

Chairman Ruby,
Committee Members,

I'm Tom Wheeler from rural Ray, ND.

I am here to ask you to leave seatbelt law as a secondary offense.

When I left my farm NW of Ray to come to Capital, my seatbelt was buckled up for the entire 208 miles. Must stay safe with all the traffic and the crazy drivers. No doubt about it, I feel safer with my seatbelt fastened.

You've heard it said that if North Dakota seatbelt law is changed to a primary offense traffic fatalities will drop. That is true if everyone buckles up. However not everyone will wear their seatbelts. Call them stubborn or ornery or bullheaded but I have three friends that refuse to buckle up. They are not stupid.

A \$20 fine will not get them to buckle up. Or \$50 or \$100. A \$200 fine might persuade one but the other two never. Ten lashes with a leather whip would probably get them to reconsider.

How are law enforcement officers going to catch those that are unbuckled? Meeting on a four lane highway and observing an oncoming vehicle with an unbuckled occupant? While riding with others I have tried to see those oncoming drivers belted or not belted. I don't have great eyesight but impossible for me. The younger eyes of a trooper might have a better chance but they are driving and would have to take their eyes off the road.

Over 30 years ago my bride and I were on highway two in Larimore area heading east. She was driving I was sleeping. I was awakened by Oh no. We had met a Highway Patrol trooper and he had turned around and his lights were flashing. I looked around and we were the most likely suspects.

As he approached her open window he leaned down, pointed at me and said "I want to see your drivers License". He said "When I met you the driver had a red shirt. Now the red shirt is over there. You two switched. Of course I argued with him but I did give him my license so he could check to find there was no reason for us to switch, my driving record was clear.

When he brought our licenses back he had a speeding ticket for my wife. I told him again we had not switched. He believed what he thought he saw but he was wrong.

I envision drivers seeing a Highway Patrol check point ahead and struggling to get the seatbelt fastened while driving to avoid a \$20 fine.

Lots of disagreements coming with primary seatbelt offense. Was the seatbelt really not buckled?

Our farm is two miles NW of Ray. When I drive into grocery store or post office in Ray I don't buckle up. When I drive to fields NW of our farm on township and county roads I don't buckle up.. Call it stubborn or ornery or just lazy. But I don't feel unsafe. I don't feel at risk.

We all have different levels of aversion to risk. No way would I ever consider driving a motorcycle. Motorcycle drivers are not even required to wear a helmet. But by all the motorcycles on the roads

many people don't agree with me. That's their choice. I'm not going to force my view of motorcycles on them.

We should always try to get to Zero traffic fatalities on North Dakota roads. But with the speed limits we have now I don't believe zero is attainable. I feel speed limits would have to be less than 30 mph to get close to zero traffic fatalities. Wouldn't want to be the one bringing that law forward.

Higher seatbelt usage will happen all by itself. It will take some time though. Our two sons are 30 and 28 years old. They have been raised with child car seats and buckling up. Buckling up is automatic for them. From birth all children must be in a child car seat. They are trained from day one. Seatbelts were first required in automobiles in 1966. Those of my age were never trained for seatbelts. We were adults when the shoulder strap was added to the seatbelt.

But as us stubborn or ornery or bullheaded or lazy guys die off the seatbelt usage percentage will continue to rise. Attrition will bring the percentage up.

Lets not follow Minnesota. Let's do the same as South Dakota and Montana, leave the law as it is, secondary offense.

Vote Do Not pass on 2362