

EXHIBIT 13
DATE 3/11/05
SB 43

Dear Madam Chair and Members of the Committee for the

record my name is Mike Fellows and I'm chairman of the Montana Libertarian Party. I do stand against SB 43. It was HL Mencken who said

"The whole aim of practical politics is to keep the populace alarmed-- and hence clamorous to be led to safety -- by menacing it with an endless series of hobgoblins, all of them imaginary."-- H.L. Mencken

Everybody keeps saying its not about the money but about

getting people to buckle up. We already have a law that

requires drivers to buckle up and its working. Montana's so-

called compliance rate is above 80 percent. Arizona leads

the nation with over 95 percent compliance and they like

Montana have secondary laws Richard Fimbres director of

the Governor's office of Highway safety said "We are reaching into the communities to educate citizens that seat

belts are important and they do save lives," Our law is

**working to if the Montana Highway Patrol can issue over 15-
thousand tickets in 2003. 15,000 x 20 There are plenty of
incentives for passing SB 43. Under the Bush administration
there are government grants and more highway dollars for
states that pass primary seat belt laws. The fiscal note for
SB 34 says that revenue is estimated to increase by 100,000
dollars in 2007. The legislature is already 130 million dollars
over the cap and I see both political parties looking for
other revenue sources to tap like this one. In 2002, a
Memorandum of Understanding from the Washington State
Traffic Safety Commission was distributed asking law
enforcement agencies statewide to promote WTSCs 'Zero
Tolerance' seat belt 'Click It or Ticket' campaign. Opponents
maintain that this is just another way to pick the pocket of**

the average working guy in order for local law enforcement t

o get their "fair share" of the federal pie.

1. Parts of the text for this Memorandum of Understanding are as follows:

"It is the purpose of this Agreement to provide overtime funding to law enforcement agencies to conduct "Zero Tolerance - Safety Belt Emphasis Patrols" during the period between May 20th and June 2nd, 2002. The goal of this project is to contact as many violators as possible with a "Zero Tolerance" for seat belt violations

"It is, therefore, mutually agreed that: Contractor will provide a commissioned police officer (active or paid reserve) with appropriate equipment (vehicle, radar, etc) on an "overtime" basis (not to exceed 1.5 times normal salary) to enforce seat belt laws. No on-duty personnel will be funded.

"The period of activity will begin on May 20 and extend through 2 June, 2002. Funding is not available for activity before or after this period and funding may not exceed the amount prescribed in the attached Request for Proposal Performance standards for funded personnel are a minimum of three (3) self initiated contacts per hour funded with a "desired outcome" of three (3) seat belt citations per hour. This is an enforcement activity with "zero tolerance" for seat belt

Common sense tells us that if our current law is working, then SB 43 isn't needed.

2.

Rocky Mountain Region State Reported Safety Belt Use Rates 1998 - 2003

1.	1998	1999	2000	2001	2002	2003
Colorado	66.0%	65.2%	65.1%	72.1%	73.2%	77.7%
Montana	73.1%	74.0%	75.6%	76.3%	78.4%	79.5%
North Dakota	39.9%	46.7%	47.7%	57.9%	63.4%	63.7%
South Dakota	43.5%	#38.6%	53.4%	63.3%	64.0%	69.9%
Utah	66.7%	67.4%	75.7%	77.8%	80.1%	85.2%
Wyoming	50.1%	#45.7%	66.8%	#69.4%	66.6%	#NA

State did not conduct a conforming survey, rate is estimated based on FARS data.