

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
54th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON HIGHWAYS & TRANSPORTATION

Call to Order: By **CHAIRMAN SHIELL ANDERSON**, on March 3, 1995, at 3:20 p.m.

ROLL CALL

Members Present:

Rep. Shiell Anderson, Chairman (R)
Rep. Rick Jore, Vice Chairman (Majority) (R)
Rep. Patrick G. Galvin, Vice Chairman (Minority) (D)
Rep. Joe Barnett (R)
Rep. Matt Brainard (R)
Rep. Robert C. Clark (R)
Rep. Charles R. Devaney (R)
Rep. Marian W. Hanson (R)
Rep. Don Larson (D)
Rep. Rod Marshall (R)
Rep. Linda McCulloch (D)
Rep. Daniel W. McGee (R)
Rep. Jeanette S. McKee (R)
Rep. Dore Schwinden (D)
Rep. Roger Somerville (R)
Rep. Joe Tropila (D)
Rep. Jack Wells (R)

Members Excused: Rep. William M. "Bill" Ryan

Members Absent: None

Staff Present: Connie Erickson, Legislative Council
Kim Greenough, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: SB 163, SB 129
Executive Action: None

HEARING ON SB 163

Opening Statement by Sponsor:

SEN. LINDA NELSON, Senate District 49, presented SB 163 which is a combined license plate bill for veterans, disabled persons and

amateur radio operators. She pointed out that there were no special breaks for these plates and the money would go to help the veterans cemetery fund and the general fund. Often people with disabilities and ex-servicemen like to serve in their communities by being a ham radio operator. The disabled people still need to have that handicapped insignia on their plates so they can park in the special handicapped parking place, but they also like to post their call letters.

Proponents' Testimony:

Dean Roberts, Administrator, Department of Justice, explained how the bill would work. He said both of the screens were already available and used to make plates now.

Jim Jacobson, Administrator, Montana Veterans Affairs Division, spoke in support of the bill. He said the cemetery supports the bill because of the extra \$10 fee for the veterans insignia which supports the veterans cemetery program.

Hal Manson, American Legion of Montana, testified in favor of the bill. He said the money was very important for cemetery purposes and urged the committee to support the bill.

Dick Balmburg, Disabled American Veterans of Montana, spoke in support of the bill.

Opponents' Testimony: None

Questions From Committee Members and Responses:

REP. MATT BRAINARD asked if there were any objections to making this provision available for all the other special license plates. **SEN. NELSON** replied that she did not have a problem with that. However, every session there are a lot of special license plate requests. This one is specific because the ham radio numbers are different than the personalized plates. This bill should remain the way it is.

REP. ROGER SOMERVILLE asked **Dean Roberts** about making special plates. **Mr. Roberts** replied that there were some problems in terms of the college plates which was a special plate type with special materials.

Closing by Sponsor: **SEN. NELSON** closed on the bill.

{Tape: 1; Side: A; Approx. Counter: 220; Comments: None.}

HEARING ON SB 129Opening Statement by Sponsor:

SEN. BARRY STANG, SD 36, presented SB 129. He said the bill deals with law and order and an increase in the speeding fine in the state of Montana. The fine would be applied to fuel conservation projects. He explained the fee structure. He pointed out the fine would not go on the driving record. There are many people, especially out-of-state drivers, that disregard the laws in the state of Montana. The \$5 fine is a joke. He discussed dangerous accidents due to speed. He presented a list of fines from Money Magazine showing the state of Montana last with \$5. The handout explains some of the components of the bill. **EXHIBIT 1**

Proponents' Testimony:

Attorney General Joe Mazurek testified in support of SB 129. He discussed the fines of neighboring states. He noted that Montana is a rural area and people spend a lot of time driving. However, it is time to address the \$5 ticket. The law enforcement officers who have the responsibility of enforcing the law have a deadly serious job. Every day they are on the highways of the state putting their lives at risk. What they do every day for the citizens is not a joke, yet the officers are the victim of this joke. They are also the ones who have to pick up the pieces at the scene if there is a fatality or injury. The faster a person is driving the greater the likelihood there will be serious injury. Excessive speed last year contributed to 45% of the 200 fatal accidents in the state.

He pointed out that these are not just statistics but rather human lives. For every ten miles an hour over fifty miles an hour, the chances of death or serious injury double. For example, if someone is traveling at 80 miles an hour the chances of death or serious injury are four times higher than they are at 60 miles an hour. He pointed out the same fine has existed for twenty years. This bill is an attempt to address the basic rule statute as well. The cost of administering the ticket is expensive and is absolutely no deterrent at all. Patrol officers risk their lives when they have to chase someone who is going at excessive speeds.

Charles Seifert, a retired businessman and local coordinator for "55 Alive" course, spoke in favor of the bill. He said at age 50 people's ability to drive begins to change. Peripheral vision and depth perception begins to change. He noted that he had dealt with the local patrol on a monthly basis for over two years and have met numerous officers who have addressed their group. In a recent year over 70,000 tickets have been issued at the \$5.00 fine. One officer nearly paid the full price for this fine. The danger increases to the Montana Highway Patrol. The

cost of issuing the ticket is \$15 where the cost to citizens is over \$700,000.

Craig Reap, Colonel, Montana Highway Patrol, spoke in favor of the bill. He discussed the highway patrol officers and their relationships with city judges. He said that some judges apply the basic rule violations while other counties have only the \$5 fine. He noted that many motorists know which counties apply basic rule and slow down or speed up in other counties. This is similar to what out-of-state drivers do when they pass through the state of Montana. Drivers are told that Montana only has a \$5 ticket so there is little respect for the law.

{Tape: 1; Side: B; Approx. Counter: 0; Comments: None.}

Col. Reap discussed the lack of respect, because this law has the effect of eroding other traffic laws. He pointed out that if drivers drove more appropriate speeds there would be fewer accidents. There are an average of 200 traffic deaths per year which is too high. Other factors can cause accidents such as animals, bees and road conditions. He pointed out that all of the highway patrol officers would offer similar testimony and he urged the committee to pass the bill.

Laurie Ekanger, Governor's Office, testified in support of the bill on behalf of the Governor.

Mary Murphy, Highway Patrol Officer, Great Falls, testified in support of the bill and pointed out that the \$5 fine is not a deterrent. She gave an example of poor conditions where a speeder who was going 88 miles an hour would be stopped for a basic rule ticket. The problem occurs when the driver contests his ticket; the possibility of amending the ticket to a \$5 ticket are very high in most counties in the state. A statewide policy is needed so that every county is consistent with fines.

John Stewart, Highway Patrol Officer, Butte, spoke in favor of the bill. He said for twenty five years the highway patrol has been trying to enforce an unenforceable law. He pointed out a fish and game fine of \$100 if someone catches one fish over the limit, yet a 4,200 pound vehicle can go down the road at 100 miles an hour and that person only gets a \$5 fine. He discussed examples of such speeding on his way to the committee hearing.

{Tape: 1; Side: B; Approx. Counter: 240; Comments: None.}

Tom Barnard, Chief Engineer, Department of Transportation, spoke for the department in support of the bill. He said the department's concern is to have the safest possible highway system. He discussed the designed speed for the interstate system which varies from 50-70 miles per hour. The design speed is the safest speed which the average driver can safely negotiate on a section of highway. When someone exceeds the designed speed the chances of them being involved in an accident rapidly

increases. He discussed the percentage of reckless drivers and the costs incurred by the Department of Highways.

{Tape: 1; Side: B; Approx. Counter: 410; Comments: None}

Tom Butler, Highway Patrol Officer and member of the board of the Association of Montana Highway Patrolmen, testified in support of the bill. He said the association is concerned about the traffic laws of Montana and the effect of those laws on the overall well-being of the officers. He said this law has been publicized as a national joke and the committee now has an opportunity to change that law. This current law has no effect as a deterrent on speeders. Patrol officers often wonder if they could have done something to save the life of an individual who has died in a traffic accident. Every day the current speed law is in effect, the job of the Montana Highway Patrol officer becomes harder and harder. Ultimately the level of service provided to the citizens is diminished. All members of the Association of Montana Highway Patrolmen support this bill.

