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Car seat belt use rises while motorcycle helmet use falls

WASHINGTON (AP) — A patchwork of state policies is inspiring more motorists to buckle their seat belts than ever before but the number of motorcyclists wearing helmets has plummeted, a government study showed Tuesday.

Seat belt use reached 75 percent this year, the highest level since national surveys began in 1994, according to the National Highway Traffic Safety Administration. Officials there credited the trend in part to education and enforcement efforts such as the "Click it or Ticket" campaign, in which 30 states participated over the Memorial Day weekend.

war between highway safety advocates and individual rights activists in the legislatures. State assemblies, experts said, generally tend to pick their battles in favor of seat belt restrictions.

"There is a feeling out there in the legislatures that some laws are easier to pass than others."

— Judie Stone
president of Advocates for Highway and Auto Safety

"More and more, people are realizing that seat belts are absolutely the most effective safety device in a car," said Jeffrey W. Runge, administrator of the agency.

Similarly, helmets are the most effective safety device for motorcyclists. The NHTSA estimates that in a crash, such headgear reduces the likelihood of a fatality by 29 percent.

But state laws requiring helmet use unveiled after 1995, when Congress repealed incentives for states to require motorcyclists to wear head protection. Helmet usage has dropped nearly 14 percent since 2000, when the last survey was taken, the agency said.

The contrast between state laws on seat belt and helmet usage reflects a fierce tug-of-

"There is a feeling out there in the legislatures that some laws are easier to pass than others," said Judie Stone, president of Advocates for Highway and Auto Safety.

Interest groups like Stone's have picked up that cue and spent more effort pressing for states to tighten seat belt restrictions than motorcycle helmet requirements. Besides, she said, the danger of front-seat riders who do not wear seat belts, she said, is simply a bigger public safety problem than the danger of helmet-less motorcyclists.

NHTSA said the overall number of fatalities dropped slightly, from 41,730 in 2000 to 41,730 in 2001. Sixty percent of those killed in cars and trucks last year were not wearing a seat belt. NHTSA's figures show an increase in seat belt use from 73 percent in 2001 to 78 percent in 2003, which saved an estimated 1,130 lives a year.

The agency conducted the survey three weeks in June, during which 1.5 million vehicles and 900 motorcycles were stopped for seat belt and helmet use at 200 way and intersection sites. The survey had a margin of error of 2 percentage points.

Motorcycle fatalities rose for the second consecutive year, to 3,067, the highest in 11 years. Motorcycle deaths reached a low point in 1997 with 2,116, or 21.4 deaths every million miles driven. That was a third of the rate 20 years earlier.

The rise in deaths and the drop in helmet use reflects a sharp change in public opinion since 1995, when the first Republican-controlled Congress in 40 years repealed legislation that offered incentives to states required helmet use.

Since then, five states — Arizona, Florida, Kentucky, Louisiana and Texas — relaxed their motorcycle helmet requirements, according to the National Conference of State Legislatures. Three states — Colorado, Illinois and Iowa — relaxed requirements on helmet use, the agency said.

Towns try to keep mines from opening nearby

LICK CREEK, Ky. (AP) — Susan Skeens and other folks in Lick Creek sprang into action when a coal company moved to open a mine near their homes in this little Appalachian community where the loudest sound at night is often the mournful call of a whippoorwill.

"Everything I have will be covered with black dust," said Skeens, whose home is some 250 feet from the proposed entrance to the mine.

Lick Creek's battle to stop the project may be the first of many to come in Kentucky as older coal mines are played out and mining companies move closer to populated areas to dig.

Residents of Lick Creek, a community of about 50 homes in a hollow in eastern Kentucky, have staved off the TECO Coal subsidiary for two years by obtaining a state ruling that mining would damage well water.

In the past, Kentucky's coal was typically mined deep in the mountains where coal seams were thickest and easiest to dig out.

But TECO spokeswoman Laura Plumb said that now that public water lines have been extended into the community, the state no longer has any reason to stop the underground mine from opening.

Residents disagree. They fear the dust, the noise and other environmental effects.

Coal mining is a \$3.5 billion industry in Kentucky, which ranks third, behind Wyoming and West Virginia, in tons mined. Kentucky's 15,500 miners produced 131 million tons in 2000 and made more than \$678 million in wages, according to the Kentucky Coal Association.

But after a century of heavy mining, "the easy coal is gone," said Tom FitzGerald, an environmental attorney representing Lick Creek residents. "Coal seams that once were considered marginal or problematic now are being mined. Often, they're close to homes."

Residents of McRoberts blame a nearby mountaintop mine for recurrent flash flooding. Others complain that blasting shakes their homes like daily earthquakes. In the small community of Ary, residents complain that dust covers their homes, furniture, even the trees. Earlier this month, authorities evacuated 12 homes at Brushy when blasting sent rocks down a mountainside; one boulder destroyed a mobile home.

Roy Mullins, a former coal miner now leading the charge to keep Clintwood Elkhorn Mining Co. from opening the mine in Lick Creek, said residents across the Appalachian coalfields have a vested interest in the case.

Charles Howard said a mine near Viper is causing his house to sink and subjects his family to the roar of machinery and the beeping of heavy equipment moving in reverse.

"It could be their community next," he said. "We're not trying to shut down a coal com-

pany, and we're not trying to put anyone out of work. But it's time for the communities to take a stand."

Bill Marcum, vice president of the Kentucky Coal Association, said coal companies try their best to be good neighbors.

He said the state does not allow coal companies to begin mining until it is reasonably assured there would be no harm to residential areas. If harm does result, Marcum said, government agencies can step in, imposing fines or even ordering mines to shut down.

Clashes between homeowners and industry are often attributed to burgeoning population and the spread of development into the countryside. But that does not appear to be the case in Appalachia's coal country.

NEWS IN BRIEF

Husband on trial for shooting through ceiling

SAVANNAH, Ga. — A drunk and angry wife, Donald Chase, fired a pistol to the floor of an upstairs den and a bullet passed through the pet and the kitchen and killed his wife, poured bottles of liquor into the sink.

Chase, 56, is now on charges of murdering of 32 years, Jackie Chase in their stucco townhome in Savannah's historic district last September.

Chase's attorney said the shooting was accidental. Prosecutors said the 50-year-old Chase intended to shoot his wife, who was struck in the head by a bullet that passed through the carpet, a carpet pad, 3/4-inch wood and the kitchen sheetrock.

"It was right in the middle of her head?" Chase's police investigators in a taped interview shortly after the shooting that was sent to jurors Tuesday during the second day of the trial. "Are the chances of that infinitesimal?" Lt. Robert Zapal replied on the stand. "I don't think you could do it if you wanted to."

Chase, who sounded confused on the videotape, he had been drinking for three days and was when the shooting occurred. Police said they found empty liquor bottles in the kitchen.

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