

MINUTES OF THE MEETING
PUBLIC HEALTH, WELFARE & SAFETY COMMITTEE
MONTANA STATE SENATE

February 4, 1987

The meeting of the Senate Public Health, Welfare, and Safety Committee was called to order by Chairman Dorothy Eck on February 4, 1987, at 1 P.M. in Room 325 of the State Capitol.

ROLL CALL: All members of the committee were present.

CONSIDERATION OF SENATE BILL NO. 111: SENATOR MIKE HALLIGAN, District # 29, sponsor of the bill, testified that the purpose of this bill is to reduce vehicle fatalities and injuries and to reduce the loss of productive time that people have with their jobs, families, and society. S.B. 111 would also reduce the costs that society pays in medical insurance for those who cannot afford to pay for themselves. Auto fatalities are the number one killer of people in the 15-19 age bracket, seat belts have been standard equipment on cars since 1968, they cost \$60-\$90 to install and cause minimal interference to driver and passengers. Studies over the last few years have demonstrated the effectiveness of seat belts.

S.B. 111 specifies a combination of seatbelts, it excludes school buses for now because of high economic costs of installation, and lists exemptions for farm machinery, those making frequent stops, and children already fall under the Child restraint law. A misdemeanor fine of \$25 is included to provide for enforcement of the law, and the bill calls for continuing education.

PROPOSERS OF SB 111: Larry Tobiason, President, Montana Automobile Association, testified that studies show that the impact of seat belt use in Montana would be 70 lives saved yearly, 1,000 injuries prevented, and \$56,000,000 saved from loss of employment, rehabilitation costs, property damage, law enforcement, and insurance savings. Unbuckled car occupants are five times likelier to be killed, three times likelier to be seriously injured. From surveys conducted of Montana residents in May, 1986, and December, 1986, 69% stated that they favor a mandatory seat belt law.

Exhibit #1.

Michael J. Stevens, Executive Director, Montana Safety Belt Commission, explained the impact of a crash on a buckled and unbuckled car occupant, noted that if a person is involved in a crash and is wearing a seat belt, he more than likely will stay conscious, and covered the history of seatbelt laws in this country and several foreign countries. Countries have seen a dramatic decline in injuries and significant increase in usage with imposition of a fine. To stay in a vehicle in a crash, an occupant needs a seat belt. Exhibit # 2.

Dr. John Harlan, Montana Committee on Trauma, recommended that S.B. 111 be passed to reduce mortality and morbidity rates. He stated that driving is only a licensed right, which means that drivers need to recognize their responsibilities to others. When a driver is thrown from a car, that car can travel to do further

damage to property and other people, including other automobiles. More than 50% of the people in the state want the least belt law.

Dr. Robert Shepard, American Board of Family Practice, Helena, testified against the miracle argument, that in reality 5-10% survive without seat belts, and 60% survive with. The cost to implement is low, but the savings in medical costs is substantial. The free choice argument doesn't hold water either; people don't have absolute freedom, but rather have many constraints. Injured people often end up on Medicare or Medicaid to take care of injuries.

Mona Jamison, Traffic Safety Now, stated that this country has many restrictive laws, although citizens do have basic fundamental rights. Driving without seatbelts is an infringement on a privilege. Seatbelts increase society's safety, and there are other examples of legislation to protect the general welfare. Liberty begins with life.

Col. Robert Landon, Chief Administrator of the Montana Highway Patrol, stated that statistics show that 87% of those killed in 1986 were not wearing seat belts, and these statistics applied to both drivers and occupants. Highway patrolmen are required to wear seatbelts, and numerous highway patrolmen have survived accidents because of wearing seatbelts. As for school buses, construction of buses will have to change before seat belts will be feasible.

Maggie Bullock, Rehabilitative Division, SRS, stated that since March, 1986, SRS has been keeping records for the cost of rehabilitation. Over \$2,000,000 has been spent since then on victims of auto accidents.

Ed Gapsmeyer, Workman's compensation, offered support for this bill. He stated that two thirds of the Workman's Comp budget is spent for rehabilitation from auto accidents.

Al Goke, Highway Traffic Safety Division, discussed results of a direct observation survey and education programs in the state of Montana. Page 3 of his handout shows the lives saved and money saved with use of seat belts. Part Two contains statistics specifically on passenger cars. With passage of the law, Montana could expect a 50% increase in usage within two years. Eighty percent usage is an attainable goal for all vehicles within five years. Exhibit # 3.

Erv Hedegaard, Whitehall, shared a family tragedy, the death of his daughter and son-in-law, that probably could have been averted if they were wearing their seatbelts. The front seat passengers, who were wearing seatbelts, were not seriously injured. Exhibit #4.

Sandra Allen Royce, Billings, stated that she owes her life to wearing a seatbelt, and that others should have a second chance

at life.

Wiletta Padgett, Missoula, stated that five blocks from her home she was hit by a drunk driver, and use of her seatbelt saved her life.

Laura Engebretson, Montana Extension Homemakers, stated that the association feels that education efforts are a real benefit, but that the law will provide the needed incentive to wear seatbelts. Exhibit # 5.

Alan Kain, President, Montana Blue Cross, stated that the costs of health care are at a crisis and that costs of treating an accident victim usually range from \$100,000 to \$200,000 per accident. Use of seatbelts would greatly reduce the amount and severity of injuries and greatly reduce medical costs.

Mick Mills, emergency medical technician, Libby, MT, testified on the recent death and injury of two Kalispell boys, whose fate would have been different if they had used seat belts. Exhibit #6.

Roland Fisher, Vice President, Montana Hospital Association, stated that there were 8702 accidents in Montana in 1985 that injured occupants. Treatment costs exceeded \$25,000,000. If even a fraction of this money could be saved through the use of seat belts, then this legislation should be passed. Exhibit #7.

Bill Ware, Chief of Police, Helena, stated that seat belt regulations need to be adopted.

Barbara Booher, Montana Nurses Association, stated that nurses are especially concerned about the numbers of auto accident victims they treat, especially children. Wearing of seatbelts should greatly reduce injuries. Exhibit # 8.

Elmer Hausken, AARP, urged all to take the "55 Alive" refresher course, wear seat belts, and stated that the Legacy Legislature strongly favored the seat belt law. Exhibit # 9.

Sandy Heffelfinger, Jefferson School, urged passage of the seat belt law to lower the auto death rate.

Ashley Adams, student, Jefferson School, Helena, testified that her music teacher's daughter was uninjured when her car rolled because she was wearing her seatbelt.

Sonja Worthy, Jefferson School, stated that half of the 8,072 injuries from auto accidents could have been prevented by the use of seatbelts.

SENATE PUBLIC HEALTH, WELFARE
AND SAFETY COMMITTEE
February 4, 1987
Page 4

Ann Marie Roberts, Hawthorne School, supports S.B. 111 because the use of seat belts gives automobile occupants less chance of getting killed.

Christine Helvik, Hawthorne School, stated that seat belts can be adjusted to one's own comfort and usage lowers the number of those killed. The legislature should have the courage to save lives by passing the bill.

Mickey Nelson, Montana Coroners Association, stated that coroners deal with losses that could have been avoided all the time.

Lloyd Linden, President, Linden's Funeral Home, Inc., stated that he is a member of the Montana Seat Belt coalition and that seat belt use does save lives. He has seen many deaths of both young and old from not using seat belts. Exhibit # 10.

Gary Bennett, Montana Motor Carriers And Highway users Federation, stated that they support the bill.

Dean Mansfield, Montana Automobile Dealers Association, stated that they support the bill.

Bonnie Tippy, Alliance of American Insurers, answered the question of how insurers are responding to seat belt laws. They have actively lobbied the auto industry for passive restraints, and all but three of the top ten auto insurers offer premium discounts to owners of cars equipped with passive restraints. They also offer additional benefits to drivers wearing seat belts. They have long supported seat belt legislation. Exhibit # 11.

David Lackman, Montana Public Health Association, stated that their organization supports the Montana Seat Belt Coalition. He re-emphasized highway Patrol statistics on injuries and fatalities when seat belts were not used and shared research the army did in WW II on use of seat belts with shoulder harnesses in tanks. Again, injuries were considerably less when seat belts were used. Exhibit # 12.

Karl Englund, Montana Trial Lawyers Association, testified that they are concerned over the "seat belt defense", the liability imposed upon an injured party because s/he failed to wear a seat belt. They have prepared an amendment to Section 4 which provides that the failure of any person to wear a seat belt is not negligence and not admissible in any civil action resulting from an automobile accident. This amendment will insure that people who cause injuries in auto accidents are not rewarded for their unlawful conduct. Exhibit # 13.

