



**TABLE OF CONTENTS**  
VOLUME 12 • ISSUE 6

**Trading Principles For Short-Term Benefits** .....2  
**Holiday Roadblocks**.....3  
**NHTSA Seeks Glare Comments** .....4  
**More Explosives In Your Car** .....4  
**Dues Increase** .....5  
**Spreading The Word**.....6  
**Wrongfully Posted** .....6  
**The NMA Pitch**.....7  
**Ticket Tips**.....7  
**Freedom Isn't Free** .....8  
**NMAF NEWS Online**.....8  
**What Is The MUTCD?**.....9  
**News From Around The Country** .....10  
**The Experts' Corner**.....11  
**Members Write** .....12  
**NMA Items For Purchase** .....15  
**State Chapter Coordinators and Activists**.....16

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**COVER**

West Yellowstone, MT  
By Bob Morrow

**Trading Principles For Short-Term Benefits**

by James J. Baxter, President, NMA

I've been thinking a lot about the never-ending battle between long term principles and short term benefits. Many NMA issues are the products of these battles.

When we sacrifice principles in the name of "practicality," "being realistic" or "compromise" there are often long term consequences that overwhelm any benefit that might have been gained in the process.

The US Constitution clearly specifies a distribution of authority between the states, the federal government, and individual citizens. This is a key principle of our system of government. It is a principle so plundered in the name of expedience that it is barely recognizable.

The usual process for undercutting a principle is to offer the victims (usually the states or individuals) a "benefit" in exchange for a relinquishment of authority, or a right. A classic example is the federal highway program. What started out as a simple funding mechanism for a national network of highways has become the means by which the federal government now controls and dictates virtually all facets of transportation policy. Similar examples exist in the fields of education, social services, and agricultural production. Except for playing around the edges, state legislators could stay home when it comes to major public policy decisions concerning these topics.

So who cares? We have an incredible transportation system, universal education, a welfare system safety net that strives to blunt every misfortune, and an abundance of food and fiber. We also have merciless traffic congestion, bizarre and ineffective emissions regulations, schools

swamped with discipline problems and federal mandates, generations of unproductive welfare recipients, and farmers with subsistence incomes. We reached this point by inventing excuses to circumvent the cumbersome messy procedures required to adhere to the principles enshrined in our Constitution. It was easier, quicker and less complicated to institute "one size fits all" federal taxes, federal programs, and federal regulations to address these needs, than to muddle through the agendas of 48 separate states. (Yes, I know there are 50 states; this process was well in place before Alaska and Hawaii became states.)

What is lost by avoiding the "muddling" process are unique solutions applicable to unique problems, innovation, questioning and dissection of public policy fads, and programs and policies that fit the dispositions and ideals of different geographic populations. This doesn't mean there can't be a pooling of state resources, cooperation, coordination, and meaningful collaboration. The difference is that the authority comes from and resides within the individual states. It is not a command and control mandate from the top down.

The now gladly deceased 55 mph National Maximum Speed Limit (NMSL) was a product of the command and control top down mandate process. The .08 BAC limit is one of the more recent iterations. These policies could never muster widespread support based on their legitimacy, scientific foundation, or effectiveness. However, threaten to withhold

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## ***Trading Principles***

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federal highway funds and they become the law of the land and a great source of unintended consequences. In the case of the 55 mph speed limit, in one legislative gesture, 90 percent of the driving public was automatically shifted to "criminal" status. The manufacture of RADAR detectors, up until that time an embryonic novelty, became a growth industry. As the courts became swamped with people contesting speeding tickets, legislatures reacted by promoting schemes to reduce due process protections for defendants charged with driving violations. Traffic law enforcement became a profit center

for municipal governments. And, these examples barely scratch the surface.

But, the flow of federal funds continued, just as long as the states agreed to federal usurpation of state authority. Done long enough, the practice becomes reality and the authority effectively becomes federal. This transition is already well underway, with the full support of the nation's courts. The United States Supreme Court does not view the withholding of federal funds as a form of coercion that illegally displaces powers that should reside with state legislatures.

Clearly, there are examples

where we need national standards and national uniformity, such as the standards that control the installation and management of traffic control devices (see the excellent article on page 8 of this issue on this very subject). However, when this financial coercion is used to force compliance with a public policy that could never stand on its own merits, we suffer the consequences of selling out our principles in exchange for what seems "easy money." That price is far greater than most of us ever realize. 🙄

## **Holiday Roadblocks**

**T**he holiday season is almost here. This means not only will you have to endure endless commercials that count down the number of shopping days left, you will also have to tolerate the scourge of roadblocks.