Tom Schneider, Montana Public Employees Association, supported the bill. He said the inconsistency in the speeding law is one of the biggest problems they have to deal with. Travelers throughout the state find each section of highway different. This bill would protect the public from the standpoint that everyone will know what the rules are. Presently, one section is a basic rule violation, the next section is a \$5 ticket. This is not fair to the driving public. The Highway Patrolmen get blamed for this when it is the judicial system's fault. This bill would correct that. This bill will not penalize people who wander over the speed limit in the same manner that it will penalize people who drive 100 miles an hour.

John Connor, County Prosecutor Services Bureau, Department of Justice, spoke for the bill. He explained that their job is to provide support services to county attorneys, so in that regard, he represented the 56 county attorneys before the committee hearing. From the perspective of the prosecutor, the bill has two good aspects. The first aspect is that the bill amends the basic rule statute, 61-8-303, which is unworkable at present. It currently provides prosecutors with a difficult situation because in criminal cases the state is required to prove each element of a criminal charge by proof beyond a reasonable doubt. The basic rule statute has additional aspects that need to be considered. This bill will lessen the confusion for prosecutors, the courts and the defendants. He urged the committee to pass the bill.

Charles R. Calentine, St. Regis, submitted written testimony.
EXHIBIT 2

{Tape: 1; Side: B; Approx. Counter: 600; Comments: None.}

Opponents' Testimony:

REP. H.S. HANSON, HD 9, testified against the bill. He pointed out that there are 8.8 billion miles traveled per year in Montana. He said all the committee hears is fine, when in reality this bill was forced on them. This is not a means of slowing people down. It is a reaction to a "resource depletion allowance." He said he had a stack of letters saying no to SB 129. He said the bill would affect people who have to make a living by driving. There are long distances between places, especially in Eastern Montana. He presented the Montana Accident, Injury and Fatality Rates. **EXHIBIT 3**

{Tape: 2; Side: A; Approx. Counter: 0; Comments: None.}

REP. HANSON presented an article highway safety in the United States. **EXHIBIT 4** He discussed various costs per ticket and the money and time generated by this activity. He pointed out that this is a means of obtaining funds.

Jerry Driscoll testified against the bill. He said that people can't afford a lot of this. He said he questioned officers every time he received a \$5 ticket whether it bothered them to give \$5 tickets. No one replied yes. He asked how many people go to court on a traffic ticket. He pointed out that it was the federal government who blackmailed the state to enforce limits or give up the highway funding.

Dave Brown, Butte, spoke against the bill. He discussed some historical perspectives. He said that Montana does not have a daytime speed limit, but rather a violation of a resource conservation. He said the only way to stop wasting a resource was to cut down the speed limit nationwide. Montana fought very hard, but had to comply to receive federal highway funds.

Floyd W. Vallie, Great Falls, submitted written testimony. **EXHIBIT 5**

Frank Adams, Helena, submitted written testimony. **EXHIBIT 6**

Questions From Committee Members and Responses:

REP. PAT GALVIN asked if the bill passed would there be a campaign to stop the 72-73 mph drivers on freeways. **Col. Reap** replied that they would not change their current policy. The way the policy is written now there is a 10 mph leeway for speedometer variances.

REP. SOMERVILLE asked about the causes of the 45% fatal accidents caused by speed and what portion was due to alcohol. **Attorney General Mazurek** replied that the figure comes from efforts to determine causes when excessive speed was a factor. The figure does not include alcohol.

REP. SOMERVILLE asked why there was a 65 mph limit for automobiles but only a 60 mph limit for trucks. **Attorney General Mazurek** replied that it was a matter of federal law. He said the only purpose of the bill was to try to address excessive speed.

REP. SOMERVILLE asked if anyone considered raising the limits since there was a continual speeding problem. **Attorney General Mazurek** said it could be done but there would be a substantial loss of highway construction funds. States that challenge the federal policy are not successful.

REP. DAN MCGEE asked about the time the 55 mph speed limit was changed and what the citation during the daytime was called.

Officer Stewart replied that it was basically an ecology citation, a necessary waste of a natural resource.

REP. MCGEE asked about compliance to the federal law. **Mr. Barnard** replied that one of the factors in establishing speed zones was the 85th percentile. **REP. MCGEE** clarified that the speed limits posted had to comply with 85% of the traffic. **Mr. Barnard** replied that if all other factors are equal, the speed zone that is set at the 85th percentile is the safest speed. **REP. MCGEE** said that he was trying to point out the department decided the 85% rule. As **Officer Stewart** had pointed out the average speed was 74 mph from Butte, why were the speeds not posted at 74 mph. **Mr. Barnard** replied that Congress would not allow it.

{Tape: 2; Side: A; Approx. Counter: 630; Comments: None.}

REP. MCGEE questioned the disrespect of the patrol regarding the small fines. **Mr. Connor** pointed out the seriousness of stopping a vehicle which is a potentially life threatening commitment.

{Tape: 2; Side: B; Approx. Counter: 0; Comments: None.}

Officer Stewart said that speeding was a problem and the patrol is there to make a difference in saving lives.

REP. ROD MARSHALL asked about testing of alcohol or drugs. **Attorney General Mazurek** replied that the officer only tested in circumstances which raised their suspicions. **Col. Reap** said they did not keep statistics or pull the autopsy results after the fact. **REP. MARSHALL** said in another state that had done this study they found that 62% of people killed on the highway were alcohol impaired. **Attorney General Mazurek** said this bill was not a matter of statistics or of conservation or the federal mandate but the reason the bill is being presented to increase the fine is a matter of public safety. The fine ought to be commensurate with the risk that it poses.

REP. DORE SCHWINDEN questioned the statutes regarding the energy conservation fine and the speeding ticket. **Attorney General Mazurek** replied that this is a speed limit. The purpose is primarily for fuel conservation.

REP. JEANETTE MCKEE asked for clarification of the 85th percentile issue. **MR. BARNARD** replied that the department is required to do speed monitoring on the interstate and primary system. 55,000 vehicles were sampled which was not a random spot. The average speed of the vehicles was 65 mph. The 85th percentile was 73 mph. The patrol does not write tickets under normal conditions for drivers going less than 73 mph.

REP. MCKEE asked what would happen if the limits were raised. **Mr. Barnard** replied that it would be drastic since all federal funds would be withheld. Montanans get back from \$1.60 to \$2.40 in federal money for every dollar they pay for federal fuel tax.

REP. SOMERVILLE asked about fines for various examples. **Col. Reap** discussed the fines that could be levied against that driver considering the volume of traffic, etc. He pointed out that the fines were not set by the patrolman.

{Tape: 2; Side: B; Approx. Counter: 275; Comments: None.}

CHAIRMAN ANDERSON asked about the basic rule part of the bill on page 1. **Col. Reap** replied that those situations are considered though he has never written a basic rule ticket for those items except perhaps the narrow roadway. He pointed out that these various considerations make this basic rule difficult to prove under the current law. The most prevalent problem is for icy roads. **CHAIRMAN ANDERSON** noted that this bill seemed to clarify that statute. He asked if basic rule tickets were currently written for these conditions. **Col. Reap** said they did but the problem is when so many of the conditions have to be there for the conviction to stick.

{Tape: 2; Side: B; Approx. Counter: 505; Comments: None.}

CHAIRMAN ANDERSON noted that **Mr. Schneider** had mentioned the bill would provide predictability for people as to whether they are going to get a conservation violation or if there would be basic rule, such as on page 4. **Col. Reap** replied that there are instances when the conversation ticket is not applicable yet that is what the violator expects to get. This can be a problem. **Attorney General Mazurek** replied that a schedule could be utilized by a judge, the advantage to a driver is that they pay more but it doesn't go on their record. However, if cited for basic rule, a fine of \$65 will be paid which also goes on the record. A schedule would provide consistency.

{Tape: 3; Side: A; Approx. Counter: 0; Comments: None.}

REP. SOMERVILLE asked about the mission of the Highway Patrol, to support safety or to raise money. **SEN. STANG** said the money does not go to the patrol but went to the general fund.

