

SENATE JUDICIARY

Exhibit No. 4

Date 03/15/05

Bill No. HB 91

Re: HB 91

To: (S) Jud Committee

Dear Chairman and members of the committee, for the record my name is Mike Fellows and I do rise against HB 91.

These bans don't work, just ask Connecticut who has one of the highest fatality rates in the country. In Missouri the proponent claimed that by dropping the BAC would reduce accidents. The rate didn't go down it went up. The Jan 30th editorial of the Missoulian has these bans won't work, that we have feel good legislation that won't solve this complex social problem. Education has worked to change habits. We know that we will not lose any highway money if we do not pass an open container. The highway bill expired in 2003 and congress has yet to pass a replacement. The legislature's problem is that we keep going after the social drinkers saying the law works while ignoring the major problems of people driving with BAC's of over .12. If we do pass an open container law then we need to make changes. I would propose an Amendment to change person with "Driver" and I would like to see language that doesn't place points on your record. Those folks who are driving drunk will probably be cited for a DUI any way. I would recommend a no vote on HB 91. Thank you for your time.