Randy Gray, National Association of Independent insurers, responded to legal questions raised from Karl Englund's testimony, and stated that they favor the amendment to the bill.

OPPONENTS TO S.B. 111: David Driscoll, Hawthorne School, testified that people have a fifty percent higher chance of being involved in household accidents and that you can't put seatbelts on everything in a house. Police officers stopping cars may put themselves and other motorists in danger. If seatbelts are adjusted too loosely, occupants can still get hurt. But he said, "I still wear my seatbelt." Example # 14.

Kevin Helvik, Hawthorne School, Helena, stated that people should have the right to decide and take the risk of whether or not to wear a seat belt. People in the back seat can still break their necks with only a lap belt, and people sinking in water might panic and forget how to release the belt. Exhibit # 15.

Senator J. D. Lynch, District # 34, stated that he is not opposed to the use of seat belts, but that he is opposed to having another law on the books, just another crime for people to commit. Should helmets and teeth protectors be next? Where should limits be drawn? The greed of the auto manufacturers is proven by all the paid lobbyists, who now won't need to do air bag supports. With these even more lives could be saved. The legislature is being short-sighted and should not capitulate to greed.

Don Miller, Helena, stated that there are too many assumptions so far in the testimony and only examples of people who lived because of wearing seat belts. There is too much government regulation now. People should have freedom of choice and have the intelligence to decide for themselves. Living in the U.S. will soon become like living with the Nazi government, which the U.S. defeated in WW II.

Nicole Pyfer, Jefferson School, Helena, stated that if this doesn't pass, we will have to go with air bags; and more study is needed on these.

Vera Cahoon, Missoula County Freeholders, stated that people need to be responsible for themselves. There are many instances where seat belts do not save lives, and her sister-in-law lived because she was not wearing a seat belt.

DISCUSSION ON S.B. 111: Sen. Williams: Who pays the violation, just the driver?

Sen. Halligan: Just the driver pays the fine of \$25.

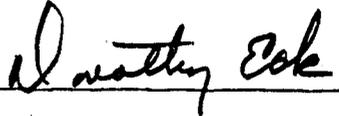
Sen. Rassmussen: Would Karl Englund comment on the legal situation of the other driver not wearing a seat belt?

Karl Englund: This state has no legislative direction, but in other jurisdictions, the injured occupants in the hit car not wearing seatbelts have not been held responsible for injuries.

Senator Halligan closed on S.B. 111 by stating that we are a free country; but as a civilized society, we are capable of adopting legislation that protects the health and safety of citizens. Government can make this request for the benefit of society.

SENATE PUBLIC HEALTH, WELFARE
AND SAFETY COMMITTEE
FEBRUARY 4, 1987
Page 6

The meeting adjourned at 3:00 P.M.



CHAIRMAN

ROLL CALL

Public Health, Welfare and Safety COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date 2-4-87

NAME	PRESENT	ABSENT	EXCUSED
Dorothy Eck	X		
Bill Norman	X		
Bob Williams	X		
Darryl Meyer	X		
Eleanor Vaughn	X		
Tom Rasmussen	X		
Judy Jacobson	X		
Harry H. "Doc" McLane	X		
Matt Himsl	X		
Tom Hager	X		

Each day attach to minutes.

DATE 2-4-87

COMMITTEE ON

State Public Health

SB 111

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppo:
Donald Miller		SB 111		X
Draw Dawson	MT. Dept Health	SB 111	X	
Mona Jamison	Traffic Safety Now	SB 111	X	
Mick Mills	Montana EMS Providers	SB 111	X	
John Delano	TSN	"	X	
Larry Tobiasson	Mont. Auto Assoc.	"	X	
Dorbara Dooher	Montana Nurses Assoc.	SB 111	X	
Colin Meley	School District #1	SB 111	X	
Sonya Worthy	Jefferson School	SB 111	X	
Nicole Pyfer	Jefferson School	SB 111		X
Ashley Adams	Jefferson School	SB 111		
David LACKMAN	MT Public Health Assoc	SB 111	X	
John Coy	concerned citizen	SB 111	X	
Margie Bullock	SRS	SB 111	X	
Pat Sobie	High Traffic Safety	SB 111	X	
ALAN CAIN	Blue Cross + Blue Shield	SB 111	X	
William Lloyd Hinden	Self 4 SEAT Belt Coalition	SB 111	X	
ROLAND FISHER	MT Hosp Assoc	SB 111	X	
M.E. "Micky" Nelson, former	MT Coaches Assoc.	SB 111	X	
Bob Howard	R. A. Howard + Assoc.	SB 111	X	
ERV Hedegaard	Self	SB 111	X	
Sandra Allen	Self	SB 111	X	
Laurel Houston	AARP	SB 111	X	
Willette Padgett	Self	SB 111	X	
Larry Meyenus	Montana Dept of Justice	111	X	
Edward A. Hill	AA MVA	SB 111	X	

DATE 2-4-87

COMMITTEE ON

Public Health (Senate)

SB 111

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
Col. R.W. Landon	Highway Patrol	111	X	
Sgt. Mike Frellick	Highway Patrol	111	✓	
Dean Mansfield	Montana Auto Dealers Assoc.	111	✓	
Jim Manson	Mont. Auto Dealers	111	✓	
Julie Hacker	Mont. Co. Truckholders	111		✓
John W. Harlan MD	American College of Surgeons	111	✓	
Theresa Cahoon	Mont. Co. Truckholders	111	✓	
Ed Mitchell	O & I	111	✓	
John Schwager	M.M.A. Amer College of Sur	111	✓	
Doug Bennett	MT Highway Users	111	✓	
Randy Gray	State Farm NAIT	111	✓	
R. Budd Gould	Mont. Leg.	111	✓	
Jan T. Zander	M.M.A.	111	✓	
Kevin Helach	Hawthorne School	111		✓
David Orsucci	" "	111		✓
Linn Marie Roberts	" "	111	✓	
Christine Helach	" "	111	✓	
Laura Engelbrecht	Extension Homemakers			
Jo Sprick	Self -			X
Bonnie Tappin	Alliance of America Insurers	111	X	
Ellen Drake	American Insurance Assn	111	X	

Montana Automobile Association



STATE HEADQUARTERS OFFICES: P.O. BOX 4129
607 N. LAMBORN / HELENA, MONTANA 59604
PHONE 442-5920

TESTIMONY IN FAVOR OF S.B. 111, MANDATORY SEAT BELT USE

MY NAME IS LARRY TOBIASON PRESIDENT OF THE MONTANA SAFETY
BELT COALITION AND PRESIDENT OF THE MONTANA AUTOMOBILE ASSOCIATION.

THERE IS NO QUESTION THAT THE USE OF SAFETY BELTS BY VEHICLE
OCCUPANTS IS THE SINGLE MOST EFFECTIVE PROTECTION AGAINST
DEATH AND INJURY IN AN AUTOMOBILE ACCIDENT. TRAFFIC ACCIDENT
DEATH IS THE THIRD LARGEST KILLER IN THE UNITED STATES AFTER
CANCER AND HEART DISEASE, THE LEADING KILLER OF YOUNG ADULTS
AGE 15 TO 24. IF IT WAS TERMED A DISEASE, YOU COULD SAY IT
HAS REACHED EPIDEMIC PROPORTIONS. IN 1984 ALONE, TRAFFIC
ACCIDENTS CAUSED MORE THAN 300,000 SERIOUS INJURIES AND 20,000
FRONT-SEAT OCCUPANT FATALITIES. IN 1985, 17,938 ACCIDENTS
WERE REPORTED IN MONTANA. OF THESE 8,702 WERE SERIOUS INJURIES
AND 223 WERE FATAL. MOST OF THESE COULD HAVE BEEN REDUCED
TO A SIMPLE SCENARIO OF RETURNING TO WORK, FOR EXAMPLE, WITH
NOTHING MORE THAN A BRUISE - INSTEAD OF FACING MONTHS OF REHABIL-
ITATION TREATMENT FROM SUSTAINING AN IMPACT WITH THE WINDSHIELD,
OR EVEN DEATH.