Closing by Sponsor:

SEN. STANG closed on the bill. He commented that **REP. MARSHALL** had asked about why the fatality rates had decreased from 1990-1993. The reason was better roads, stiffer DUI laws and the seat belt law. He noted that **REP. MCGEE** had brought up some interesting points about the 85th percentile. He said he was not happy with the federal "blackmail" either. However, the bill puts the state within 85% on the freeway which is about 73 mph. He said he did not know why the fuel conservation language was taken out of the bill. High speed can cause windshield damage. Slower speed would result in fewer fatalities. There is a concern for increasing young drivers' respect for the law. This bill would set some consistency and is an issue that needs to be addressed.

HOUSE HIGHWAYS & TRANSPORTATION COMMITTEE

March 3, 1995

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ADJOURNMENT

Adjournment: 5:30 p.m.

Shiell W. Anderson

REP. SHIELL ANDERSON, Chairman

Kim S. Greenough

KIMBERLEE GREENOUGH, Committee Secretary

P. Barneiman

for

DEB THOMPSON, Recording Secretary

SA/ksg/dt

HOUSE OF REPRESENTATIVES

Highways

ROLL CALL

DATE March 3, 1995

NAME	PRESENT	ABSENT	EXCUSED
Rep. Shiell Anderson, Chairman	✓		
Rep. Rick Jore, Vice Chairman, Majority	✓		
Rep. Pat Galvin, Vice Chairman, Minority	✓		
Rep. Joe Barnett	✓		HA
Rep. Matt Brainard	✓		
Rep. Bob Clark	✓		
Rep. Charles Devaney	✓		
Rep. Marian Hanson	✓		
Rep. Don Larson	✓		
Rep. Rod Marshall	✓		
Rep. Linda McCulloch	✓		
Rep. Daniel McGee	✓		
Rep. Jeanette McKee	✓		
Rep. Bill Ryan			✓
Rep. Dore Schwinden	✓		
Rep. Roger Somerville	✓		
Rep. Joe Tropila	✓	<i>Left early. 4:30 p</i>	
Rep. Jack Wells	✓		

Heavy work at construction

3/3/95

DeLingua

SB 103

yes

SB 114

yes

SB 268

yes

SB 163

yes

Dee Ryan

SB 103

yes

SB 114

yes

SB 268

yes

SB

163

yes



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

Joe Tropika

I vote with this
man

Wm Ryan

PROXY

House Hiway

Friday MAR 3

Senate Bill 129 Provisions

SB 129 increases the minimum highway speeding fine for drivers who exceed the speed limit by more than 10 mph. The fines will be set by law, with higher penalties for higher speeds. The fines that would be in effect on the interstate and on secondary highways are:

55 MPH	Fine	65 MPH
56-65mph	\$ 5	66-75mph
66-70mph	\$10	76-80mph
71-75mph	\$20	81-85mph
76-80mph	\$35	86-90mph
81-85mph	\$60	91-95mph
86+ mph	\$80	96+ mph

Violations would not be recorded on the driving record.

Traffic studies show that fewer than 5% of all drivers exceed the posted speed limit by more than 20 mph.

Basic Rule

SB 129 also changes the wording of the basic rule law (61-8-303) to clarify that any unsafe driving practice specified in the statute is a violation. The law's current wording causes confusion both for law enforcement officers and the public. SB 129 would eliminate this confusion and allow for a more consistent enforcement program statewide.

Finally, while SB 129 clarifies that the fuel conservation limits are the statewide speed limits, it also clarifies that motorists can be cited for traveling at speeds unsafe for conditions even if they are traveling below the fuel conservation limit.

TICKET FINES: FROM \$200 TO \$5

Here's what the average ticket costs if you get caught driving up to 15 mph over the limit. The fines range from Connecticut's stiff \$200 down to Montana's puny \$5.

STATE	AVERAGE FINE	COMMENTS, INCLUDING SPEED-TRAP LOCATIONS
CONNECTICUT	\$200	State speed limit: 55 mph; red alert at I-95 near Westport.
MASSACHUSETTS	170 ¹	Monitor your speedometer in Hubbardston and Uxbridge.
WASHINGTON	165	Cool it on 65-mph I-5 near Kelso, close to the Oregon border.
MISSISSIPPI	150	Strict enforcement; nonresidents must pay fines on the spot.
OREGON	145	You'll pay \$329 for going 76 to 85 in a 65-mph zone.
UTAH	145	Hard-to-detect photo radar is used to identify speeders.
CALIFORNIA	140	Police are ticket-happy in Alpine County, south of Lake Tahoe.
NEW HAMPSHIRE	130	Take it easy in Hampton Beach, Hudson and Merrimack.
MISSOURI	125	Stay light on the pedal going 65 on I-44 west near St. Louis.
NEW MEXICO	125	Police on the prowl on 65-mph I-25 from Las Vegas, N.M. up to Colorado.
SOUTH CAROLINA	110	Be on guard if you're taking 55-mph S.C. 46 to Hilton Head.
FLORIDA	103 ¹	Counties such as Hillsborough, Pasco and Pinellas add a \$12.50 fee.
ARKANSAS	100	Speed limits strictly enforced on 65-mph I-55 to Tennessee.
KENTUCKY	100	Starting July 15, a \$12.50 fee will be added to each ticket.
OHIO	100	Unmarked patrol cars, mostly Camaros, haunt 65-mph I-90.
PENNSYLVANIA	100	State speed limit: 55; watch it on the Pennsylvania Turnpike.
RHODE ISLAND	100	Another 55-mph-limit state: keep eyes peeled in Pawtucket.
TEXAS	100	Strict enforcement in Harris County, including Houston.
WISCONSIN	100	Out-of-state speeders may have to pay cash on the spot.
IOWA	90	Be careful on 65-mph I-35 around Des Moines.
SOUTH DAKOTA	90	Police seldom hide to entrap speeders.
ALABAMA	85	Watch it if you're driving 55-mph U.S. 280 near Dadeville.
HAWAII	85	Another state where some visitors must pay cash immediately.
INDIANA	85	Keep it to 55 mph on U.S. 31, north of Indianapolis.
LOUISIANA	85	Speeders alert: Lake Charles is crawling with cops.
NEBRASKA	80	Don't top the 65-mph limit on I-80 between Lincoln and Omaha.
ILLINOIS	75	Lincolnlund tourists: Stay below 65 on U.S. 55 near Springfield.
MAINE	75	Nine speed limit changes on U.S. 1 from Scarborough to Saco.
IDAHO	70	Don't fall for the trap at 55-mph U.S. 20 near Idaho Falls.
MINNESOTA	70	Police seldom hide here to catch speeders.
NEW JERSEY	70	55 mph is tops on state roads; look out on the Turnpike.
NEW YORK	70	Also 55 max: Long Island's N.Y. 27 to Montauk is a danger zone.
OKLAHOMA	70	Don't exceed 65 mph on I-35 from Ardmore up to Oklahoma City.
COLORADO	65	I-70 speeders over 65 mph get nabbed on either side of Denver.
WASHINGTON, D.C.	65	Use of radar detectors is prohibited.
NORTH CAROLINA	65	Don't go over 55 on N.C. 17 from New Bern to Elizabeth City.
ARIZONA	60	Like Utah, high-tech photo radar is used to nail speeders.
MARYLAND	60	Be careful on 55-mph I-68 near Frostburg.
VIRGINIA	60	Radar detectors prohibited; watch your speed on 65-mph I-95.
MICHIGAN	55	Cops stop and search cars on 65-mph I-94 west of Kalamazoo.
WYOMING	55	Smoky alert: 55-mph U.S. 287 between Lander and Rawlins.
WEST VIRGINIA	50	Cool it near Charleston on 55-mph U.S. 19 to Fayetteville.
ALASKA	48 ¹	Out-of-state speeders may have to pay cash on the spot.
VERMONT	48 ¹	This state hands out very few tickets: just 2,000 in 1992.
GEORGIA	45	Stay cautious on 65-mph I-75, north of Atlanta.
NEVADA	45	Don't play the odds on 55-mph Nev. 50 west of Ely, toward Reno.
DELAWARE	40	Another 55-mph state; I-495 near Wilmington is a hot spot.
KANSAS	35	Court costs additional; entrapments are rare.
NORTH DAKOTA	30	Police rarely hide when they want to nab speeders.
TENNESSEE	25	Avoid a fine on 65-mph I-24 from Nashville to Chattanooga.
MONTANA	5	\$5 fine by day; \$70 at night, when speeding is more dangerous.

