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Belt bill clears Senate

Buckling up vital,
proponents say

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The Dominion Post

CHARLESTON — The Senate passed a bill Monday that would make failure to wear your seat belt a primary offense — one you can get pulled over for.

SB 337 passed 27-5 and heads to the House, where a similar Senate bill died last year.

Senate Judiciary Committee Chairman Corey Palumbo said states that make seat-belt use a primary offense see a 10- to 15-percent increase in seat belt usage.

In West Virginia, he said, it's estimated such a law could save 21 lives every year, along with \$50 million in expenses resulting from serious crash-related injuries.

Sen. Dave Sypolt, R-Preston, was among the three Republicans and two Democrats voting against it.

"I don't feel it's necessary to make that a primary offense," he told *The Dominion Post*. "The police have enough to do to watch out for speeders and everything else without worrying about having to pull people over for not wearing seat belts."

He also doesn't agree the law could save lives.

"I think it's a farce," he said. "If we want to save lives, why don't we lower all the speed limits by 10

mph and enforce it. That would probably go a long way.”

A State Police spokesman did not respond to a request for comment in time for this report.

The bill also changes the fine for not wearing belts — a flat \$15 instead of the current up-to-\$25 fee.

Last year’s Senate bill died in the House Roads and Transportation Committee, where this bill will likely be sent. The committee’s chairman, Dale Martin, D-Putnam, said he didn’t want to comment on SB 337 until he reads it.

Delegate Barbara Evans Fleischauer, D-Monongalia, sponsored a similar House bill this year — HB 2062. The only difference is the fine: A flat \$25. It’s also in the House Roads Committee, where a seat belt bill she sponsored last year also died.

The difference in the fines doesn’t matter, she said, and she hopes that the Senate bill will have wings this year. “I think there’s interest in the House side from what I’ve heard.”

Janet Vineyard, president of the West Virginia Trucking Association, said her organization supports the bill. Seat belt usage saves lives and cuts insurance costs, among other things.

She provided numbers from the Governor’s Highway Safety Program that top Palumbo’s. In 2009, seat belts saved 130 lives. Projections show 100-percent usage could have

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saved another 44.

After four consecutive years of topping the national average, according to figures Vineyard provided, West Virginia's observed seat belt usage dipped below average in 2010 — 82.1 percent compared to 85 percent nationally. In Maryland, where it's a primary offense, usage is 94.7 percent.

Other Senate action

■ The Senate unanimously passed SB 239, relating to the Bucks for Brains program. It extends from 2013 to 2015 the deadline for higher education institutions to deposit money into research

endowments.

■ It also passed SB 280, correcting an unintended consequence of previous legislation that moved up the dates schools must issue reduction-in-force (RIF) and transfer notices.

Education Chairman Robert Plymale, D-Wayne, said the previous legislation was meant to help schools advertise at job fairs and such, and moved the RIF and transfer notice date from April 1 to Feb. 1.

That forced schools, which lacked sufficient knowledge of their needs that early he said, to send out far too many notices too soon. SB 280 changes the date back to April 1, and tweaks a few other dates accordingly.

Both bills now go to the

House.

■ The Senate Judiciary Committee took up HB 2464 — the House ethics bill — on Monday, but laid it over after more than 45 minutes of discussion. The bill addresses financial disclosures by legislators, candidates, certain officials and their spouses, and puts a one-year moratorium on legislators and officials becoming lobbyists.

Sen. Brooks McCabe, D-Kanawha, said the bill is too far-reaching for people wishing to volunteer for unpaid boards and commissions, and could discourage the best people from applying. Members couldn't decide the best way to fix it, and Palumbo decided to return to it at another meeting.