and serious injury crashes, are less likely than others to comply with belt use laws.[15,16] The result is that fatality reductions are usually less than would be expected based on results from surveys of daily traffic; this has been the experience of countries around the world with belt use laws.[17,18]

New York has one of the strongest belt use laws in the United States in terms of its permissible fine (up to $50) and primary enforcement provision. Through the fourth month of the law, it achieved higher use rates than the other states (except Texas) for which observational results were available, although toward the end of the first year of the law rates had dropped to under 50 per cent. When New York was

TABLE 1—US Seat Belt Laws as of July 1, 1986

State	Effective Date	Penalty	Enforcement Provision*
New York	12/1/84	Up to $50 (after 12/31/84)	Primary
New Jersey	3/1/85	$20	Secondary
Illinois	7/1/85	Up to $25	Secondary
Michigan	7/1/85	$10; $25 after 12/31/85	Secondary
Texas	9/1/85	$25–$50 (after 11/30/85)	Primary
Nebraska	9/6/85	$25	Secondary
Missouri	9/28/85	Up to $10 (after 6/30/87)	Secondary
North Carolina	10/1/85	$25 (after 12/31/86)	Primary
District of Columbia	12/12/85	Up to $15 (after 6/12/86)	Secondary
Hawaii	12/16/85	$15	Primary
California	1/1/86	Up to $20 for first offense Up to $50 for second offense	Secondary
Connecticut	1/1/86	$15 (after 1/31/86)	Primary
Massachusetts	1/1/86	$15	Secondary
New Mexico	1/1/86	$25–$50	Primary
Tennessee	4/21/86	$25 for second offense (after 12/31/86)	Secondary
Utah	4/28/86	$10	Secondary
Ohio	5/6/86	Driver $20, Passenger $10 (after 7/3/86)	Secondary
Washington	6/29/86	$20 (after 12/31/86)	Secondary
Louisiana	7/1/86	$25 (after 7/31/86)	Secondary
Maryland	7/1/86	Up to $25	Secondary
Idaho	7/1/86	$5	Secondary
Kansas	7/1/86	Up to $10 (after 6/30/87)	Secondary
Iowa	7/1/86	$10 (after 12/31/86)	Primary
Minnesota	8/1/86	No Fine	Primary
Florida	7/1/86	$20 (after 12/31/86)	Secondary
Oklahoma	2/1/87	$25	Secondary
Indiana	7/1/87	Up to $25	Secondary

**Primary enforcement*: a police officer can stop a motorist simply for failure to wear a seat belt. *Secondary enforcement*: a vehicle must first be stopped for some other traffic offense before a ticket may be given for not wearing a seat belt.

TABLE 2—Per Cent of Front Seat Occupants Using Seat Belts in States with Laws

State	Pre-Law	Enforcement Month 1	2	3	4	5	6	7	8	9	10	11	12	13
New York														
IIHS[9]	13	59			60									44
ITSMR[10]	12	69			57					49				
New Jersey														
IIHS[9]	16	51				44								38
Westat[11]	18				40									
Illinois														
IIHS[9]	18	47			41									
Michigan														
UMTRI[12]	18	61				44								
Texas														
IIHS[9]	15	55				63								

The observational data collected by the Institute for Traffic Safety Management and Research (ITSMR), Westat Corp., and University of Michigan Transportation Research Institute (UMTRI) are intended to be statewide estimates. The Insurance Institute for Highway Safety (IIHS) data are not statewide but indicate changes over time in those locations in the state where the observations were conducted.

compared to neighboring states without belt use laws, based on fatality data from five years before the law and nine months after, the reduction in fatalities in vehicles covered by the law in New York during the first nine months was 9 per cent.[19] In its rule-making on FMVSS 208, the Department of Transportation estimated that seat belt laws would result in a 16–20 per cent reduction in front seat occupant fatalities if they produced a change in belt use comparable to the change observed in New York.[8] Thus, consistent with the experience of other jurisdictions with laws, New York's fatality reduction is less than expected. The fatality estimate for New York may slightly underestimate the effect on front seat occupants because it included the experience of rear seat occupants, who are not covered by the law. However, it should also be noted that this 9 per cent reduction occurred during a period when use rates in New York were higher than they were subsequently, and thus the long-term effect of the law may be overestimated.

