EXHIBIT 3
DATE 3/11/05
SB 43

MONTANA DEPARTMENT OF JUSTICE
SB 43: Primary Seat Belt Law

Background
Montana now has a secondary seat belt law – an officer may not stop a motorist for a seat belt violation. This bill changes the statute to a primary seat belt law. This would allow a law enforcement officer to write a citation whenever he or she observes an unbelted driver or passenger. The officer does not need another reason – a traffic violation, for example – to stop or cite an individual.

The Human Toll
Over the past four years (2000-2003), a total of 188,583 drivers and passengers were involved in crashes. Of these, 66 percent were properly restrained in their vehicles. A higher percentage of the drivers involved in crashes were wearing seat belts than passengers: 71 percent of drivers compared to 53.9 percent of passengers.

In the four years between 2000 to 2003:

- 998 people were killed in vehicle crashes in Montana (including pedestrians, motorcyclists and bicyclists)
- 878 people were killed (excluding pedestrians, motorcyclists and bicyclists)
- **Of these 878 fatalities:**
  - **666 people or 76 percent were not properly restrained**
  - **417 people or 48 percent were either totally or partially ejected from the vehicle in which they were traveling**

Year	Fatalities*	Not Ejected	Totally Ejected	Partially Ejected
2000	207	116	73	18
2001	205	100	90	15
2002	230	118	91	19
2003	236	125	87	24
Total	**878**	**459**	**341**	**76**

* (excluding pedestrians, motorcyclists and bicyclists)

The Economic Toll
In addition to the tragic loss of human life, fatalities and incapacitating injuries exact an enormous economic toll.

When someone is injured or killed in a traffic crash, society pays many of the costs. These costs include lost wages and productivity, emergency services, uninsured medical care, tax-supported rehabilitation programs, increased insurance fees and others.

- Each fatality results in lifetime economic costs to society of $977,000 per fatality. The vast majority of this total is workplace and household productivity.
- The economic impact for each incapacitating or major injury is approximately $1.1 million per injury.

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- National data from an April 2002 report from the National Highway Traffic Safety Administration show that traffic crashes also result in $17 billion in medical care and emergency services expenses each year. Medicare, Medicaid and other taxpayer-funded sources pay 24 percent of those costs.

Yellowstone County Crashes: A special project analyzed crash statistics for Yellowstone County crashes in 2003. The study found that:

- Compared to belted crash occupants, people who were unbelted in a crash were 25 times more likely to die.
- Unbelted occupants were 7.3 times more likely to require inpatient hospitalization and twice as likely to require emergency department medical care.
- The average medical costs for an unbelted inpatient ($48,700) was over twice as much as for a belted inpatient ($20,700).

Success Stories

Primary seat belt laws have a proven track record of dramatically increasing seat belt use in this country.

- **Washington:** Washington's primary enforcement law took effect June 13, 2002. Observation surveys in September 2002 showed a seat belt use rate of 92.6 percent, one of the highest in the country.
- **Michigan:** In 1999, the seat belt use rate in Michigan was 70 percent. After Michigan changed its belt law to primary enforcement, seat belt use climbed in 2000 to 84 percent. Belt use was still high in 2001 at 82 percent.
- **New Jersey:** When New Jersey introduced its primary enforcement law in 2000, its usage rate climbed from 63 percent in 1999 to 74 percent in 2000. In 2001, New Jersey's seat belt rate rose to 79 percent.
- **Alabama:** After the introduction of its primary enforcement law, Alabama's seat belt usage rate rose dramatically, from 58 percent in 1999 to 79 percent in 2001.

Summary

SB 43 creates a primary seat belt law, allowing law enforcement officers to stop or cite an individual when the officer observes an unbelted driver or passenger.

Mandatory or primary laws are more enforceable than secondary laws. The creation of a mandatory seat belt law sends a message that Montana views seat belt use as essential to the operation of a motor vehicle in this state.