COUNTLESS STUDIES HAVE BEEN CONDUCTED THAT SHOW USE OF THE
SEAT BELT CAN AND DOES SAVE LIVES AND REDUCES THE ECONOMIC
IMPACT ON OUR SOCIETY. TO GIVE YOU A REAL IDEA OF WHAT KIND

**BRANCH
OFFICES:**

BILLINGS
3220 4TH AVE. NO
P. O. BOX 2076 (59103)
248-7738

GREAT FALLS
1711 10TH AVE. SO (59405)
727-2900

MISSOULA
275 W. MAIN (59802)
549-5181

KALISPELL
116 FIRST AVE. W (59901)
PLAZA WEST 2
755-5511

BOZEMAN
625 NORTH 7TH AVE. (5
PHONE 586-6156

OF AN IMPACT SAFETY BELT USE WOULD HAVE ON OUR OWN STATE. IF 80% OF MONTANAN'S USED SAFETY BELTS REGULARLY, 70 LIVES WOULD BE SAVED, 1,120 INJURIES WOULD BE PREVENTED AND \$56 MILLION WOULD BE SAVED FROM LOSS OF EMPLOYMENT, REHABILITATION COSTS, PROPERTY DAMAGE, LAW ENFORCEMENT AND INSURANCE SAVINGS.

THE UNIVERSITY OF COLORADO MEDICAL SCHOOL IDENTIFIED 256 CAR AND PICK-UP CRASHES WHERE ONE FRONT SEAT OCCUPANT WAS WEARING A SAFETY BELT, WHILE A COMPANION IN THE OTHER FRONT SEAT WAS NOT. THE RESULTS SHOWED THAT THE UNBUCKLED OCCUPANT:

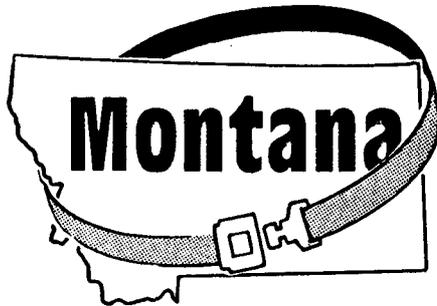
- . WAS FIVE TIMES AS LIKELY TO DIE;
- . WAS THREE TIMES AS LIKELY TO BE INJURED;
- . AND PAID FOUR TIMES MORE FOR MEDICAL CARE.

IT SEEMS IRONIC THAT NOT TOO LONG AGO, I SAW NEWSPAPER ARTICLES WHERE A BUTTE MAN WAS KILLED IN AN ACCIDENT BECAUSE HE WAS EJECTED FROM HIS AUTOMOBILE AND IT ROLLED OVER HIM. JUST OUT - SIDE OF DILLON, THE MOTHER OF TWO SMALL CHILDREN WAS KILLED IN A VEHICLE ACCIDENT BECAUSE SHE WAS NOT WEARING HER SEAT BELT, BUT HER CHILDREN WERE SAVED AS THEY WERE SECURED IN A CHILD RESTRAINT. NUMEROUS ARTICLES APPEAR EVERY DAY ACROSS THIS NATION GIVING TESTIMONY OF THE BENEFITS DERIVED FROM THE SAFETY BELT USEAGE. TODAY YOU WILL HEAR FROM AT LEAST TWO SURVIVORS AS TO HOW SAFETY BELTS SAVED THEIR LIVES. A HIGHWAY PATROLMAN TOLD ME RECENTLY, "HE NEVER UN-BUCKLED A DEAD PERSON FROM AN AUTOMOBILE ACCIDENT".

IN TALKING WITH MANY LEGISLATORS, I HEAR A SIMILAR STATEMENT. MY CONSTITUENTS DON'T WANT THIS LEGISLATION. THAT COULDN'T BE FARTHER FROM THE TRUTH. THE MONTANA SAFETY BELT COALITION COMMISSIONED R.A. HOWARD & ASSOCIATES OF HELENA TO CONDUCT A SURVEY AND ATTITUDE RESEARCH OF MONTANA CITIZENS ON THIS PARTICULAR ISSUE. ONE SURVEY WAS COMPLETED IN MAY OF 1986, AND THE SAME SURVEY WAS CONDUCTED IN DECEMBER OF 1986, JUST SIX WEEKS AGO. SIGNIFICANT FINDINGS FROM THE TWO SURVEYS WERE JUST ABOUT THE SAME. 69% OF MONTANAN'S WOULD FAVOR A MANDATORY SAFETY BELT LAW, WITH MORE THAN HALF OF THOSE STRONGLY FAVORING SUCH A LAW. THE USE OF SAFETY BELTS WOULD INCREASE TO 83% IF THERE WERE A MANDATORY SAFETY BELT LAW IN MONTANA. IF MONTANA PASSED A MANDATORY SAFETY BELT LAW, A VAST MAJORITY, 86% FEEL THAT THE LAW SHOULD BE SOMEWHAT OR VERY STRICTLY ENFORCED. SO YOU CAN CLEARLY SEE, THE PEOPLE OF MONTANA, YOU CONSTITUENTS WANT AND DESERVE SAFETY BELT LEGISLATION. PLEASE LOOK FAVORABLY UPON THIS LEGISLATION AND GIVE S.B. 111 A DO PASS RECOMMENDATION.

SAFETY BELTS ASSIST OCCUPANTS IN EIGHT WAYS

1. There is a "ride down benefit, in which the belt begins to stop the wearer as the car is stopping.
2. The belt spreads the stopping force widely across the strong parts of the body.
3. The belt keeps the head and face of the wearer from striking objects like the wheel rim, windshield, interior post, or dashboard.
4. Belts prevent vehicle occupants from colliding with each other.
5. Provide a predictable location for the occupant after the crash.
6. Occupant has the best chance of remaining conscious after the crash to react to the situation.
7. Belts help the driver to maintain vehicle control, thus decreasing the possibility of an additional collision.
8. Seat belts hold the occupant in their station to take advantage of airbags, if installed.



Montana Safety Belt Coalition, Inc.

SENATE HEALTH & WELFARE

EXHIBIT NO. 2

BILL NO. SB 111

P.O. Box 4368

Helena, MT 59604

(406)449-6134

Montana Safety Belt Coalition Membership List

February 4, 1987

Montana Hospital Association
Montana Highway Users' Federation
Montana Medical Association
Montana Automobile Association
Montana Committee on Trauma of the American College of Surgeons
Montana Motor Carriers Association
Alliance of American Insurers
Montana Automobile Dealers Association
Montana Highway Patrol
Montana Traffic Safety Division
Montana Nurses Association
Motor Vehicle Manufacturers Association
American Automobile Association
American Public Health Association
American Medical Association
American College of General Physicians
International Association of Chiefs of Police
National Association of State Directors of Law Enforcement Training
Montana Extension Homemakers Council
Mountain Bell
Conoco, Inc.
Montana Coroners Association
Office of Public Instruction
School Administrators of Montana
Montana Traffic Education Association
National Highway Users Federation
Montana Safety Foundation
Montana Association of Women Highway Safety Leaders
American Association of Retired People
Ford Motor Company
General Motors Corporation
Montana Emergency Medical Services Association
American Lung Association of Montana
Montana Dental Association
Montana Power Company
Pacific Power
Du Pont
Northwestern Telephone Systems, Inc.
Montana Association of School Nurses
Critical Illness and Trauma Foundation
Blue Cross/Blue Shield
Americana Expressways
Montana Congress of Parents and Teachers (PTA)

Safety Belts
Really Do
Work!