¹Peak limit is listed when a highway has more than one speed limit. ²Assumes driver exceeds speed limit by 12 mph. Sources: October 1993 National Motorists Association survey; American Automobile Association state officials.

DEPARTMENT OF JUSTICE

Senate Bill 129: Speeding Fines/Violations

Background

Speed on Montana's highways is governed by the so-called "basic rule" -- which requires motorists to drive "at a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation," taking several considerations into account. Violation of the basic rule is a misdemeanor, punishable by fines or imprisonment, and results in points against the offender's driving record.

Montana's fuel conservation speed limit creates an exception to the basic rule for daytime speeding violations when no hazardous conditions exist. It sets a \$5 fine for violations. A violation of the conservation limit is not a misdemeanor, nor is it recorded on the driving record.

Effects of excess speed

National studies have shown that speed is the most significant factor in the physical forces involved in crashes. Higher speeds increase:

- the distance a vehicle travels during the period of time (estimated at 2.5 seconds) it takes a driver to react to a perceived danger.
- the total stopping distance necessary to halt a vehicle in response to potential dangers.
- the speed at which a vehicle will hit an obstacle if the driver cannot stop the vehicle.
- the severity of a crash. The chances of death and serious injury double with every 10 mph a motorist is traveling over 50 mph.
- the variance of speeds at which different drivers are traveling on the same stretch of highway at the same time. Speed variance is closely related to many other types of hazardous traffic violations, such as unsafe lane changing and following too closely.

Historical trends have always linked speed with highway fatalities. The annual highway death toll climbed steadily for the first 75 years of the automobile's history. In 1972, 395 people died on Montana's highways -- the highest number on record. In 1974, when the federally mandated speed limit was imposed, the average speed dropped to 1962 levels and Montana fatalities fell to 299. Nationally, fatalities dropped by almost 20 percent.

Enforcement Concerns

To be effective, traffic laws must be enforced with enough severity to deter unsafe driving practices. The \$5 fine provides no deterrent for most motorists, many of whom joke about having extra \$5 bills available to allow them to quickly cross the state.

Charles R. Calentine
Box 175
St. Regis, MT 59866

EXHIBIT 2
DATE 3/3/95
SB 129

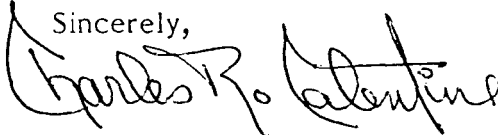
House Highway Committee
State Capitol
Helena, MT 59620

Dear Highway Committee Members,

I am writing you to voice my support for the increasing of speeding fines on Montana's highways. I believe that the low fines now in effect do nothing to discourage speeding and increases taxes to every Montana resident.

I drive a school bus route for the St. Regis School District # 1 & 6. My regular route is on I-90 from St. Regis west to Saltese. I have driven this route for 4 years. We have replaced the windshield in the bus twice in this period of time and repaired chips in the windshield every year as well. The cost of windshield repair and replacement is between \$100 and \$200 per year. I estimate that 60% of these repairs are a direct result of being passed by vehicles exceeding the posted speed limit. If my experience is any indicator, the state-wide cost of windshield repairs and replacement to school buses alone, caused as a direct result of speeding, is high and unnecessary. The result is higher costs (taxes) to Montana taxpayers. The State of Montana and every county in Montana operate vehicles on Montana highways. No doubt, these vehicles also suffer damage from speeding vehicles. In fact, most Montana drivers suffer damage to their vehicles because of people who exceed the posted speed limit. Add in the cost of broken headlights, turn signal lenses and damage to the finish of the vehicle caused by these irresponsible drivers, not to mention the risk of injury or death to innocent people, and I believe increasing the speeding fines is mandatory. I believe that the fines should be high enough to discourage speeding. I encourage you to consider increasing the fines to a higher level than is now under consideration to achieve this end.

Thank you for your consideration.

Sincerely,

Charles R. Calentine

cc: Barry "Spook" Stang
State Senator

MONTANA ACCIDENT, INJURY AND FATALITY RATES *

Year	Accidents Number	Rate	Fatalities Number	Rate	Injuries Number	Rate	Vehicle Mile (Millions)
1950	5,128	262.4	202	10.34	2,028	103.8	1,954
1955	9,829	383.8	236	9.22	3,099	121.0	2,561
1960	9,147	234.8	222	5.7	4,043	103.8	3,896
1965	16,672	421.4	280	7.08	7,283	184.1	3,956
1970	15,276	313.9	318	6.53	8,449	173.6	4,867
**1974 - Daytime Speed Limit Law at 55 MPH -- Feds threaten us if we do not institute.							
1975	18,776	328.1	298	5.21	9,020	157.6	5,723
1980	20,595	311.7	325	4.92	9,779	148.0	6,607
1985	17,936	236.9	223	2.95	8,701	114.9	7,570
**1987 - Passed Seat Belt Law and increased the speed limit to 65 MPH.							
1990	16,456	197.0	212	2.54	8,250	99.0	8,331
1991	17,058	198.2	202	2.33	8,445	98.5	8,581
1992	17,262	203.1	191	2.25	8,986	105.7	8,501
1993	18,839	219.4	194	2.26	9,288	108.2	8,586

Note: Rate is number per 100 million vehicle miles

* Data Source: Dept. of Justice - Highway Traffic Safety

GOVERNMENT & SOCIETY

EXHIBIT 4DATE 3/3/95SB 129

A Green Light for Speeders

*Police across the country are deliberately writing fewer traffic tickets*By **nian Moorar**
Washington Post Staff Writer

Dreoccupied with violent crime, police departments in the Washington, D.C., area and across the nation are writing far fewer traffic tickets than they did five years ago—with no discernible effect on safety, according to national and local figures.

Even with more vehicles crowding the roads, accidents and fatalities fell sharply between 1989 and 1993, casting doubt on the age-old belief that police protect the motoring public by issuing more traffic tickets.

The trend is important not only to bad drivers. It means police are spending less time filling out citations and making court appearances for traffic violations at taxpayer expense. The burden on traffic courts is easing. Ticket revenue is down. And auto insurers that base premiums partly on how many tickets their policyholders have racked up are waking up to the loss of revenue—and warning of danger ahead.

As police departments reexamine how they fight crime and deploy officers, many jurisdictions have opted to eliminate quota systems that encourage patrol officers to write more tickets, specialists say.

"The reality of it is [that traffic enforcement] is not a priority," says Dennis Martin, president of the National Association of Chiefs of Police in Washington. "We have so many police chiefs and sheriffs come to us and say, 'We're under the gun to be dealing with more violent crimes.' Traffic enforcement can be a public relations tool—but often a negative one."

Critics of traffic enforcement efforts say the public will benefit from the shift.

"I have not seen, nor do I think you will ever see, a study that shows that intensive speed enforcement makes the roads any safer," says James J. Baxter, of the National Motorists Association, a Wisconsin-based group opposed to speed traps and the federal 55 mph limit. "For the most part, we believe traffic tickets are a self-perpetuating exercise to generate revenue and justify the existence of the agencies writing them."

Lon Anderson, a spokesman for AAA Potomac, calls the trend "the best of both worlds but we think this is a trend that needs to be watched very carefully. If we see any sudden upturn in serious accidents or fatalities, we would call on the police to rethink their strategy. But, thank God, that hasn't happened yet."

In the Washington area, traffic citations written by the Montgomery County, Md., Police Department plummeted 68 percent in the last five years because of reduced manpower and a shift in philosophy away from pure discipline toward education to influence behavior, officials say.