The Canadian Experience and the Importance of Enforcement

It is interesting to compare the states' experience with belt use laws to that of Canadian provinces that enacted laws in the mid-1970s. Several of the provinces also experienced large increases in initial use rates, followed by declines within a few months.[20] In 1980, shoulder belt use rates were 45 per cent in British Columbia, 42 per cent in Ontario, and 38 per cent in Quebec.[21] Studies of the effects of the laws on fatalities produced disappointing results. According to one study of the laws, ". . . the loss reductions associated with efforts to increase seat belt wearing rates in Canada have been extremely disappointing. Reductions in injuries and deaths from various measures to promote increased wearing of seat belts have consistently fallen short of initial expectations."[22] In another study based on data through 1981, the overall reduction in motor vehicle occupant fatalities in the three provinces was estimated to be 11 per cent.[20]

Experience worldwide has indicated that enforcement of belt use laws is an important factor in achieving and maintaining high belt use rates.[4,23] Several Canadian provinces recognized that seat belt use laws could be more successful in reducing fatalities and initiated programs designed to provide stepped-up enforcement of the laws. These programs, which involved intensified enforcement accompanied by heightened publicity, successfully increased use rates. For example, a one-month program in Ottawa, Ontario increased belt use from 58 per cent before the program to 80 per cent right after; two years later belt use was still 66 per cent.[24] Over this period belt use in Kingston, Ontario, the comparison city without a program, dropped from 54 to 43 per cent. Largely as a result of increased enforcement and publicity efforts, belt use has increased in Canadian provinces in the 1980s. In 1985 belt use was 69 per cent in British Columbia, 66 per cent in Ontario, and 53 per cent in Quebec.[21] These rates are considerably higher than current belt use rates in most states with laws.

A three-week enforcement/publicity campaign, similar to those in Canada, was conducted in November 1985 in Elmira, New York, a city of about 35,000 people.[25] This program increased belt use from 49 to 77 per cent right after the program. Two weeks later belt use was 69 per cent; two months later it was 66 per cent and after four months, belt use was still above 60 per cent. Belt use in Glens Falls, a comparison city, fell from 43 to 37 per cent over this interval. A subsequent reminder campaign conducted in Elmira in the spring of 1986 increased use to 80 per cent.[26] The belt use law in Texas has also been strongly enforced, apparently much more so than in other states. State troopers in Texas issued 28,000 tickets for seat belt violations in the first four months of 1986.[27]

Thus in the United States, as in Canada, publicly visible enforcement campaigns can substantially increase compliance with belt use laws. The likely level of compliance that can be achieved and the levels of enforcement that police and community leaders judge as politically desirable and feasible in the United States are yet to be determined. Evidence from the Canadian provinces suggests that use rates of 60 per cent or more are possible with increased enforcement and publicity. It must be noted that this projection assumes that the secondary enforcement provisions of many of the laws will not prove to be a serious impediment to their perceived and actual enforcement. Otherwise, use rates in those states are likely to settle in the 40–50 per cent range or lower, again based on belt use law compliance rates observed in Canadian provinces with low enforcement efforts.

Future of US Seat Belt Laws and Other Occupant Restraint Options

It is likely that more states will enact belt use laws in the next few years. On the basis of initial results from the first states with laws, the *maximum* reduction in occupant fatalities and serious injuries that can be expected without special enforcement efforts is probably similar to the approximately 10 per cent reduction that has been achieved in New York. Fatality and injury reductions will be lower if further declines in use rates occur. Front seat occupants of motor vehicles other than large trucks and motorcycles accounted for 26,597 (60 per cent) of all motor vehicle fatalities in 1984. If all states had had laws during that year, this maximum effect would have translated to the saving of about 2,700 lives in 1984. With special enforcement efforts, many more lives could be saved. It should be noted that whereas most of the state laws require seat belt use by front seat occupants of most vehicles that have belts other than large trucks, some exclude certain vehicles such as pickup trucks. Louisiana, New Mexico, and Oklahoma are three states that do so and about 30 per cent of the occupant deaths in these states in 1984 were sustained by pickup truck occupants.[28]

TABLE 3—Annual Incremental Reductions in Occupant Deaths for Lap/Shoulder Belts Alone and Air Bags Plus Lap/Shoulder Belts

% Belt Usage Rate	Annual Reductions in Occupant Deaths		
	Lap/Shoulder Belt	Lap/Shoulder Belt Plus Air Bag	Difference
12.5 (1983 level)	0	6,830	6,830
40	3,220	8,310	5,090
50	4,380	8,850	4,470
70	6,720	9,910	3,190
90	9,044	10,970	1,926

Based on DOT estimates of front seat fatal injuries in 1990 and the effectiveness of occupant restraint systems.

The passage of seat belt laws is an important development in occupant protection in the United States, but in terms of providing maximum protection, the combination of seat belts and air bags provides the most effective restraint system available today. Table 3 shows the estimated number of lives that could be saved in the United States in 1990 with varying levels of manual belt use in crashes, as estimated from figures provided by the Department of Transportation.[8] For example, with a 50 per cent use rate in crashes, the lives saved are approximately doubled with the addition of air bags. The number of serious injuries prevented would also be more than doubled. A 50 per cent belt use rate in crashes implies a use rate in daily traffic substantially greater than 50 per cent; this is an optimistic but possible scenario if all states enacted belt use laws and enforced them. Even at 70 or 90 per cent usage of manual lap and shoulder belts in crashes, many additional lives could be saved by adding air bags.