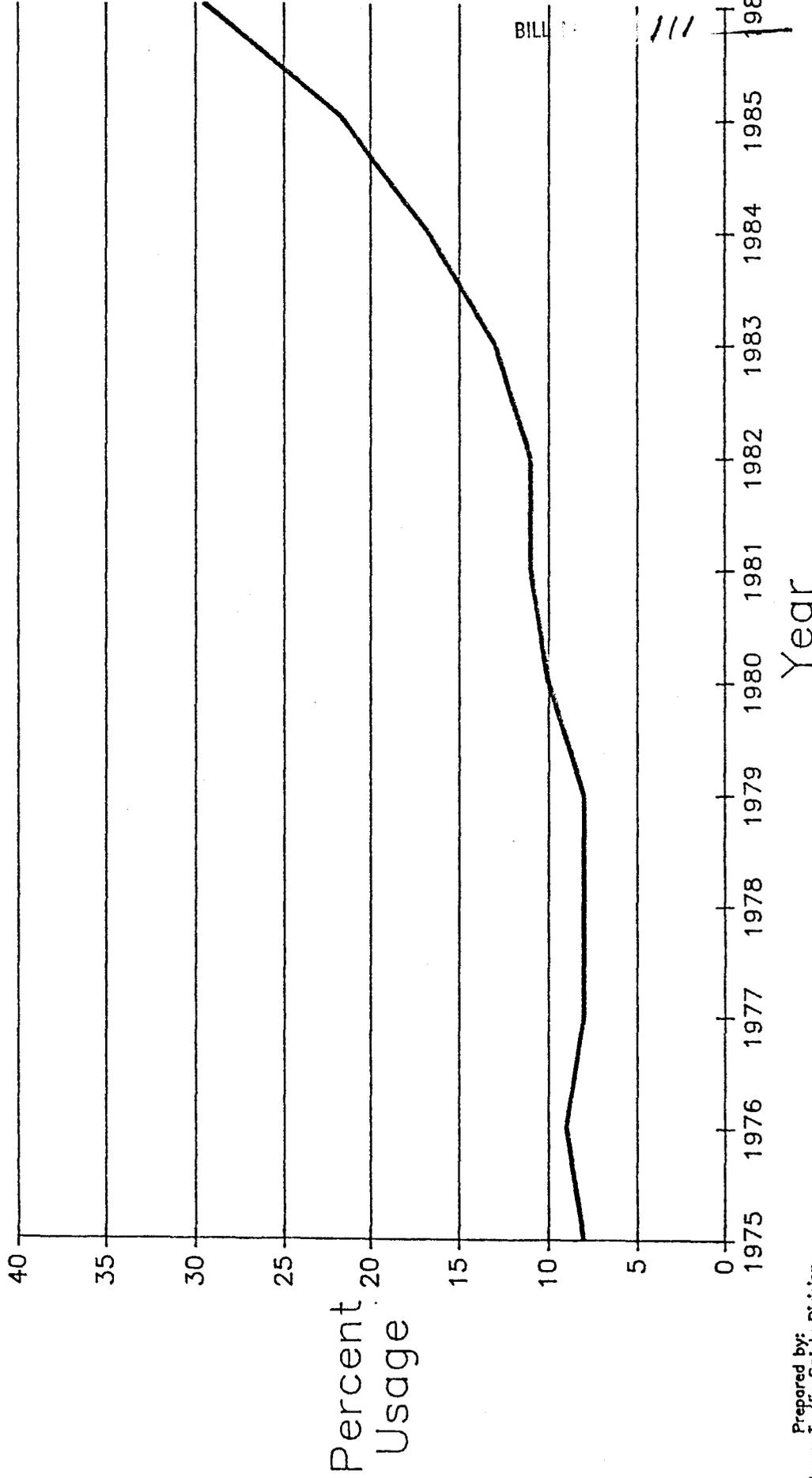


Discover the benefits
of wearing safety belts
in Montana.

13

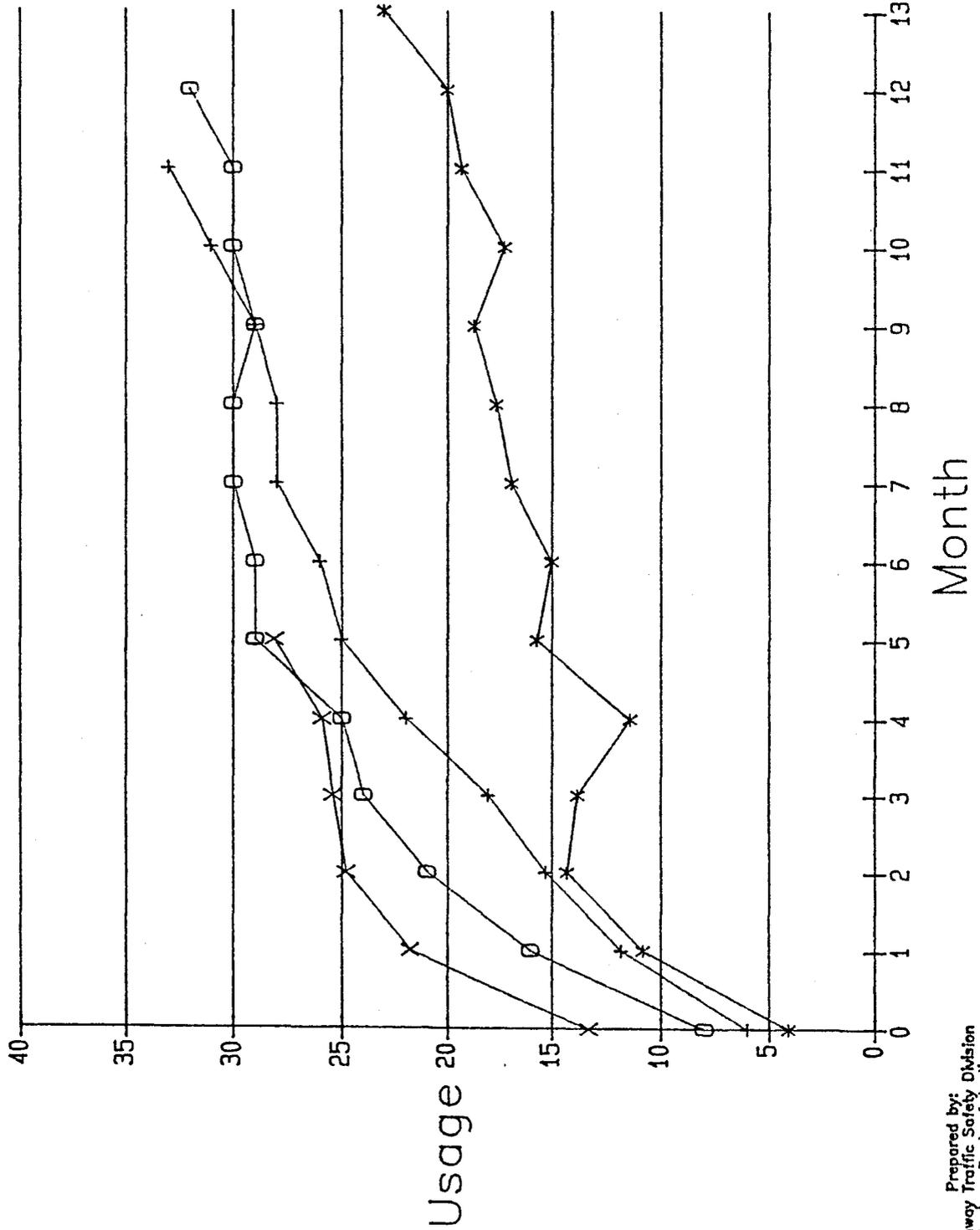
Montana State Pharmaceutical Association
Montana Health Care Association
Montana Funeral Directors Association
Country Classic Dairies, Inc. of Bozeman
Montana Public Health Association
Cliff Reed, Inc. of Corvallis
Rotary Club of Helena Sunrise
United Parcel Service

Montana Seat Belt Usage



Seat Belt Incentive Programs

*	Helena
o	Missoula
+	Billings
*	Great Falls



ESTIMATED MONTANA BENEFITS OF A SAFETY BELT USE LAW

A. If Law Covers All Passengers (Front & Rear Seats) in All Cars & Trucks

<u>Anticipated Usage Rate</u>	<u>Lives Saved</u>	<u>Injuries Prevented</u>	<u>Dollars Saved</u>
100%	87	1400	\$70 Million
80%	70	1120	\$56 Million
50%	44	700	\$35 Million
40%	35	560	\$28 Million
Current Level			
30%	26	420	\$21 Million

B. If Law Covers Only Passenger Cars (Front Seat Passengers Only)

<u>Anticipated Usage Rate</u>	<u>Lives Saved</u>	<u>Injuries Prevented</u>	<u>Dollars Saved</u>
100%	37	854	\$32 Million
80%	30	683	\$25 Million
50%	19	427	\$16 Million
40%	15	342	\$13 Million

Prepared by the Montana
 Highway Traffic Safety Division
 Department of Justice

ALTHOUGH THERE WERE
SOME ERRORS, THIS WAS
A BEAUTIFUL TRIBUTE TO
KAREN & DALE. THIS ARTICLE
APPEARED ON THE FRONT
PAGE OF THE HELENA
INDEPENDENT RECORD THE
DAY OF THE FUNERAL.

See Page 1

SENATE HEALTH & WELFARE

EXHIBIT

DATE

BILL NO.

INDEPENDENT RECORD

July 24, 1985
Helena, Montana
Vol. 41 No. 245
Single copy 35c

Town buries dream couple

20 SATURDAY PLUS 1 MONTH

It was a dream match made in Whitehall. Perhaps in heaven, too.

Dale E. Neumann was the high school salutarian and captain of the football team who went on to become the tiny town's first West Point graduate.

Karen Heidegaard was the head of Whitehall High's honor society and captain of the girl's basketball team who went on to a successful career in fashion merchandising.

They were married on ~~July 15~~ ^{JUNE 15}, 1933 — an extremely bright, attractive and likeable couple, the cream of Whitehall's crop.

On July 19, 1985 — last Friday — their second wedding anniversary, Dale, 24, and Karen, 22, were killed together in a car wreck in Fort Polk, La.