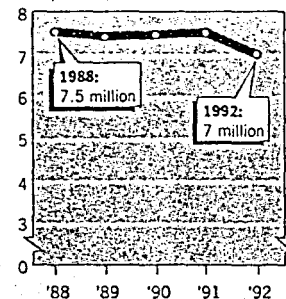
"When those numbers were really high, we were caught up in a numbers game in terms of productivity, and now we look more at quality," says Lt. Col. Ronald Ricucci, the department's second in command. "Most traditional police departments have always emphasized quantity over quality, but writing tickets does not always solve the problem. Voluntary compliance is what you're looking for."

ENFORCEMENT

HIGHWAY SAFETY IN THE U.S.

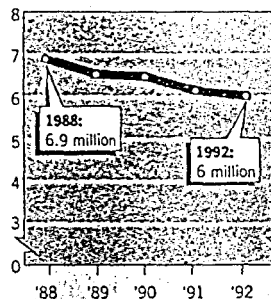
Tickets issued have fallen ...

Number of tickets issued for exceeding 55 mph limit, in millions:



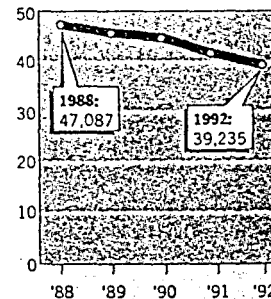
... and the number of accidents has decreased ...

Reported traffic accidents, in millions:



... along with fatalities

Traffic fatalities, in thousands:



SOURCES: National Highway Traffic Safety Administration and the Federal Highway Administration

THE WASHINGTON POST

Fairfax County, Va., police Officer Gary S. Brown, who worked as a patrol officer for most of the last seven years, says his department is stopping fewer motorists—but not because they're trying to give motorists a break.

"Calls of service are up, and that is keeping [officers] off the streets and keeping them from writing more tickets," he says. "The officers are spending more time going from call to call [and] spending more time on those calls, and I think that is why the [ticket numbers] are down."

In Fairfax County, moving violations fell from 150,000 in 1989 to 119,000 in 1993. Tickets written in Prince George's County, Md., dropped from about 64,000 in 1989 to

national level, accidents dropped from 6.9 million in 1988 to 6 million in 1992. Fatalities declined from 47,087 in 1988 to 40,115 in 1993, and injuries dropped 10 percent in the five years ending in 1992.

Significantly, federal officials report that during that period, a steady 44 percent of motorists exceeded the national 55 mph speed limit.

GOVERNMENT REACTION TO THE ticket falloff has been muted. The acting chief of the National Highway Traffic Safety Administration (NHTSA), Christopher A. Hart, says that "death and injury patterns vary from year to year and are not necessarily tied to the level of enforcement activity."

The nation's improved safety record is the result of numerous factors, Hart says, including traffic enforcement, increased seat belt use, avoidance of speeding and drunken driving and improved vehicle safety features, such as air bags.

"The fatality rate nationwide is at the lowest point in history, because these factors are working together to make our roads safer," he says. That rate fell from 2.3 deaths per 100 million vehicle miles in 1988 to 1.8 in 1992.

Despite the improvement, Brian O'Neill, president of the Insurance Institute for Highway Safety, an industry-funded research group, calls the decline in ticket-writing a "nationwide breakdown" in speed-limit enforcement that would have dire consequences because it would encourage motorists to break more laws.

"The evidence shows clearly that what does control the worst behavior on the highways is the perception of the motoring public that they are going to get a ticket if they break the law," O'Neill says. O'Neill argues that the number of accidents reported over the past few years is artificially low because police are less inclined to report accidents that don't involve injuries or flagrant traffic violations.

Although there are no combined nationwide statistics for all categories of traffic violations, analysts have noted an unmistakable drop in speeding citations.

Federal statistics show that tickets for viola-

tions of the 55 mph speed limit dropped nearly 6.5 percent, from 7.5 million to 7 million from 1988 to 1992. Jurisdictions across the nation reinforce that impression:

■ Citations for moving violations from 1989 to 1993 dropped nearly 11 percent in Florida and nearly 28 percent in Massachusetts.

■ The Texas Highway Patrol wrote 35 percent fewer tickets during that period.

■ The city of Los Angeles reported traffic tickets dropped 44 percent from 1989 to 1992.

■ New York state's four largest reporting regions, New York City, Buffalo, Rochester and part of Long Island, reported a

combined 7.8 percent decline in moving violations from 1989 to 1993.

Insurance analysts predict the declines could actually boost rates for policyholders, despite improved safety.

"We don't see it simply as a lowering of the number of traffic citations, we look at the increased costs of the accidents," says William E. Bailey, a Boston lawyer for the Insurance Information Institute. "Ultimately those costs are borne by the public."

The easing of traffic enforcement allows more high-risk drivers to meet basic eligibility requirements and pay lower premiums, he says.

"When people drive recklessly and more people are allowed to get away with it because law enforcement does not have the resources to devote to enforcement, we pay for it through the insurance mechanism," Bailey says.

EVEN IF THE NUMBER OF DEATHS AND accidents continue to drop, Bailey says, insurance rates still would rise because "the average cost per accident is still going up."

Baxter, the head of the National Motorists Association, accuses the insurance industry of trying to protect its bottom line.

"One of the greatest cash cows in the insurance industry is adding surcharges to auto policies when [drivers] receive speeding violations. Any time someone talks about raising the speed limit or de-emphasizing speed enforcement, you'll find the insurance industry at the forefront of the objectors," Baxter says.

Texas Insurance Commissioner Robert Hunter, a former Washington-based consumer advocate, labels "absurd" the insurance industry's assertions that rates might rise as traffic citations fall.

"They never want to say rates can go down," Hunter says. "If the people in the insurance industry say something like that, they're afraid they're boxing themselves in. They always want to find the cloud attached to every silver lining. That's the way they do business."

Washington Post staff writer Justin Blum contributed to this report.

EXHIBIT

5

DATE

3/3/95

SB

129

FLOYD W. VALLIE DDS MS
College Park Center
Great Falls, Montana 59405

February 27, 1995

Representative Partick Galvin
Capitol Station
Helena, Montana 59621

Dear Representative Galvin,

I would like to urge all members of the Highway and Transportation Committee to vote to kill Senate Bill 129. This bill raises the fine for exceeding fifty five miles per hour on Montana highways during daylight hours.

This speed limit was forced upon Montana by the federal government. The federal government was looking for politically correct actions to appear to help alleviate the nation's supposed energy shortage. One politically safe way was to force the states to impose a 55 mile an hour speed limit by threatening to withhold their highway funds if they did not comply. The published reason was that the slower highway speeds would conserve fuel.

No state that I know of had a speed limit this low. Montana had no daylight speed limit at all. so to comply the state imposed the limit with a token fine. At the time the legislature understood that Montana is an immense state and the many people had to drive long distances and that 55 miles per hour would create a considerable hardship on them.

Since then, there is no energy shortage and Montana's roads have been upgraded a great deal, making a 55 mile an hour speed limit ridiculous. For some inconceivable reason the federal government is still forcing this limit upon the states, making it mandatory for Montana to have a fine for a senseless speed limit.

The Montana Highway Patrol is claiming an inflated cost for enforcing this limit, quoting an exorbitant price of each ticket. It is easy to logically rebut their claims as there is no need to enforce a limit this low at all and if it is enforced the cost is next to nil as the department already has the manpower and equipment on the highways. The only real cost is the pencils or pens used and the paper the ticket is written on. To increase the fine would only add incentive for the Highway Patrol to give more tickets for very low speeds to create more income for the department, which is hardly fair to Montana drivers.

Montana is 44th in the nation in family income and 43rd in personal income. Many families on the highways can ill afford an inflated and dishonest fine for exceeding a ludicrous speed limit.

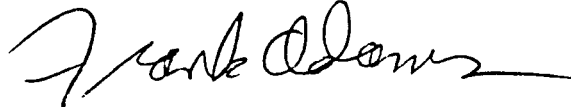


EXHIBIT 6
DATE 3/3/95
SB 129

March 2, 1995

Testimony in opposition to SB 129.

