

Form No. 9
Date 2-15-05
50414

To the Duly Elected Montana Legislature

I am writing you to request that you support senator Curtis's bill which is a non political, non partisan, common sense approach to ensuring that Article 2. Section 3. Of Montana's Constitution is upheld and recognized that all of its citizens have the inalienable right to pursue life's basic necessities. The bill is short and simple. It will simply provide that an individual who's drivers license is suspended for child support reasons only, would be able to obtain a probationary "essentials driving only" permit, as is currently given to individuals convicted of D.U.I. in Montana. This bill is not unreasonable. Currently the state of Wisconsin offers a similar permit for those persons who's drivers license is suspended for child support reasons. It is unreasonable that the state of Montana recognizes the importance of ones ability to drive, to pursue life's basic necessities and will issue a person convicted of a D.U.I. an essentials driving permit, but the state absolutely denies a person who's license has been suspended for child support reasons to be entitled to the same "essentials driving permit" this simply is not fair or equal protection under the law. Many times there are arrearage disputes or other justifiable reasons for not wanting to waive the right to contest support issues in a district court that keeps a delinquent parent from signing a payment plan that the child support enforcement division offers them to sign, which if they refuse to sign, their drivers license is absolutely suspended, even for necessities and or providing for dependants in their household. Such was the case with me I had 6 dependant children in my home when C.S.E.D. suspended my drivers license. Is it the states policy to jeopardize the welfare of some children in and effort to secure payment for other children? This is not logical! The United States Supreme Court held in (Wooley vs Maynard) Quote: The operation of an automobile plays a vital role in ones ability to perform the ordinary tasks of daily life" and, the operation of an automobile is a virtual necessity for most Americans." also "even though a governmental purpose be legitimate and substantial that purpose cannot be pursued by means that broadly stifle fundamental personal liberties" end quote. Please find senator Curtis's bill to be rational, common sense, which will ensure that the well being of montanas citizens and dependent children in second families is not jeopardized by an effort to resolve child support issues that are not always black and white and are many times complex. Please cast your vote of yes for the bill.

Respectfully,

Thomas Burson
Registered Voter