Many Whitehall businesses closed today during funeral services for the couple whose bright future was so abruptly cut short.

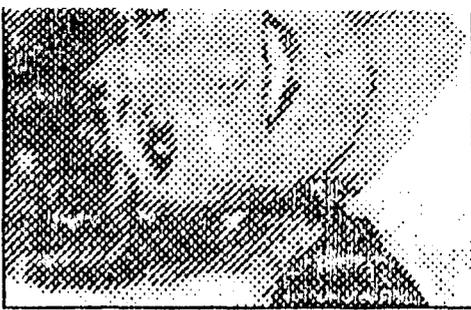
Dale, who graduated from Whitehall High in 1979, and Karen, who graduated two years later, were special people. They were leaders on the field and in the classroom.

He had become a first lieutenant in the Army, which had stationed him at Fort Polk, the scene

of the accident. She had graduated with a merchandising degree from New York City's Fashion Institute and was the assistant manager of a department store in Leesville, La., near the fort.

Dan Reum, the high school's athletic director and Dale's coach when he was in grade school, called him "a first-rate player and a great guy." "They were both just real positive people," he said. "They always took a real positive approach to life and added what they could to it."

After services in St. Teresa Catholic Church this morning, they were buried in the Whitehall Cemetery with a military honor guard and many of the town's 1,100 people attending.



Karen and Dale Neumann hopes resting on the

Testimony of: Laura Engebretson, President
Montana Extension Homemakers
529 7th Ave
Havre, MT 59501

SENATE PUBLIC HEALTH, WELFARE, AND SAFETY COMMITTEE

SB 111

Madam Chairman, Members of the committee.

I'm Laura Engebretson, President of the Montana Extension Homemakers. Our membership of 5,252 Montana Extension Homemakers supports SB 111. As community leaders and community members we feel that certainly education goes a long way in discovering the benefits of seat belts. However, education alone will not offset the tremendous economic loss suffered by ~~all~~ Montana families because of the lack of use of existing safety equipment. This legislation will provide further incentive to use seat belts. SB 111 is a responsible solution to an otherwise loosing proposition. We urge you, give SB 111 a do pass.



KALISPELL DIAGNOSTIC SERVICE P.C.

SUITE 204

210 SUNNY VIEW LANE

KALISPELL, MONTANA 59901

AC 406 755-7406

SENATE HEALTH & WELFARE

EXHIBIT NO. 6

DATE 2-4-87

BILL NO. 111

JAMES E. McCREEDY, M.D.
JACK L. DAVIS, M.D.
BENNIE J. ROSSETTO, M.D.
WILLIAM M. BOEHME, M.D.

DIPLOMATES
AMERICAN BOARD OF
INTERNAL MEDICINE

January 30, 1987

TO: Senator Dorothy Eck
Chairman, Senate Committee on Public Health, Welfare and Safety

RE: Montana Seat Belt Act - Senate Bill 111

Dear Senator Eck:

I appreciate the opportunity to address the Committee in strong support of Senate Bill 111. As this communication will indicate, personal family catastrophe directly bearing on this legislation prohibits my personal attendance at the hearing February 4th. I have therefore requested Mick Mills of Libby to present this communication.

I have been a practicing physician in Kalispell for over 15 years specializing in Critical Care Medicine and cardiovascular diseases. In this capacity, I've been involved in front line in-field and emergency room direct patient care both locally and at the State level via the Montana Medical Association's Emergency Medical Services Committee. I've been fortunate to have been the originator of the ALERT helicopter program which has transported over 3,000 ill and injured people, and have also been involved in the development at the State level in systems to care for the critically injured. In these capacities, I've become knowledgeable of a continuing critical problem in our State and at a national level--needless injury, death, and prolonged disability due to lack of seat belt use. This medical experience has taught me and others involved in the day by day care of the critically injured a cardinal lesson--critical injury and death especially due to head injury is a rare occurrence in those persons who are wearing restraints at the time of an accident, yet common without restraints. To quote Richard Dewey, M.D., a neurosurgeon from Missoula with 14 years of experience managing critical head injuries --"They just don't occur if a seat belt is worn". There is indeed overwhelming evidence to this effect from a medical as well as crash-injury data standpoint and solid data of the financial loss to families and taxpayers from the resultant injuries sustained.

I'd like to briefly share with you and the Committee, a recent accident just north of Kalispell. A near head-on collision occurred--the cause of which remains unknown. Passengers in one car, two boys ages 16--killed due to head injury (thrown from vehicle), and 17--sustained critical head and other injuries (thrown from vehicle) underwent emergency brain surgery and may never recover to a functional individual. Both boys

Senator Dorothy Eck
January 30, 1987
Page Two

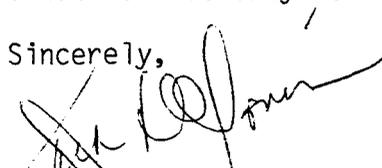
RE: Montana Seat Belt Act, Senate Bill 111

were excellent students and planning careers in veterinary medicine and computers. In the other vehicle, a mother and daughter (not thrown from vehicle). The mother is recovering rapidly from injury although her daughter is slower to recover. This scene, a common occurrence to physicians throughout Montana, could have been drastically altered by seat belt use which has been clearly shown to increase in states which have seat belt legislation, as being thrown from the vehicle is the leading cause of head injury, death and permanent neurological damage. The families of both boys utilized seat belts but as presented data will demonstrate, "because it's not a law, it must not be important". There is little doubt that the parents of these young people would be happy to testify to the necessity of seat belt legislation as would the hundreds of families so effected in the past. There is little doubt that in addition to prevention of death and long term disability, that there is incurred to Montana extreme financial loss not only in productive individuals but actual dollar outlay for medical care, nursing home care, and rehabilitation at a time when our State can least afford it.

In closing, today I place this testimony before the Committee in representing the physicians and medical facilities who care for these needless tragedies. In addition, I wear two hats before the Committee. One of the physician, and the other--as the father of one of these boys both of whom were law abiders. While I recognize an issue of personal decision exists, I must recognize that it is our responsibility as citizens, and yours as legislators, to produce certain laws for society's protection which have profound effects on vehicular injury and death. Seat belt legislation poses no more of a personal freedom reduction than DWI laws, speed limits, stop signs and lights, and in final analysis, we have a certain debt--to protect our youth, the future of Montana.

I appreciate the opportunity to appear before you and to enter these comments on behalf of not only medicine, but the parents of Montana.

Sincerely,


Jack L. Davis, M.D.

JLD:lr
cc



Montana Hospital Association

(406) 442-1911 • P.O. BOX 5119 • HELENA, MONTANA 59604

Madame

Mr. Chairman, ladies and gentlemen of the committee I am Roland Fisher, Vice President of the Montana Hospital Association. The MHA is supported by 55 member hospitals in our state and on behalf of this membership the following testimony is given in support of Senate Bill 111.

An unfortunate truism is that automobile accidents will continue to occur, in Montana as in other states, in varying forms of severity. We see S. 111 as a way to control a portion of the pain and suffering associated with auto accidents and also as a means to reducing the devastating costs incurred by crash victims, their families and society.

In 1985 the Montana Highway Traffic Safety Division reported 8702 auto accidents that caused injury to the occupants. The degree of severity of these injuries is unknown and one must assume there were incidents where minor and major financial costs involved. If we consider the average charge per patient stay in Montana's hospital of \$2,922 (*) and this multiplied by the number of accident producing crashes we find where emergency and rehabilitation costs in hospitals alone could exceed \$25 million dollars. If only a fraction of this amount is saved by reducing accident severities thru the use of safety belts then S. Bill 111 truly deserves your support. I encourage your consideration.

(*) Average charge per stay in Montana (\$2,922) developed by the independent survey by the Equitable (HCA) Corporation. In this survey Montana ranks 44th among the 50 states in average charge per stay.



Montana Nurses' Association

715 Getchell

(406) 442-6710

P.O. BOX 5718 • HELENA, MONTANA 59604

SB111

Senator Eck, members of the committee.

My name is Barbara Booher, I'm the Executive Director of the Montana Nurses' Association, representing over 1400 registered nurses from across the state of Montana. I am here to speak in favor of SB111, requiring seat belts to be worn by occupants of motor vehicles.

Nurses are very concerned about health and safety issues, especially in regard to children. Many of our members serve in emergency rooms of hospitals and have to deal with victims of automobile accidents. Because of our experience in providing nursing care for these victims, and because of the overwhelming evidence supporting mandatory seat belt laws as a way to reduce injuries to accident victims, we support this bill.