The holiday season brings an increase in the use of roadblocks. The increase of travel and holiday celebrations during this season is what stimulates the use of roadblocks. MADD pushes for DWI roadblocks while certain police agencies find that seatbelt or insurance paper roadblocks are their checkpoint of choice.

The NMA believes that the only justification for stopping citizens under a roadblock scenario is to warn them of an unseen peril that could cause injury or death to an unsuspecting motorist. Roadblocks (as used in the US) are designed and intended to use fear, intimidation, and inconvenience to expedite a government edict or a political

agenda. They have a net zero influence on public safety.

Keeping this in mind, here are a few thoughts on how to deal with roadblocks.

When you are first approached at a roadblock, open your window slightly and wait for the officer to make his statement or ask his questions. If he simply offers the canned explanation for the stop and asks to see your license, have it ready to hand to him. If he asks any further questions, you should politely decline to enter into a discussion. Something like, "Officer, I really don't approve of roadblocks and I don't care to discuss my affairs."

The positive effect of this is that you aren't giving incriminating answers to seemingly innocuous questions. If at the very beginning of the stop you set the precedent that you are *not* going to answer questions, there is no legal reason for detaining you. By law, you are

not obligated to answer these kinds of questions and you cannot be detained because you refuse to chit-chat with the officers at a roadblock.

This also takes away the police's ability to report on how the public favors their actions. The police love to report how grateful the citizens are and how motorists appreciate the presence of roadblocks, and how they compliment the officers on "being out there and protecting us from the menace of (fill in the blank)." If enough

*continued on page 13*

### **Keep "NMAF NEWS" coming...**

Please notify the **NMA** when you have an address change. The Post Office will not always send it to us (even if you've placed a "change of address" with them).

## NHTSA Seeks Glare Comments

The National Highway Traffic Safety Administration (NHTSA) is seeking public comments on headlight glare. Specifically, they are looking into the issue of the glare that can be associated with "high intensity discharge" (HID) lights, "fog lamps," and headlights mounted high on various light trucks.

If you have experienced problems with the glare associated with these devices, you have until December 1,

2001 to register your comments.

Comments may be submitted in writing to the Department of Transportation's Docket Management Section, Room PL-401, 400 Seventh Street S.W., Washington, DC 20590. It is requested, though not required, that two copies of the comments be provided. The docket section is open on weekdays from 10 a.m. to 5 p.m. Members of the public who are providing comments should cite the

docket number: *NHTSA-2001-8885*.

In addition, comments may be submitted electronically by logging onto the docket management system website at <http://dms.dot.gov>. Click on "Help" or "Electronic Submission" to obtain instructions for filing the document electronically. The electronic docket number is 8885.

The notice of request for comments is posted at <http://www.nhtsa.dot.gov/cars/rules/rulings/glare.html>. ↵

## More Explosives In Your Car

By Bob Morrow

There are more explosive devices being packed into today's cars. Of course you know about airbags. I'm talking about something really new to production vehicles: seat belt pretensioners. They're standard equipment on my 2001 Ford van.

A pretensioner is a device that takes up the slack in the belt during a crash by the use of an explosive device similar to those used in airbags. On my van they are mounted where the stationary buckle bolts to the seat frame. (An alternate design puts the pretensioner in the retractor assembly itself.) When a crash is detected, the crash sensor computer fires the igniter inside the pretensioner. For the buckle-type design, the explosive force drives a piston forward. Attached to that piston is a steel cable that is connected to the buckle at the other end. When the piston goes forward, the buckle is pulled down and it takes up the slack. It uses the same sensor loop as the airbag system. Like airbags, pretensioners are a *one-time-use* device.

Although your car may have pretensioners, a tight-fitting seat belt is still necessary; pretensioners don't

have enough power to throw you back into the seat. All they do is start the "ride-down" time sooner. Ride-down occurs when the seat belt absorbs your weight. Pretensioners also reduce the risk of "submarining", which is what happens when your belt is too loose and you slide under it.

It is my opinion that pretensioners are legitimate safety devices, unlike airbags. Thus the challenge was how to defeat the airbags in my van yet keep the pretensioners active. The solution was found on a factory service manual CD-ROM. It was an airbag service tool, which is nothing more than a resistor. Wiring one in place of each airbag makes the system think the airbags are still connected.

Pretensioners aren't required by law and their effectiveness is hard to challenge, which can't be said of airbags. As with normal seat belts, some injuries may be incurred with pretensioners, such as a burn across your shoulder, or a strained neck. In contrast to airbags, these injuries are minor and you won't burn your face or be blinded when they are used. ↵

### Credit Report Correction

In the last issue of *NMAF NEWS*, we mistakenly reported on a toll free number that would allow you to keep your credit information from being released. This number is actually not for opting out of this release of information (which is still prohibited by law), but for opting out of lists that creditors use to send offers of credit cards. These are the source of the many pre-approved credit card offers that people constantly receive in the mail. Calling 1-888-567-8688 will allow you to opt out of these lists. ↵

*Have a friend  
join the NMA  
and you'll get an  
extra 3 months  
of membership*

***FREE!***



## Spreading The Word

**T**he NMA needs your help. And, this time we aren't asking for money (although if you want to send some, that would be fine too!).

