

Ladies and Gentlemen of the State Government,

Thank you for considering my testimony. I am a former police officer and safety professional. I served as a police officer for the City of Grand Forks from 2004-2009, and the City of West Fargo from 2009-2013. I served those communities as a Field Training Officer and as a Drug Recognition Expert. Additionally I worked as a Safety Professional outside of law enforcement for another 4 years, including as a Defensive Driver instructor for the North Dakota Safety Council from 2017-2019. With these experiences I completely understand the importance of wearing a seat belt when traveling in a vehicle. However, I can not support SB 2121.

Changing seatbelt violations from a secondary to a primary offense with an increased fine under the guise of public safety does not guarantee that a single life will be saved. However, it nearly certainly ensures that law enforcement officers will arbitrarily interrupt the lives of the citizens and visitors of North Dakota despite having no evidence that a fine or citation will do anything to prevent fatalities. Making this change in the name of public safety is speculative at best. North Dakota's own statistics show that we have already been in a several year downward trend for traffic fatalities with a large push to get to zero by the Vision Zero campaign. While this is a noble and noteworthy cause I believe this particular bill is misguided.

Firstly, yes, nearly half of all traffic related fatalities in North Dakota were reported to not be wearing a seatbelt. But according to North Dakota Department of Transportation's 2019 data 42% of traffic fatalities were alcohol related ( which is higher than the national average of 28%) with another 24% listed as being speed related . For years North Dakota has ranked in the top 5-10 states in the country for alcohol related traffic fatalities, and our fine schedule for speeding violations are often found to be laughable when compared to other states. I know from personal experience the lackadaisical attitude and laid back manner in which impaired driving is accepted as a social norm as well as how the criminal justice system apathetically treats DUI violations. I firmly believe that everyone's time and taxpayer money would be better spent in educational efforts surrounding impaired driving, and in the increased prosecution of impaired driving offenses to effectively reduce traffic fatalities on North Dakota roads.

Secondly, as a citizen I find it unnecessary and impractical to grant law enforcement another reason to justifiably interfere with and penalize the public. The Fourth Amendment of the United States Constitution exists to safeguard the American people against unreasonable seizures from its government. However, when done under the guise of public safety the government seemingly can and will pass legislative measures that actively increase their ability to perform these types of seizures. Granting law enforcement the ability to strong arm a citizen into compliance does more to further the state's ability to interfere with its citizens than it does for increasing public safety and decreasing fatalities.

Thirdly, the logic behind the legislation seems to be flawed. As a safety professional I sometimes had to perform a Root Cause Analysis investigation to find out what the root behavior was for safety violations. In this case the state seems to be saying that not wearing seatbelts is the causation of the fatality, or at least that wearing a seatbelt will prevent a fatality,

when really the causation of the fatality was likely the driving behavior that led to the crash or collision. It would be far more likely that driving behavior such as distracted driving, impaired driving or speed related issues would be the actual cause of the fatality and the seatbelt issue would be correlative at best. It would seem that addressing the actual causes of the crashes would be a more effective means of preventing fatalities.

Pursuing the goal of zero fatalities on North Dakota roads is admirable. Attempting to get to zero fatalities through increased fines, traffic stops and government intimidation is asinine. Our collective resources would be better spent on other endeavors in the pursuit of zero.

Respectfully,

Skyler Dutton