We feel safety belts and child restraint seats go a long way in preventing unnecessary injury and death due to motor vehicle accidents. The Montana Nurses' Association strongly supports passage of SB111.

Respectfully Submitted,

Barbara E. Booher
Executive Director

NAME: ELMER HAUSKEN

DATE: 2/ Feb/87

ADDRESS: 1400 HIGHLAND

SENATE HEALTH & WELFARE

EXHIBIT NO. 29

PHONE: 1-406-442-8319

DATE 2-4-87

BILL NO. 111

REPRESENTING WHOM? AARP

APPEARING ON WHICH PROPOSAL: SB 111

DO YOU: SUPPORT?

AMEND?

OPPOSE?

COMMENTS: THE AARP STRONGLY SUPPORTS MANDATORY SEAT BELT LEGISLATION, FROM OUR 80,000 MEMBERS IN MT

AS A SENATOR IN THE 1986 LEGISLATURE I SUBMIT THAT WE PASSED A MANDATORY SEAT^{BELT} ACT WITH ONLY ONE DISSENTING VOTE.

✓ VOTE YES ON THIS BILL, THE LIFE YOU SAVE WHEN YOU BUCKLE UP MAY BE YOUR OWN

TAKE THE "55 ALIVE" DRIVER REFRESHER COURSE PUT ON BY AARP - IT DEMANDS USE OF SEAT BELTS.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

SENATE BILL 111

Testimony Of William Lloyd Linden
President, Linden's, Inc.
Owner Of
Linden's Herrmann & Company Funeral Home
Former Owner
Of
Linden Ambulance Service

Before The Senate Health, Welfare & Safety Committee
February 4, 1987

Chairman and members of the Committee, for the record,
I am William Lloyd Linden from Helena, Montana. I am President
of Linden's, Inc. We own and operate Linden's Herrmann &
Company Funeral Home and owned and operated Linden Ambulance
Service here in Helena for 13 years until we sold the ambu-
lance service to Saint Peter's Hospital in December of 1984.
I am a licensed mortician and was an Emergency Medical Techni-
cian for many of the years that we owned the ambulance service.
I am also a member of the Montana Seat Belt Coalition.

It has been my experience, both in the funeral home, and
even more so in my years as an EMT, that the use of seatbelts
does save lives and lessens the seriousness of injuries in
motor vehicle accidents. In accidents that we responded to
throughout the years, I saw needless deaths and serious injur-
ies where seat belts were not used, particularly in the case
of the young and the elderly victims.

Furthermore, it is a fact, that there is a high rate of
"burnout" among ambulance personnel and funeral home personnel.
It is my belief that a portion of this "burnout" is a result
of seeing a senseless waste of lives, unnecessary injuries,
pain and suffering.

Testimony of W. L. Linden on SB111
February 4, 1987
Page 2

SENATE HEALTH & WELFARE
EXHIBIT NO. 10
DATE 2-4-87
BILL NO. SB111

Because of what I have seen and experienced in both of my businesses, I am a firm believer in the use of seatbelts; and, my entire family wears them at all times (even though it is a constant battle to see to it that my ten-year-old Son wears his).

In closing, I would like to say that if Senate Bill 111 does pass, perhaps even those who argue against it will find that wearing seatbelts is not so difficult or restrictive. They might even be one of the fortunate motor vehicle accident victims whose life is saved by the use of a seatbelt.

If you do not vote "YES" in support of passing Senate Bill 111, at least wear your seatbelt. If you do vote "YES" in support of Senate Bill 111, wear your seat belt, please. And, please, I urge you to give Senate Bill 111 a DO PASS recommendation. Thank you for your time and consideration.



SEAT BELT LAWS: Studies and statistics prove they work

SENATE HEALTH & WELFARE

EXHIBIT 11

DATE 2-4-87

BILL NO 111

Imagine driving through a parking lot at 10 miles an hour, a slow speed by most standards. Not considering this a dangerous situation, you don't bother wearing a safety belt. Suddenly a car backs out from between two parked vehicles, appearing before you in the flash of a second. You slam on the brakes to avoid collision, the steering wheel rams into your chest and there is nothing to stop your head from crashing through the windshield. Imagine an unbelted child in the back seat sailing forward and into the dashboard. It is not a pretty picture. Its not meant to be. But it happens.

Seat belts were not created only for high speed driving. Whether a car is going 8 mph or 80 mph the driver will be in much less danger of injury if wearing a seatbelt. But despite statistics which prove thousands of injuries and fatalities are prevented annually by increased seat belt usage, many drivers and passengers still go without. If you are one of them, consider these facts researched by the National Safety Council, Insurance Institute for Highway Safety, and the Illinois Department of Transportation:

- Studies show that front seat driver/passenger deaths were reduced by 285 during the first year that New York, New Jersey, Michigan and Illinois had mandatory seat belt laws. The study was based on 1985 statistics.
- Motor vehicle accidents are the leading cause of death from ages one to 44.
- The force of an impact at just 10 mph is equivalent to catching a 200-pound bag of cement thrown from a first-story window. At 35 mph, the impact is substantially more brutal. There is no way your arms and legs can brace you against that kind of force — even if you could react in time.
- Three out of four crashes happen within 25 miles of home.
- Approximately half of the 51,000 people killed in motor vehicle accidents annually could be saved if they had been wearing safety belts.
- A common cause of death and injury to children is being crushed by unbelted adults.
- Seat belts keep a person's head from striking the steering wheel, windshield and dashboard. Head injuries account for 47.7 percent of fatalities in auto accidents.
- "I'd rather be thrown clear," a statement sometimes made by seat belt opponents, is a misperception. Being thrown from a vehicle usually means flying through the windshield or catapulting out a door, sliding along concrete or gravel at a skin-ripping speed, and crashing into another object — often oncoming traffic. In either case, your chances of being killed are 25 times greater than if you had remained in the car.
- Wearing a manual lap and shoulder belt during an accident reduces the chance of fatality by approximately 50 percent, moderate or critical injury by 55 percent, and minor injury by 10 percent.
- The 40,000 to 50,000 highway fatalities which take place each year result in a cost to society of more than \$40 billion annually.
- Motor vehicle accidents are the number one cause of on-the-job fatalities and cost employers nearly \$120,000 per death.
- Motor vehicle fatalities occur 10 times more often than those by any other form of transportation.
- Many insurance companies in states with mandatory seat belt laws have lowered



SEAT BELT LAWS: Studies and statistics prove they work

SENATE HEALTH & WELFARE

EXHIBIT 11

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Insurers cut premiums for passive restraints

SEN. FILE NO. 11
EXH. 11
DATE 2-4-87
BILL NO. 11

Automotive News
March 17, 1986
pg. 42

By Jake Kelderman
Washington Reporter

WASHINGTON.—Later this year, new-car prospects will be able to buy a car with a passive restraint from every auto manufacturer who sells in this country.

The nation's major auto insurers are hoping many will say yes and are offering policy discounts as an incentive.

A survey of the Top Ten auto insurance companies indicates that many already offer discounts or other incentives to car buyers who opt for the safety device, either an air bag or an automatic belt system, and that those who do not likely will change their minds because of competitive pressures.

"It's only a matter of time before they all offer discounts," said a spokesperson for the Insurance Services Office, a nonprofit rate-making advisory service for the industry.

Auto makers must offer passive-restraint systems in 10 percent of their models beginning with the 1987 model year under regulations established by the Federal Government. The controversial regulation also says that unless states with two-thirds of the U.S. population enact mandatory seat-belt-use laws by April 1, 1989, all new cars must be equipped with the devices in the 1990 model year.

The insurance companies have lobbied long and hard for the passive devices, battling first the car makers and more recently the Department of Transportation. Indeed, this week, a coalition led by State Farm Mutual and Nationwide Mutual face off against the DOT in the court of appeals here over the validity of the department's requirement that ties installation of the devices in passenger cars to the number of states with mandatory seat-belt-use laws.

It was not until recently, however, that the insurance companies began offering premium discounts to those who ordered

the passive restraints in their cars. With increasing availability, that is now changing.

Of the Top Ten auto insurance companies, only three offer no direct premium discounts, the Automotive News survey shows, and one of those offsets that lack somewhat by offering \$10,000 additional coverage to those restraint users killed or injured in an auto accident.

Ironically, State Farm, the country's largest auto insurer and

the leader of the fight for mandatory passive-restraint systems, is one of those that does not offer a premium discount.

Robert Sasser, a spokesperson for the company, said it was because there are not many passive-restraint-equipped cars in the field yet and also because the company wants to see what the total impact will be first. "It doesn't mean we won't offer them in the future," he said.

The other companies not offering a premium discount are Continental Insurance Co., the nation's 10th largest auto insurer, and Farmers Automobile Insurance Assn., the nation's third largest.