By Frank Adams
33 S. Benton
Helena MT 59601



Chairman Anderson and members of the House Highways & Transportation Committee:

I will not be in Helena on the date set for your hearing on SB 129, and therefore submit the following written testimony for your consideration.

The object of §61-8-718 by its plain terms is to penalize motorists who "waste" gas by driving faster than 55/65 mph. It was enacted at a time when there was arguably a reason for imposing such fuel conservation measures. That argument is no longer valid and the fuel conservation speed limit is now being used as a misguided subterfuge for impeding daytime travel under the guise of safety.

If safety really is the concern, Montana already has in place several other statutes providing penalties for unsafe daytime rates of speed, including "basic rule," careless driving, reckless driving, and limits for specific areas.

It's well known that our Highway Patrol officers do not give basic rule tickets at speeds of up to 80 or 85 mph in the daytime on open interstate highways, or up to 70 or 75 mph on other highways in clear, dry, open conditions. Why? Simply because they are aware that such speeds are not unreasonable or imprudent under those conditions for modern vehicles on our modern highways. Put another way, they and many motorists know that 80 or 85 on a dry interstate in the daytime in light traffic in a modern car is without any question reasonable, prudent, and proper. In short, such speeds are safe.

This is not to say that there are not unsafe drivers and unsafe vehicles on the highways. Some drivers are "unsafe at any speed." This includes the obvious drunk drivers, as well as drivers who improperly pass or whose cars are in poor mechanical condition. It also includes drivers who choke the highways by observing the fuel conservation limit when a faster speed would be reasonable and more in keeping with the speed of other drivers around them.

I submit that many people are misled into believing that the 55/65 fuel conservation limit is the daytime speed limit in Montana, when it is only a subset of the real limit — the basic rule reasonable & prudent limit. An educated paralegal recently indicated such an erroneous belief to me. This misapprehension of the law contributes to the attitude that someone driving 70, 75, 80, or 85 on the interstate is a scofflaw, when in reality such a person may be imminently law-abiding in driving at a reasonable and prudent speed, and willing to risk a \$5 no-insurance-points fine if stopped for not conserving fuel. Perhaps his or her car is very fuel efficient. If it was made in the last 20 years it undoubtedly is much more fuel efficient than cars of the era when §61-8-304 was enacted. Or perhaps he or she is simply willing to "waste" a little fuel rather than waste a lot of time.

To reduce this confusion, I propose that, if SB 129 is to be passed in some form (preferably with the fine increases deleted), it be amended to provide that all 55/65 fuel conservation speed limit signs be plainly designated as such. For example: "Fuel Conservation Speed Limit, 65 MPH."

Montana has had the fortitude to stand up to the now ill-advised and federally mandated 55/65 fuel conservation limit by imposing a token \$5 fine for many years. It really is time to abolish this absurd speed limit all together. But short of that, it certainly would be unreasonable and imprudent to increase the fine.

Ironically, despite the disclaimer in Sec. 4 of the bill, the graduated fine in Sec. 3 strongly suggests that it could be considered reasonable and prudent to drive 100 mph or more on the interstate in some situations, if a person is willing to risk an \$80 no-insurance-points fine for wasting fuel. If nothing else, it could lead to endless disputes as to which bracket applies, for example, whether a motorist was going 21 miles over the limit or only 20. It's bad enough to have to be shot with radar rays while innocently driving down the road, without having to also worry about whether we are in the 1-10, 11-15, or 16-20 bracket.

The claim that it costs \$16-\$27 to write a fuel conservation ticket can't be taken seriously, since an officer's expenses are ongoing whether ticketing or cruising. But if there is any merit to the claim, how much does it cost to write a ticket for DUI, or following too closely, or improper passing, or mis-aimed headlights? If revenue is a goal of SB 129, it would be more reasonable and prudent to get it from such dangerous-driving fines than from good drivers who might be using a little extra gas.

I urge that you vote "no" on this ill-advised bill, and vote "yes" on other legislation, pending or yet to be introduced, to crack down on unsafe drivers and unsafe vehicles.

I also submit for your consideration the attached article from Road & Track magazine on the 55/65 mph issue from a national perspective.



EXHIBIT 6
DATE 3-3-95
31 SB 129

SIDE GLANCES

BY PETER EGAN

It's time to dump the 55, or take our national speed limit, please

IS IT JUST me, or is anybody else out there fed up with the persistence of the 55-mph speed limit on two-lane roads and 65 mph on Interstates?

Okay, stupid question. I don't know anyone who isn't weary of the whole thing, let alone those of us who read car magazines. I ask only because these artificially low velocities have been much on my mind lately.

Why?

Well, this spring I went out and added another motorcycle to my small collection of bikes. It's a black Kawasaki ZX-11, which is (by no coincidence with its purchase) the fastest production bike ever made. It has a measured top speed of 176 mph, and its water-cooled inline-4 produces 147 bhp at the countershaft sprocket.

When I tried to insure this lovely chunk of technology, a woman at the insurance agency called back and said,

"Did you know the ZX-11 is considered a high-performance sport bike?"

"No!" I said, clutching at my heart. "Tricked again by a fast-talking salesman. And all I needed was a simple commuter bike with good gas mileage. I guess you can't trust anyone..."

She chuckled and then suggested I send in about half my income.

So the bike is now insured, and I've been riding it around for about three months. During that time, I've often been called upon to explain its appeal to the uninitiated. A typical question is, "Where on earth can you go 176 mph?"

The answer, of course, is "Nowhere."

I then have to explain that fast cars and motorcycles are like the operatic tenors of the road. Pavarotti and Domingo don't have to hit a high C every time they open their mouths, but it's nice to know they can. The point is, if you are able to sing "Nessun dorma" competently at La Scala, it proba-

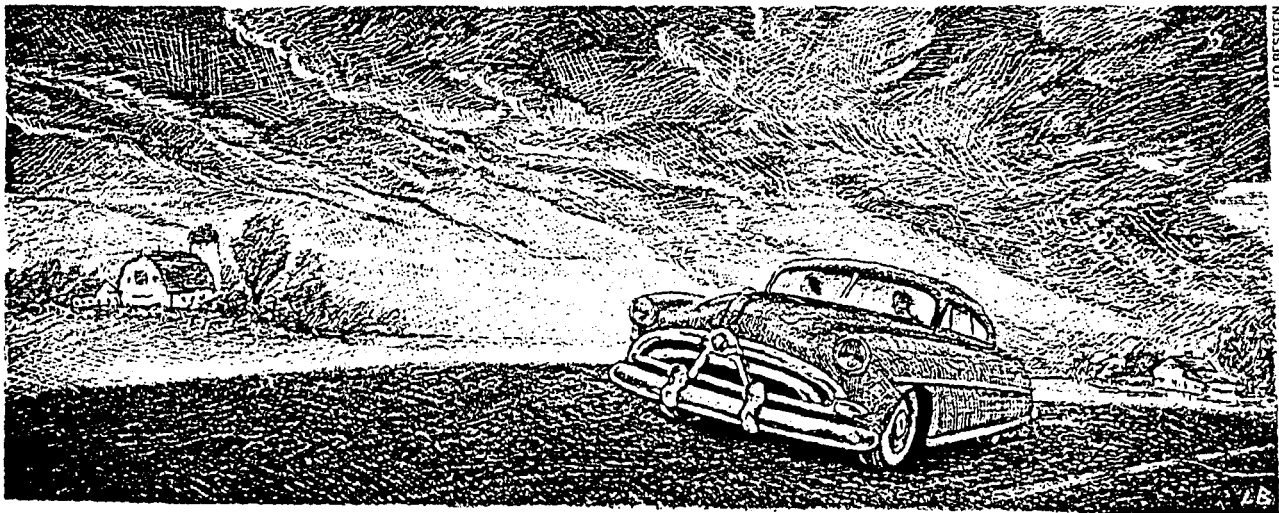
bly means you can also sing "I Got You, Babe" in the shower with almost no effort at all.

