



## Buckle law could mean big bucks for state

### Wisconsin could get \$15 million for authorizing traffic stops for seat belt violations

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**Madison** - Wisconsin could reap a federal windfall of about \$15 million - and maybe up to \$20 million - if state law is changed by July 1 to let officers stop vehicles when they suspect drivers or passengers aren't wearing seat belts.

Under current law, officers can issue tickets for not wearing seat belts only during stops for other traffic offenses.

There were 67,695 convictions in Wisconsin for failing to buckle up in 2007, making it the second most common traffic violation. The most common violation is intermediate speeding, or going 11 mph to 19 mph over the limit.

Past attempts to enact the so-called "primary enforcement" seat belt law have stalled, with some legislators from Milwaukee arguing that the change would increase racial profiling in traffic stops.

"We're concerned about people of color being stopped because of their race," said Rep. Leon Young (D-Milwaukee), a former police officer.

Young said police should not get more power to

stop drivers without new protections for minorities. One compromise could require the state Justice Department to compile the races of all drivers who are the subject of traffic stops, the reason given by officers for pulling them over and the outcome of the stop, he said.

That change would help win votes for a tougher seat belt enforcement law, Young said.

All of Wisconsin's neighboring states have primary seat belt enforcement, except Minnesota.

Part of the debate will be the federal government's one-time incentives for cash-strapped states that adopt primary seat belt enforcement laws by July 1.

For Wisconsin, that would mean \$15.2 million initially, and the possibility of up to \$5 million more later, said State Patrol Maj. Donald Lonsdorf.

"I used that (federal aid) argument the last time," said state Rep. Garey Bies (R-Sister Bay), who as a former deputy sheriff worked accidents in which drivers and passengers who weren't buckled up were injured or killed.

Next year, Bies noted, "I know we're coming into a budget season that will be horrendous."

The Legislative Fiscal Bureau says state spending commitments are expected to exceed tax collections by more than \$800 million in the budget cycle starting July 1.

The state transportation fund is also in rough shape, as drivers react to \$3.59-per-gallon gas by driving less. The \$1.8 billion annual transportation fund may have a year-end surplus of only \$5 million, according to the Fiscal Bureau.

Last session, bills by Bies and Senate President Fred Risser (D-Madison) to toughen the 20-year-old seat

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belt requirement never got public hearings.

Risser said he is optimistic the measure will get a better response next year because of the state's budget crunch.

The change would save up to 73 lives a year in Wisconsin, according to the University of Wisconsin Population Health Institute. In a 2006 report, the institute also estimated that the change would save about \$220 million a year in accident-related costs.

It will be up to Gov. Jim Doyle and legislators elected on Nov. 4 to decide whether to push the change early next year to try to qualify for the one-time federal cash.

"Seat belts save lives, and we've had a mandatory seat belt law in this state for 20 years," Lonsdorf said. "Wisconsin consistently ranks in the bottom 10 states in seat belt usage."

A state survey in June found that 74% of Wisconsin vehicle drivers and passengers buckled up - down 1 percentage point in a year. That's also less than the national rate of seat belt use, which federal officials said was 82% in 2007.

## Doyle supports change

Doyle said he supports the change, but he hasn't decided whether it will be part of the 2009-'11 budget he will give the Legislature early next year.

Risser said the measure might be easier to pass if Doyle makes it part of his budget. The Democratic governor did not ask for it in his 2003, '05 and '07 budget proposals, however.

But Doyle said, "I have always been in favor of primary (seat belt) enforcement. I hope the Legislature passes primary enforcement."

The governor said he is aware of fears that letting police stop drivers because of suspected seat belt violations may be used "in some discriminatory fashion" but he is confident those concerns can be worked out.

Records show that 12 groups favored the tougher seat belt law in the 2007-'08 session, including AAA Wisconsin, General Motors, the Wisconsin Medical Society and law enforcement groups.

The change is also a priority of the Wisconsin chapter of Mothers Against Drunk Driving.

"Seat belts save lives, and it is your only defense against a drunk driver," said Kari Kinnard, director of the Wisconsin branch of MADD.

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