Note that if automatic restraints are federally mandated, manufacturers could meet this requirement by providing automatic belts rather than air bags. Automatic and manual belts are thought to be about equally effective in reducing injuries.[8] If automatic belts were chosen, this could greatly increase use rates in states without laws, and also maximize the use of belts in states with laws. However, this depends in part on the type of automatic belt provided. Automatic belts can be designed in various ways, and some types are more easily detachable than others. Use rates of 70 per cent and greater have been achieved in the very limited number of cars with automatic seat belts presently on the roads.[29]

The FMVSS 208 rule had the effect of posing automatic restraints and seat belt use laws as an either/or choice rather than as complementary approaches to protecting motor vehicle occupants. State legislatures considering belt use laws have had to deal with the possibility that their state's legislation could affect the availability of air bags and automatic belts throughout the country. In fact, there should be no incompatibility between belt use laws and automatic restraints. It will take time to get automatic restraints into the vehicle fleet and laws serve to protect those still driving cars with manual belts. Air bags provide a baseline of protection to those car occupants who do not comply with belt use laws and add to the protection of those who do use belts. Automatic belts would increase the use of seat belts, and belt use laws would reduce the likelihood that automatic belts are disconnected.

Some states, such as Missouri and Michigan, apparently passed belt use laws as a means of canceling the federal requirement for automatic restraints. Their laws are written so that they will be rescinded if the automatic restraint provisions become effective. Other states, favorable both to belt use laws and automatic restraints, wrote provisions nullifying the belt use requirement if their populations were required to be counted to achieve the two-thirds necessary to rescind the automatic restraint requirement. Secretary Dole has announced that the California and DC laws will not be counted because of those provisions. Excluding these states, about 62 per cent of the nation's population was covered by belt use laws as of July 1, 1986. Although most or all of the laws do not meet the minimum criteria specified by the Department of Transportation. Secretary Dole had not ruled on them as of July 1, 1986. Thus, at this writing, the federal requirement that automatic restraints be provided in some new cars starting with model year 1987 is still in force. If the federal requirements are dropped, the seat belt use laws in California and Massachusetts specify that automatic restraints will be required in all new cars manufactured after September 1, 1989 and sold in those states.

Whether or not the federal automatic restraint provision is rescinded, air bags are becoming more widely available in the new car marketplace, and there are indications that they will become increasingly available. Mercedes Benz currently provides air bags as standard equipment on all models, BMW provides them on its top-of-the-line car, and Ford Motor Company is offering driver-side air bags as an option on some 1986 models. In the 1987 model year, most European manufacturers will be offering air-bag equipped cars for sale in the United States, and General Motors and Chrysler Corporation plan to market air-bag equipped 1988 models.

ACKNOWLEDGMENTS

This work was supported by the Insurance Institute for Highway Safety. The assistance of Michele Fields and Sharon Rasmussen is gratefully acknowledged.

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American Academy of Pediatrics Supports Contraceptive Advertising

The American Academy of Pediatrics (AAP) recently adopted a policy statement that supports and encourages responsible nonprescription contraceptive advertising on television and radio. The policy statement "Sexuality, Contraception and the Media" which appears in the September issue of *Pediatrics*, was prepared by the medical group's Committee on Adolescence, which takes the position that "There is no evidence that increased sexual knowledge alters the likelihood of teenagers having sexual intercourse. However, there is evidence that increased knowledge leads to increased use of contraception and decreased consequences of pregnancy and infection in those teenagers who are sexually active."

The AAP, which joins the American College of Obstetricians and Gynecologists in support of contraceptive advertising, agrees that existing guidelines endorsed by several national organizations would assist advertisers to ensure educational, realistic, and focused content on responsible sexual behavior and decision making, and promoting responsible sexual behavior and decision making to adolescents may result in a greater percentage of wanted and well-spaced pregnancies.

In Western countries in which family planning is actively promoted, the incidence of pregnancy in teenagers is strikingly lower than in the United States, and yet levels of sexual activity among adolescents in these respective groups remain similar, the Committee reports.

One of the major stumbling blocks regarding this type of advertising still appears to be the television networks, which have resisted such advertising airing, even though the National Association of Broadcasters repealed a ban on contraceptive ads in 1982. "References to responsible activity associated with sex continue to be censored as 'controversial', and network executives cite fear of adverse public response. Contraceptive advertising opponents fear that such advertising will condone or encourage sexual intercourse among teenagers," the Committee writes.

The Academy replies that in light of the overabundance of sexual messages permeating television and radio programming, it is incongruous to avoid or censor any reference to responsible sexual behavior. Instead, it cites evidence that television has been shown to be useful in promoting the use of family planning clinics in selected American communities.

The 29,000-member AAP is located at 141 Northwest Point Road, P.O. Box 927, Elk Grove Village, IL 60007.