Likewise, a bike that can go 176 on a dry lake bed in California can also be counted upon to pass a gravel truck or a motorhome at normal highway speeds without too much suspense. Also, it just feels good when you twist that grip, even at 35 mph. And the pipes are always there, waiting to sing that high C.

So I've been having a lot of fun with this bike, even though I haven't even considered testing its upper-end capabilities. It's the effortless midrange flexibility that matters.

Having said that, it is still a drag to observe the ridiculous speed limits with which we are now saddled.

This is true, of course, whether you are driving a Geo Metro or a ZX-11, but the ZX-11 seems to accentuate the absurdity and the sheer boredom of go-



ing 55 mph on an empty rural road or 65 mph on the Interstate. Like virtually every car and every other motorcycle now made, it can safely, easily and efficiently go much faster than that.

You find yourself riding with one elbow across the tank, whistling to yourself, looking at your watch, wishing you were in Germany on the *Autobahn* and wondering why Americans, of all people in the world, are the most childish in their approach to speed laws. Where did this national hall-monitor mentality come from?

We are a lively, spirited people, for the most part. So how did we allow our thickest-witted and most timid citizens to make all our speed laws for us? When it comes to humorless, robotic traffic enforcement, only the cautious, placid Swiss are our equals. Surely we have more spunk than the Swiss. How did we come to this point?

These and other questions have been much on my mind lately, not just because of the ZX-11, but because I've been noticing a not-so-subtle change in the level of speed enforcement, here and in other parts of the country.

Until recently, I'd begun to believe that the great political principle of benign neglect had been brought to bear on the enforcement of our speed limits. Drivers everywhere, I gradually noticed during the past couple of years, seemed to be driving faster, pushing into the heady 65-mph range on our nation's two-lanes and edging past 70 on the Interstates, and yet the police were not stopping them in any significant numbers. Amazing.

I'm not privy to communications among law enforcement agencies, but it almost seemed as though some unspoken agreement had been reached to loosen up and let people drive a little faster and to let commerce flow unimpeded by government.

And it has been pretty nice, for a couple of years. I have driven across whole states where the traffic was flowing at 65 mph or so on two-lane roads, with no sign of speed traps or other heavy enforcement. It was almost as if the cops, happy to see that we were not committing felonies with assault weapons, had decided they had more important work to do. And, of course, they do. What a relief.

This summer, however, things seem to have changed. They're Baaaaack, as the overused (again) movie line goes.

Fortunately, I have yet to be ticketed out on the highway this summer (close calls, yes), but my friends seem to be dropping like flies, gaining points and

paying the big bucks almost weekly. And my radar detector lately has been busier than Dover station during the Blitz. On a hundred-mile trip to Elkhart Lake this weekend, it must have gone off at least a dozen times. We saw five or six people pulled over, signing those dreaded pink slips and having their wallets lightened.

Perhaps it's just a combination of weekend summer traffic and heavy tourism that's brought down this heavy enforcement, and things will be back to "normal" with winter setting in. I hope so.

And yet...I don't hope so.

Why not?

Well, I'm tired of the whole issue and wish it would go away for once and for all.

We've been stuck with bad speed-limit laws for more than 20 years now, and my many long cross-country drones with overqualified motorcycles and cars have given me an excessive amount of time to think (frowning all the while) and have raised what I believe are some fair questions.

For instance:

Why is it that my mother and father were able to drive a 1952 Buick across the country on narrow, twisting two-lane roads at 65 mph (with the tacit understanding they could push it to around 70) in a car that—by any modern standard—had no brakes, terrible fuel mileage, substandard tires and abysmal handling, and was also without seatbelts or airbags?

Highway engineers, I was told in Driver's Ed (exactly 30 years ago), had taken all of these factors into account and had arrived at the conclusion that 65 mph was a safe speed for these cars on two-lane roads, while 70 mph was safe on turnpikes, Interstates and other divided four-lane highways. We were told the Interstates were actually designed for a safe 80 mph, and when the "cars of tomorrow" were built to match these super roads, we'd soon be getting the best out of them.

So here I am, three decades later (which is "tomorrow" enough for me), driving cars with stellar fuel mileage, superb low-profile tires rated for high speed, 4-wheel disc brakes, ABS, handling that surpasses the best sports cars of recent memory, seatbelts, shoulder harnesses, recessed door handles, telescoping steering columns and dual airbags.

Yet people who work in government agencies tell me I should drive 55/65

in the name of safety—now that improved combustion technology has rendered the old fuel mileage argument essentially moribund.

Can this be the same government that invited me to sit in the open door of a Huey helicopter in Vietnam with my legs dangling out over the jungle canopy below and a rifle on my lap?

Where were these safety geeks then?

Visiting Cuba? Studying the secrets of Utopian management?

And why did they emerge only after I got home and bought a sports car?

Just a few of the unanswered questions of our generation.

Another question is: Which citizens, exactly, voted for this 55-mph speed limit in the first place, or its continuation to the present?

Did you?

No?

I didn't either.

I don't know anyone who did. Not a single person.

Think of it: In my wide range of lifetime acquaintances, I have yet to meet one individual who asked for this law or thinks it's a good idea. I know there are some out there, because they write to the newspapers, but even the most conservative and cautious of my friends regularly drive closer to 65 than to 55 mph on the highway. They are always breaking the law, wherever they go, and it makes them feel bad. To what purpose? So they can be arrested for driving at speeds that would have made my mother half crazy with impatience in our 1952 Buick?

Was Mom a reckless driver?

Was she trying to kill us, and Dad too?

Is it unreasonable to expect that my RX-7 or our long-term Volvo 850 Turbo Wagon might safely be driven as fast on a two-lane road as my grandfather's 1938 Plymouth was? Faster, even?

Haven't the roads become safer, as well as the cars?

Where are the benefits of progress?

And what about radar? Who told the cops they had to bombard us with radiation while we drive around the streets of our own towns?

I don't know anyone who asked for this, either.

And here's another question: Do you know any policemen who like to drive 55 on the highway?

I personally know a couple of cops, and they are people of high spirit and physical vigor. They hate driving 55. And when they aren't in police cars, they don't. Sometimes they even de-

pend on "professional courtesy" to sidestep the law. Why do they have to do this? Are they criminals?

Should we have them arrested? By whom?

So many questions. So little time.

And it's that time thing that really bothers me.

It seems to me the 55-mph speed limit is a worn-out, discredited piece of social engineering that belongs in the same Twentieth Century Museum of Tiresome Ideas as Prohibition, the seatbelt/ignition interlock system, the Berlin Wall, junk bonds, apartheid, E-mail office memos, the Cultural Revolution, crushing liability laws, long meetings, McCarthyism, non-structured education, undercooked vegetables, tobacco-smoke witch hunts, talking car doors, corporate raiding, pyramid power, airport terrorism, New Age anything and the Five Year Leap.

It has simply been another opportunity for more senseless meddling and wheedling into our already cluttered lives, which is just about the last thing most of us need. Its time is overdue, philosophically, logically and chronologically.

As we approach the end of this century, historians are already having a fine time trying to sum it all up. One of my favorites, the British historian Paul Johnson, has pointed out that this century has broken all records for mayhem, war, genocide and pestilence. One of the reasons, he says, is that people have been willing to inflict all sorts of cruelty and inconvenience on their own neighbors over an idea, or the mere phantom of an idea.

And yet, when the idea collapses under its own foolish weight, we stand back and ask ourselves what it was all about. One day you go to jail for drinking a beer and the next day you can legally open a brewery. One day you get shot for crossing into West Berlin, and the next day it's okay to hold a party on the wall itself. One day you can't vote because of your race, the next you are running for President.

I love it when stupid ideas collapse in a great pile of rubble and dust, like a condemned apartment building with the footings kicked out, and life goes on. Bad laws die noisily, but when they're gone, the silence is deafening. And sweet.

I long for the day when we look back at our latest form of Prohibition and ask, "What, exactly, was that all about?"

