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EDITORIAL: Seat belt laws

The federal government this week released the latest national seat-belt use figures and they undermine the arguments of those who pester Nevada lawmakers to impose a "primary" seat belt law.

Primary laws give police the power to make a traffic stop solely for a seat belt offense. Under "secondary" laws, like the one in Nevada, police may issue a ticket to a motorist for not wearing a seat belt only if the driver was pulled over for another offense.

For years, local safety advocates have lobbied the Legislature to pass a primary seat belt law, arguing it was an important means of increasing usage. But the numbers show Nevada's compliance rate increased 10 percent between 2003 and 2004 to 86.6 percent without such a law.

That's the biggest increase of any state save Arizona, which also doesn't have a primary seat belt law. It puts Nevada 12th in the nation in terms of seat belt usage.

Primary seat belt laws give law enforcement agents a virtual carte blanche to conduct traffic stops. Nevada's recent experience proves states don't need more intrusive statutes to persuade more people to buckle up.

Primary seat belt law to be heard Friday March 11 . SB 43 will be presented in the (H) Judiciary Committee 8 am Rm 137. Members include: Diane Rice ®) Chair; Paul Clark (D) Vice Chair; Holly Raser (D) Vice Chair; Ron Stoker ®) Vice Chair; Arlene Becker (D); Robyn Driscoll (D); George Everett ®); Gail Gutsche (D); Christopher Harris (D); Roger Koopman ®); Mike Lange ®): Tom McGillvray ®); Mark Noennig ®); Art Noonan (D); John Parker(D); Jon Sonju ®); John Ward ®); Bill Wilson (D); Jeanne Windham (D).

We know SB 43 was coming but it wasn't listed on Monday as the sponsor probably has lined up folks who could attend this Friday. They will talk about the number of people who will be saved with this bill. Under the current law people are required to buckle up. I know this is all about money. Nobody wants to be the one to raise taxes so we are finding more of these types of selective revenue bills In 2003 the Bush administration was looking to give states more money if the states passed primary seat belt laws. According to one official government website Montana had over one-million dollars in government grants for PSA's and other educational measures. A poll in the Monday's edition of the Helena Independent had 940 respond with 637 against the primary law and 303 for the law. If you can attend the hearing please do. (Why have check points when law enforcement can just pull you over.) You can also call the Capitol switchboard at (406) 444-4800 of fax the House at (406) 444-4825. A web form can be found at http://leg.state.mt.us/css/sessions/59th/legwebmessage.asp

(This is from the Fiscal note)

Fiscal Analysis

ASSUMPTIONS:

1. In calendar year 2003, the Montana Highway Patrol issued 15,229 citations for seatbelt violations. The number of citations is estimated to increase by approximately 5,000 as a result of this bill
2. Due to the October 1, 2005 effective date, three quarters of the estimated number of new tickets (3,750) will be written in FY 2006.
3. In FY 2006, 3,750 citations x $20 per citation equals $75,000 in increased revenue.
4. In FY 2007, 5,000 citations x $20 per citation equals $100,000 in increased revenue.
5. Fifty percent of the revenue goes to local government and fifty percent goes to the state general fund.

FISCAL IMPACT:

Difference

Revenues:	FY 2006	FY 2007
General Fund (01)	$37,500	$50,000

Net Impact to Fund Balance (Revenue minus Funding of Expenditures):

General Fund (01)	$37,500	$50,000

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

1. Local governments will receive $37,500 in FY 2006 and $50,000 in FY 2007 as their share of the fines.

In Liberty,
Mike Fellows
MTLP