United Services Automobile

Assn. (USAA) also offers no direct discount but does provide \$10,000 in additional benefits for its members if they are injured or killed while using either an active or passive safety system. USAA is the nation's eighth largest auto insurer.

The remaining members of the Top Ten all offer discounts in varying degrees but none exceeds a 30-percent reduction in personal injury premiums.

The companies and their ranking are: Allstate Insurance Co., (2); Nationwide Mutual Insurance Co., (4); Aetna Life and Casualty Co., (5) in New York and Connecticut only; Travelers Insurance Co., (6); Liberty Mutual Insurance Co., (7), and Cigna Corp., (9).

WITNESS STATEMENT

NAME DAVID LACKMAN BILL NO. SB111
 ADDRESS 1400 Winne Avenue, Helena, MT 59601 443-3494 DATE 2/4/87
 WHOM DO YOU REPRESENT? Lobbyist, Montana Public Health Association
 SUPPORT XXX OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY ELLEN NEHRING
 SB111 (Halligan) Require use of seatbelts by occupants of a motor vehicle.

Comments: Senate Public Health Rm 410 1:00 P.M. Wed. 2/4/87 (Dorothy Eck)

Use of seat belts saves lives and prevents injuries. Some insurance companies add \$10,000. to benefits if one is killed in a motor vehicle accident while wearing a seat belt. This suggests something about the desirability of using them.

However, figures indicate that, in Montana, only 29.5 % of Montanans consistently use them. Sometimes I am asked- When are you going to stop trying to regiment us with laws ? When it affects the lives of others, especially your survivors; and

education fails, we in public health will continue to behave the way we do.

Attempted suicide is not a civil matter; but is a criminal offense

Again, I refer you to the latest report of the Montana Highway Patrol.

Fatal injury: Seat belt used 17
 Seat belt not used 128

Incapacitating injury: Seat belt used 188
 Seat belt not used 1313

In those cases where seat belt used; injury often occurs when an unprotected head impacts a hard object. That is a reason for shoulder restraints.

My first experience with restraints was at Camp Hood when we were preparing Tank Destroyer battalions to stop Field Marshal Rommel in N. Africa. The morgue was part of our lab.; and I usually was involved in accident analysis. When seat belts were installed in jeeps; some of my business decreased. Restraints were very important when TDs were negotiating rough terrain- failure to use them resulted in some bad injuries.

If all members of our species acted on the basis of available information, such legislation wouldn't be necessary- but they don't ! We wholeheartedly support the Montana Safety Belt Coalition; their data and conclusions. We urge passage of SB 111.

Thank you

DBL

LAW OFFICES

SHERWOOD & ENGLUND

401 N. WASHINGTON/P.O. BOX 8142
MISSOULA, MONTANA - 59802/59807
(406) 721-2729

TESTIMONY OF KARL J. ENGLUND, REPRESENTING THE MONTANA TRIAL LAWYERS ASSOCIATION, BEFORE THE SENATE PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE, CONCERNING S.B. 211, FEBRUARY 4, 1985

Madam Chair and Members of the Committee:

My name is Karl Englund. I am an attorney from Missoula and am the registered lobbyist for the Montana Trial Lawyers Association. The Trial Lawyers Association is an organization of Montana attorneys who primarily represent plaintiffs, or injured parties, in civil litigation.

We consider our role at the Legislature to be fairly limited. It is our responsibility to insure that injured people have adequate remedies available to compensate them for injuries received through no fault of their own. For this reason, the Trial Lawyers neither support nor oppose the concept of mandatory seat belt use. However, there is one provision of S.B. 211 which will fundamentally change Montana law regarding what we lawyers call "the seat belt defense", or liability imposed upon an injured party because he/she failed to wear a seat belt.

Our Supreme Court considered, and rejected, adopting the seat belt defense in the case of Kopischke v. First Continental Corporation, ___ Mont. ___, 610 P.2d 668 (1980). In a well-reasoned opinion, our Court looked at what has been done in other states and concluded:

The overwhelming majority of the cases, be they from contributory negligence states or comparative negligence states, refuse to penalize a plaintiff for not using seat belts and have rejected the defense. Id. at 679

The Court also noted that the seat belt defense essentially

rewards negligent drivers by requiring people to anticipate their negligence. "The defendant should not diminish the consequences of his negligence by the failure of the plaintiff to anticipate the defendant's negligence in causing the accident itself." Id. at 680 "The plaintiff need not predict the negligence of the defendant." Id.

Perhaps more importantly, the Court addressed administrative problems which would result from the adoption of the seat belt defense. In order to fully understand these administrative problems, one must first understand how motor vehicle accidents are handled under current Montana law. Lets assume that driver X is involved in an auto accident with driver Z. Z, intoxicated, runs a stop sign and hits X, causing significant personal and property damage. Under current Montana law, X's medical and out-of-pocket expenses will be paid almost immediately by Z or Z's insurance carrier. If we had adopted the seat belt defense and if X had not been wearing his/her seat belt, the burden would shift to X to demonstrate which of his/her injuries would have occurred had he/she been wearing the seat belt. This, in turn, would require X to hire some kind of expert to establish this difficult question of fact. Our Court said it best:

(A)llowing the seat belt defense would lead to a veritable battle of experts as to what injuries would have or have not been avoided had the plaintiff been wearing a belt. At best it would cause substantial speculation by the trier of the facts. Id.

Finally, our Court concluded its discussion by summarizing the negative aspects of the seat belt defense.

It would be improper for an injured driver or passenger to be penalized in the eyes of the jury by permitting

evidence to be presented that a seat belt was available which had not been put in use. The seat belt defense would soon become a fortuitous windfall to tort-feasors (wrong-doers) and would tend to cause rampant speculation as to the reduction (or increase) in the amount of recoverable damages attributable to the failure to use available seat belts...It would be a harsh and unsound rule which would deny all recovery to the plaintiff, whose mere failure to buckle his belt in no way contributed to the accident and exonerate the active tort-feasor but for whose negligence the plaintiff's omission would have been harmless. Id.

Accordingly, we have prepared an amendment to Section 4 of S.B. 211 which provides that the failure of any person to wear a seat belt is not negligence and not admissible in any civil action resulting from an automobile accident. This amendment will preserve the present status of the law in Montana and will insure that people who cause injuries in auto accidents are not rewarded for their wrongful conduct.

Thank you for your time and attention.

Madam chairman members of the
committee

SENATE HEALTH & WELFARE

EXHIBIT NO 14

DATE 2-7-87

I am David Driscoll a fourth grade

student at Hawthorne elementary. I think

bill III should not be passed. You bought

your car its yours. And theirs proply

a 50% chance you'll be involved in

a household accident thats like

putting safety straps on everything

in your house so a nose does not fall on your

heads. And if a police man is

checking for seatbelts in another

moving vehicle he could be putting

his and your life in danger. And

some people say you can just

your seatbelt but the looser

you make it the more chance there

is of getting hurt. But I still do

wear my seatbelt. Thank you

David

SENATE HEALTH & WELFARE

EXHIBIT NO. 15

DATE 2-4-87

BILL NO. 111

MADAM CHAIRMAN, MEMBERS OF THE COMMITTEE;

I AM KEVIN HELVIK FROM THE FOURTH GRADE, ~~BOY~~ I REPRESENT
HAWTHORNE SCHOOL IN HELENA.

I DON'T THINK HAVING TO WEAR SEAT BELTS SHOULD BECOME A
LAW BECAUSE PEOPLE SHOULD HAVE THE RIGHT TO DECIDE IF
THEY WANT TO WEAR SEAT BELTS OR NOT.

IF PEOPLE WANT TO TAKE THE RISK, WHY DON'T PEOPLE LET
THEM? IF YOU ARE WEARING A SEAT BELT AND SINK IN WATER,
YOU WOULD BE IN SO MUCH PANIC YOU COULDN'T PUSH THE BUTTON
TO RELEASE THE BELT, BUT IF YOU DIDN'T HAVE ONE ON YOU
COULD GET RIGHT OUT.

PEOPLE IN THE BACK SEAT CAN STILL BREAK THEIR NECK EVEN
IF THEY HAVE A SEAT BELT ON.

THIS SHOULD BE THE PEOPLE'S CHOICE!!!!!!

THANK YOU!!!!!!

