



500 10th Avenue South
Great Falls, MT 59405
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www.bisonford.com

EXHIBIT 5
DATE 1-26-05
HB 322

January 24, 2005

Marilyn Olson, Executive Vice President
Montana Automobile Dealers Association
501 North Sanders
Helena, MT 59601

Dear Marilyn,

I wanted you to be aware of my concern over House Bill 322. Most new vehicles now have sophisticated computers which in some cases store vehicle information, such as vehicle speeds, airbag deployment information, etc. This bill would outlaw the sale of these vehicles to retail customers in the State of Montana.

- This bill would severely limit the choice of vehicles that customers would have.
- This bill would impose huge penalties on 100 automobile dealers who sold such vehicles.
- We have no idea which vehicles presently could or could not be sold.
- We would have huge penalties if the information were used at a later date.
- Would restrictions be placed on out-of-state dealers, such as Dave Smith in Kellogg Idaho, or would he be exempt from the regulations? If they were not exempt, how would all 15,000 dealers in the US be informed of the regulations?
- We sell over 500 units to the State of Montana annually. Because of the low profit margin in these vehicles, and the huge potential cost of litigation, we would no longer bid the State of Montana vehicles if this bill were passed.

You're probably aware that data recorders are mandated on every commercial aircraft in the United States. They were installed so that accident data could be gathered to make aircraft travel safer. It seems to me that data recorders on cars and trucks would provide the same benefit. This bill seems to me like a step backward.

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I understand that the bill may be modified so that it may just allow lawsuits if the information were transferred or released. How would used vehicles be handled? Dealers don't have the expertise or the knowledge of determining whether it has information stored, nor do we have the expertise on the methods to erase the data. How would the customer feel if we told him we couldn't take his used vehicle in trade?

I would encourage you to visit with the legislators and express my concerns and opposition to this bill, even with the suggested modifications.

Sincerely,



Dick Olson
President



BELL MOTOR COMPANY

121 East Main Street
Cut Bank, Montana 59427

(406) 873-5515
Fax: 873-5711

January 24, 2005

TO: House Business & Labor Committee

FROM: David Bell

RE: House Bill 322

I am writing to communicate my opposition to the above bill. While protecting the privacy of Montana citizens is a worthy endeavor, this bill will have negative implications on Montana's consumers and numerous car and truck dealers.

Specifically since most vehicles are equipped with event data recorders we could potentially be in violation of this bill and subject to penalties on every vehicle within our possession without any wrongdoing or malicious intent.

Additionally, vehicle manufacturers could be required to increase their cost for vehicles sold in Montana to comply, putting Montana dealers and consumers at an unfair price disadvantage with neighboring states.

This bill could end up protecting guilty parties and penalize innocent ones.


PRESIDENT



January 24, 2005

House Business and Labor Committee
Helena, MT

Dear Sir(s):

As a franchised automobile dealer in the State of Montana, I would like to inform you of our strong opposition to HB 322. Our main concern is that of Section 1. Even if that section is removed, we are still concerned with the intent of this bill and would respectfully ask that you reject HB 322.

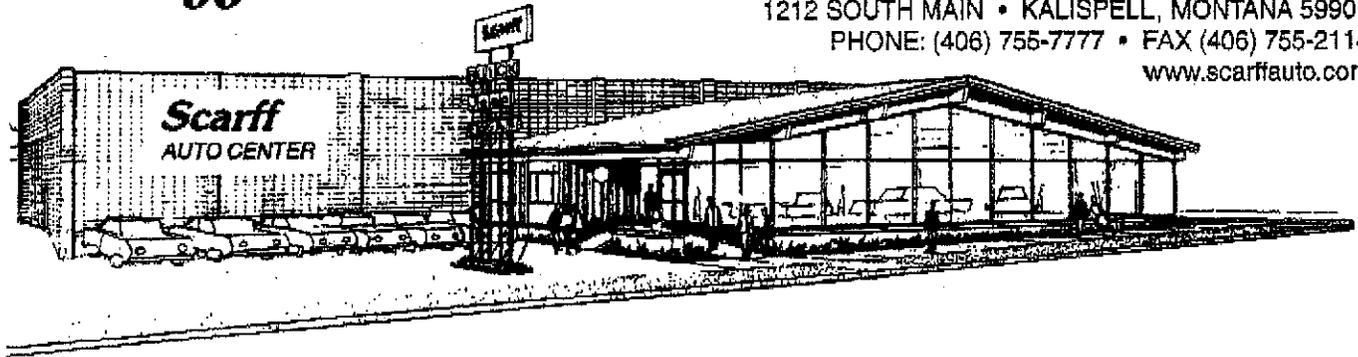
Sincerely,

A handwritten signature in black ink, appearing to read "Don Kaltschmidt, Jr.", written over a circular stamp or seal.

Don Kaltschmidt, Jr.
President

Scarff Auto Center

1212 SOUTH MAIN • KALISPELL, MONTANA 59901
PHONE: (406) 755-7777 • FAX (406) 755-2114
www.scarffauto.com



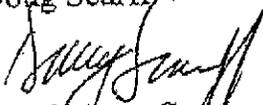
Monday, January 24, 2005

Montana Automobile Dealers Association
501 North Sanders
Helena MT 59601
406-442-1233, 406-449-0119

Marilyn,

I am very concerned about House Bill 322; does Mr. Koopman know the veracity of what this would cause to auto industry? I don't think he has thought about it. This would almost ban the sale of most new cars and truck sales as we know. I am not sure how many would be affected but it will be a great number. I strongly recommend that the auto industry have a say in what the future would be on this house bill.

Doug Scarff



Scarff Auto Center

"An Automotive Family Since 1922"



North Star

DODGE ★ CHRYSLER ★ JEEP ★ YAMAHA

1720 Highway 2 East • Havre, Montana 59501 • Telephone (406) 265-5428

1-24-05

TO: ALL LEGISLATORS

RE: HB 322

DEAR LEGISLATORS,

NORTH STAR DODGE, ITS MANAGEMENT AND
EMPLOYEES ARE IN OPPOSITION TO
HB 322 IN ITS ENTIRETY AND SECTION
ONE IN ITS ENTIRETY AS WELL.

IF YOU WOULD LIKE TO DISCUSS OUR
STRONG OPPOSITION TO THIS BILL,
PLEASE CONTACT GARY REIGHARD
@ 406-265-5428 OR [garyr@northstar
yamaha.com](mailto:garyr@northstar
yamaha.com).

Jamieson Motors, Inc.

P.O. BOX 487 • CHINOOK, MONTANA 59523 • TELEPHONE 406/357-2470 • FAX 406/357-2577



01/24/05

TO WHOM IT MAY CONCERN;

IN REGARD TO HOUSE BILL 322, PLEASE NOTE THAT WE ARE OPPOSED TO SAID HOUSE BILL IN ITS ENTIRETY, BUT SECTION 1 IS TO WHICH WE ARE MOST CONCERNED.

SINCERELY,

FRED LANGFORD (PRES.)



TILLEMAN MOTOR CO.

Highway 2 West PO Box 2070 Havre MT 59501
(406) 265-7865 Fax (406) 265-8400

24 January 2005

Montana Automobile
Dealers Association

Re: House Bill 322

We at Tilleman Motor Co. , are in opposition to House Bill 322 in its entirety
Especially section 1. We hope that you will take this into consideration when
You vote and discuss the bill.

Sincerely,

Mike and Craig Tilleman

And our 47 families that are
Tilleman Motor Co.