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215/70R14	Call	225/60R15 90
205/70R15	Call	215/60R16 91
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215/60R15	Call	225/60R16 157
225/60R15	Call	225/60R16 187
225/60R16	Call	225/60R16 107
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195/60R15	Call	225/60R16 157

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225/60R16	Call	225/60R16 \$136

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195/70R14	Call	215/65R16
205/70R14	Call	225/60R16
205/70R15	Call	225/60R16

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205/65R14	Call	225/60R15
205/60R15	Call	225/60R15
205/60R16	Call	245/50R16
215/60R16	Call	255/50R16

XGT H4 UTOG 240AA, Radial 1 polyester, 2 polymide, 2 steel belts, M+S rated, HR rated.

Size	Call	Price
175/70R13	Call	195/60R15
185/70R13	Call	225/60R15
185/60R14	Call	215/60R15
195/60R14	Call	215/60R15
195/70R14	Call	215/60R15
205/70R14	Call	225/60R15

XGT A4 UTOG 220AB, Radial 1 polyester, 2 steel belts, M+S rated, HR rated.

Size	Call	Price
175/70R13	Call	195/60R15
185/70R13	Call	225/60R15
185/60R14	Call	215/60R15
195/60R14	Call	215/60R15
195/70R14	Call	215/60R15
205/70R14	Call	225/60R15



XGT H4 UTOG 240AA, Radial 1 polyester, 2 polymide, 2 steel belts, M+S rated, HR rated.

Size	Call	Price
175/70R13	Call	195/60R15
185/70R13	Call	225/60R15
185/60R14	Call	215/60R15
195/60R14	Call	215/60R15
195/70R14	Call	215/60R15
205/70R14	Call	225/60R15

XGT A4 UTOG 220AB, Radial 1 polyester, 2 steel belts, M+S rated, HR rated.

Size	Call	Price
175/70R13	Call	195/60R15
185/70R13	Call	225/60R15
185/60R14	Call	215/60R15
195/60R14	Call	215/60R15
195/70R14	Call	215/60R15
205/70R14	Call	225/60R15

XGT A4 UTOG 220AB, Radial 1 polyester, 2 steel belts, M+S rated, HR rated.

Size	Call	Price
175/70R13	Call	195/60R15
185/70R13	Call	225/60R15
185/60R14	Call	215/60R15
195/60R14	Call	215/60R15
195/70R14	Call	215/60R15
205/70R14	Call	225/60R15

XGT A4 UTOG 220AB, Radial 1 polyester, 2 steel belts, M+S rated, HR rated.

Size	Call	Price
175/70R13	Call	195/60R15
185/70R13	Call	225/60R15
185/60R14	Call	215/60R15
195/60R14	Call	215/60R15
195/70R14	Call	215/60R15
205/70R14	Call	225/60R15

YOKOHAMA



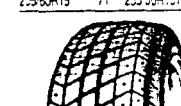
A378 UTOG 300AA, Radial 2 steel belts, 2 nylon belt edges, 2 polyester body plies, M+S rated, HR speed rated.

Size	Call	Price
175/70R13	Call	195/60R14 \$47
185/70R13	Call	195/60R14 \$53
185/70R14	Call	195/60R14 \$61
195/70R14	Call	195/60R15 \$59
205/70R14	Call	225/60R15 \$63
215/70R14	Call	225/60R15 \$65
225/70R15	Call	225/60R15 \$72
225/60R15	Call	225/60R15 \$75
225/60R15	Call	225/60R15 \$79
225/60R15	Call	225/60R15 \$83
225/60R15	Call	225/60R15 \$86



A509 UTOG 160AA, Radial 2 steel belts, 2 full nylon belt covers, 2 polyester body plies, HR speed rated, VR rated, *ZP rated.

Size	Call	Price
185/60R13	Call	215/60R15 \$74
195/60R13	Call	215/60R15 \$75
195/60R14	Call	215/60R15 \$76
195/60R14	Call	215/60R15 \$77
195/60R14	Call	215/60R15 \$78
195/60R14	Call	215/60R15 \$79
195/60R14	Call	215/60R15 \$80
195/60R14	Call	215/60R15 \$81
195/60R14	Call	215/60R15 \$82
195/60R14	Call	215/60R15 \$83
195/60R14	Call	215/60R15 \$84
195/60R14	Call	215/60R15 \$85
195/60R14	Call	215/60R15 \$86
195/60R14	Call	215/60R15 \$87
195/60R14	Call	215/60R15 \$88
195/60R14	Call	215/60R15 \$89
195/60R14	Call	215/60R15 \$90
195/60R14	Call	215/60R15 \$91
195/60R14	Call	215/60R15 \$92
195/60R14	Call	215/60R15 \$93
195/60R14	Call	215/60R15 \$94
195/60R14	Call	215/60R15 \$95
195/60R14	Call	215/60R15 \$96
195/60R14	Call	215/60R15 \$97
195/60R14	Call	215/60R15 \$98
195/60R14	Call	215/60R15 \$99
195/60R14	Call	215/60R15 \$100



AVS Intermediate UTOG 160AA, Radial 2 steel belts, 2 nylon belt covers, 2 rayon body plies, VR speed rated, *ZP speed rated.

Radial, 2 steel belts, 2 nylon belts, covers, 2 rayon body plies. VF speed rated. * = ZR speed rated.			
185/60R13	\$66	195/50R16*	\$115
195/65R14	76	205/55R16*	116
125/90R14	74	225/55R16*	117
195/60R14	83	235/50R16*	118
205/60R14	91	225/50R16*	119
205/55R14*	115	P245/50R16*	120
155/65R15	71	P235/50R16*	121
195/65R15	80	245/50R16*	122
205/65R15	91	245/45R16*	123
195/60R15	82	215/50R17*	124
205/60R15	94	235/45R17*	125
195/45R15*	93	265/40R17*	126
195/50R15	106	285/40R17*	127
205/50R15*	122	275/35R17*	128
215/50R15*	130	P275/40R17*	129
225/50R15*	137	P315/35R17*	130

HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER

House Highway COMMITTEE BILL NO. SB 129
DATE 3-3-95 SPONSOR(S) Sen. Stang & Sen. Nelson

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
<u>Tom Schneider</u>	<u>MPEA</u>	<u>129</u>	
<u>Dean Roberts</u>	<u>Dept of Justice MVD</u>	<u>9163</u> <u>9129</u>	
<u>HAL MANSON</u>	<u>AMERICAN LEGION</u>	<u>X</u> <u>SB 163</u>	
<u>JOHN STEWART</u>	<u>HIGHWAY PATROL</u>	<u>X</u>	
<u>Chas Seifert</u>	<u>self</u>	<u>X</u>	
<u>Tom Barnard</u>	<u>Mont. Dept. of Trans</u>	<u>129</u>	
<u>Jim Jacobsen</u>	<u>MT VET AFFAIRS DIV</u>	<u>SB 163</u> <u>X</u>	
<u>Mary Pat MURPHY</u>	<u>MT Hwy Patrol</u>	<u>SB 129</u> <u>X</u>	
<u>Craig Reap</u>	<u>"</u>	<u>SB 129</u> <u>X</u>	
<u>Tom Butler</u>	<u>ASSC OF MT. HIGHWAY PATROL</u>	<u>SB 129</u> <u>X</u>	
<u>John Connor</u>	<u>mt County Atty Assn</u>	<u>SB 129</u> <u>X</u>	
<u>Lanni Plange</u>	<u>Governors Office</u>	<u>SB 129</u> <u>X</u>	
<u>Dave Brown</u>	<u>self</u>	<u>SB 129</u>	<u>X</u>
<u>Mike BARRETT</u>	<u>VARIOUS CITIZENS,</u> <u>written proposal to House & Senate Hwy.</u> <u>2-1-95 comm. HHS, & Ed. comm HHS.</u>		

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ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

Jerry Orsini
MARK CETRARO
52 N. MAIN

self
SRIF

SB 129 X
SB 129
X

HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER

House Highway

COMMITTEE

BILL NO. SB-163

DATE 3-3-95 SPONSOR(S) _____

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
<u>Joe Hanson</u>	<u>American Legion</u>	X	<u>SB 129</u> X

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