My name is Kristine Helvik I am a fourth
grade student at Hawthorne School
in Helena

Madam Chairman, members of
the committee, ~~the people~~
Some people say seatbelts are
uncomfortable, but you can
adjust them to your choice. Maybe
one of the lives you save may
be mine, my grandchildren...
or yours. People's doctor and
hospital bills and insurance bills
wouldn't be so high. Seatbelts
would not save everyone's
lives but they would lower
the number killed. ~~Thank you.~~

~~Thank you.~~
If you have the courage to say YES to seatbelts, everyday for the
rest of your life, you will know that people are alive because of
your vote and your courage.

Thank you.

TO: MEMBERS OF THE SENATE PUBLIC HEALTH, WELFARE AND
SAFETY COMMITTEE

FROM: LEN TOLSTEDT; MANAGER OF INFANT RESTRAINT PROGRAM
FOR ST. PETER'S COMMUNITY HOSPITAL ASSOCIATION, HEALTH
PROJECTS CHAIRMAN, FOR MONTANA MEDICAL ASSOCIATION
AUXILIARY.

I apologize for not being able to address you in person as
was my intention, but business takes me away from Helena on this
day .

You have heard the testimony on the extent of the problem
with deaths and injury on our highway. It comes with a great
deal of grief and pain to the individuals and families involved
in motor vehicles, in addition, we have the high cost to our
citizens for medical expenses, lost wages, higher insurance and
higher taxes for police to investigate these accidents, legal
costs involved during litigation and costs for long term medical
care and rehabilitation of injured persons. I believe that
the estimated \$56,000,000 that would be saved if you passed
SENATE BILL 111 and cannot be ignored by anyone in this
legislature.

In my work with the infant restraint program, I always remind
the parents that they don't do their children a favor by buckling
the child up and then neglect to buckle themselves up. To
illustrate I'd like to use the example of the young mother from
Billon who received two citations for not having her children
restrained. A short time later she was involved in a one
vehicle rollover which was fatal to her, but her children who
were restrained escaped unharmed. This young family has lost
the person who historically does the nurturing of young children,
and undoubtedly caused an economic burden on the family. If the
legislature had seen fit to pass a MANDATORY SEAT BELT LAW last
session, perhaps, this story would have had a different outcome.

In my own experience, eighteen years ago, my in laws were
killed on a Montana highway, when they were killed on a head-on
collision on icy road. They were unrestrained and my husband
feels certain that they might be living today had they been.
They were South Dakota Farmers and had that independence that
comes from pioneer living. As a result of this accident my
children lost the only grandparents that they had and greatly
diminished the quality of life from knowing their grandparents.
This leads us to the argument the MANDATORY SEAT BELT LAW will
interfere with a persons RIGHTS. Yet you know that from the
examples above that right is dead wrong. Since it affects us
all in some way, either, personally or financially, I plea with
you to put aside some personal conviction you may have about what
our personal RIGHTS should include and pass SENATE BILL 111 to do
something that is right for all the citizens of Montana.

As Health Projects Chairman of the Montana Medical Association Auxiliary representing nearly 800 physician spouses, it is my job to be involved with project that will improve the health and quality of life of the citizens of Montana. Our greatest efforts are in the area of preventive medicine. After one year of age the greatest cause of death is motor vehicle accidents until way pass middle age. Will you become involved in our efforts to prevent these needless deaths?

As the spouse of a physician, I have been aware of the efforts for cost containment in the health care field. Over the last three or four years most of the fat out of the costs. At the present time government and insurance companies are considering measures that will inevitably result in the rationing of health care. This is one area where we can reduce some medical costs by reducing injuries due to motor vehicles, so, we need to make the use of seat belt mandatory in the state of Montana.

NAME: Carolyn Hamlin DATE: 2/4/87

ADDRESS: 1206 Reece Drive

PHONE: 245-7687

REPRESENTING WHOM? Montana Public Health Assoc.

APPEARING ON WHICH PROPOSAL: SB111

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: MPHA strongly supports SB111 as an effective measure to save the lives of Montanans. It is not only a humanistic measure to save lives, but cost-effective as the costs of accidents are frequently passed on to the tax-payers of Montana.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: HELEN BARBER DATE: 2/4/87

ADDRESS: Box 147 Big Timber, MT, 59011

PHONE: 932-4374

REPRESENTING WHOM? myself

APPEARING ON WHICH PROPOSAL: Require use of seattels (Sen. Halligan)

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: Any support, comment, financing that we as caring people can initiate, how to be helpful. Education and awareness of statistics on this subject can make a real difference. Hopefully this bill will do what the sponsors intend.

They other side of the coin is, you can lead a horse to water, but you can't make him drink. When we deal with human nature, laws are some of the first requirements that are set aside and dealt with at a later date. In the case of the seat belt law a later date can be too late. Am interested to know who will enforce this - conveniently. We can't convince a habitual jogger to put on bright colors to be able to see him while walking on the H/W.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Roberta D'Allo

DATE: Feb. 4, 1987

ADDRESS: 2341 Benner Rd. Lot #8

PHONE: 458-5718

REPRESENTING WHOM? Self

APPEARING ON WHICH PROPOSAL: SB111

DO YOU: SUPPORT?

AMEND?

OPPOSE?

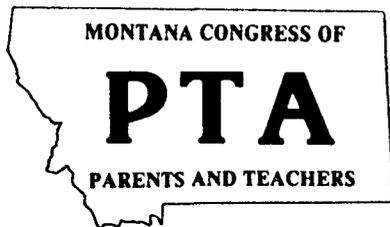
COMMENTS: I have very strong feelings against a mandatory seat belt law. I feel that it should be left up to the person to decide if they want to wear one not have to wear one.

I heard of a recent study done about the use of lap seat belts. The study showed that by wearing a lap seat only could be more damaging. By this they meant that the force of a sudden stop could fling a person forward then back and could rupture stomach muscles. They felt along with the lap belt a shoulder strap should also be used. The problem with this is that shoulder straps were not introduced into vehicles till later years. The cost to put this belts into a vehicle would run app^x 200⁰⁰ per car. I drive a 1970 model car with no shoulder straps. I am

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

I'm in a low income bracket. Are you going to give me the 200⁰⁰ to put belts into my car. All I want to get across is for myself I do not wear seat belts or believe in them for myself. I have a young son and I make sure he is restrained. Like I said before I believe that a person should be able to make up their own minds.

Thank you.



Seat belt
Exhibit
DATE 2-4-87
BILL NO. SB111

January 26, 1987

Dear Chairman Eck and Members of the Senate Public Health, Welfare and Safety Committee:

The Montana Congress of Parents and Teachers Association consisting of nearly 9,000 members urges your support of SB111 - requiring the use of seat belts by occupants of a motor vehicle.

The Automobile Safety Foundation estimates there would have been 45 fewer fatalities and 1,000 fewer injuries in Montana if seat-belt use had been required in 1983, and a savings of \$23M. In 1985, 223 motorists dies on Montana highways and another 8,900 suffered serious injury at a cost of \$134M. This research shows there are considerable human and economic savings when motorists buckle up. If the majority of motor vehicle passengers buckled up regularly, the state of Montana could save 123 lives and \$74M annually. The economic savings include medical and health, law enforcement and property damage. Research also shows that if motorists are wearing a combined shoulder and lap-belt system, it is almost impossible to be killed under 30 mph. 80% of all accidents and serious injuries occur in urban areas, at speeds of less than 40 mph.

Please find enclosed a copy of the Resolution passed by the Montana PTA 1986 state Convention, entitled CHILD RESTRAINTS AND SAFETY BELTS.

As you know, Montana Legislature passed a Child Passenger Safety law that went into effect January 1, 1984. Several other states have similar mandatory seat-belt laws for children.

We believe it is time we support legislation that will protect their parents as well. Again, we ask your support in the passage of SB111.

We thank you for your sincere concern for the health, safety and welfare of Montana's children and their parents and all citizens of Montana.

Sincerely,

Helen J. Volden
Montana PTA Legislative Coordinator
103 Marion Pk Wy
Hamilton, MT 59840

Enclosure

CHILD RESTRAINTS AND SAFETY BELTS

Whereas, Automobile accidents rank as the number one killer andcripler of children under the age of five; and

Whereas, Automobile crashes in the United States cause more than 50,000 deaths and four million injuries every year, many of which involve children; and

Whereas, There is unequivocal evidence that safety belts and child restraints could prevent about half of all such deaths and injuries; therefore be it

RESOLVED, That the Montana PTA through its local units disseminate information regarding child restraint and safety belt usage; and be further

RESOLVED, That the Montana PTA urge local units to promote child restraint and safety belt usage projects based on the National PTA project; and therefore be it further

RESOLVED, That Montana PTA support legislation for the mandatory use of seat belts for people of all ages.

by Blue Creek PTA

10/11/87 PTA 003 12/1/87



BUCKLE UP FOR SAFETY!