As it stands now, the NMA is growing, but slowly. In order for the NMA to be effective and make the changes that you want, the NMA needs to expand.

Here's how we can do it. Spread the word.

Do you have a friend or family member who might be interested in the NMA? Tell them about the NMA and encourage them to join. Don't settle for the response of, "I'll think about it." Follow up in a day or a week and send them a brochure from the NMA or better yet, send them a past issue of *NMAF NEWS*. The NMA office has many brochures and issues of *NMAF NEWS* that we would be happy to send

to you for this purpose. All you have to do is contact the NMA office and we'll ship them right out.

Is there a car club in the area? Maybe there is a racing event. Passing out free issues of *NMAF NEWS* would be a great way to inform them of an organization that represents their interests.

Another use for *NMAF NEWS* or other resource materials could be educating an elected official on a particular motorist topic. If you can convince these officials to see the NMA as a source of reliable and accurate information, you are helping the NMA to grow.

The same principle applies with the media. When you see or hear reporters relaying incorrect information on motorist issues, let them know where they can get the information that they

are missing. You can also send them an NMA brochure, a past issue of *NMAF NEWS*, or direct them to the NMA web site ([www.motorists.org](http://www.motorists.org)).

If we all start to do just a few of these actions, the NMA could become the household name that it deserves to be. Please take advantage of the many NMA resources available to you. Newsletters, brochures, information on motorist issues, studies, articles, the NMA web site, and more are all at your disposal. To order any of our free information, please call 800-882-2785 or email us at [nma@motorists.org](mailto:nma@motorists.org).

Remember, every member who joins because of you is an extra three months added to your membership. It's our way of saying, "Thanks!" Please, spread the word. 📣

## Wrongfully Posted

By Greg Mauz, Florida Activist

**A**n elderly gentleman phoned me to help shed some light on a traffic problem. He received a citation for driving 50 mph in a 35 mph zone in Boca Raton, Florida. I was familiar with the area and knew that it was normally posted at 45 mph, so I asked if there had been a construction zone. The answer was no. I found out later that several hundred tickets were reported to have been written at this location.

I thought this was worth looking into. Upon surveying the area, I found a poorly-posted reduced speed zone that was 150 meters long, but with no construction or other factors that would justify the slowing down of traffic.

I consulted with the District Traffic Engineer on August 3, 2001 about this. A check by Department of

Transportation (DOT) personnel found the 35 mph signs to be there in error and they promptly removed them on August 7, 2001. Their promptness in removing the signs was refreshing.

As satisfying as their actions were, I was still curious as to how this incorrect posting could occur.

For the sake of having this on record, I asked for and received a letter from the Florida DOT which stated, "The permittee (Palm Beach County) failed to remove the subject signs upon completion of the project."

Inquiries to the DOT permit office uncovered more confusion. After checking their records, an employee said that he "was not aware of any warrant permit issued to reduce the speed limit at that location."

It seems the county illegally established the 35 mph zone and

then conveniently "forgot" to remove the signs.

If you notice excessively long construction zones with no actual construction occurring in your area, I would suggest that you contact your local Traffic Engineer to discover if the zone is legal or not. A few phone calls could fix the situation in a matter of days. If this can happen here, it's a sure bet that it's happening elsewhere as well. 📣

With just the click of a button, renew your NMA membership online!  
[www.motorists.org](http://www.motorists.org)

# The NMA Pitch

By Eric Skrum, Managing Editor

It's the holiday season, which means that you're going to be bombarded with commercials and advertisements attempting to get you to shell out your hard earned bucks for their products.

Now, I'm not going to lie to you. That's exactly what I'm going to try to do too. The only difference is that I am going to pitch you some gift ideas that will serve a variety of purposes.

First of all, any gift you purchase from the NMA helps the cause that you already support. Think of it as an extra helping hand towards defending your rights as a motorist. Not only do you help the NMA, you actually receive a product or a service that you can pass on to someone else as a gift.

Secondly, any gift you purchase from the NMA is a thoughtful, quality gift. It isn't an ordinary gift that you picked off any old shelf.

Now that we have covered *why* you should do at least some of your holiday shopping with the NMA, we will move on to *what* you can get.

A membership in the NMA is a good gift that actually will benefit the recipient all year long. Or, you could choose to order NMA Premium Coffee. With the popularity of such blends, you can't go wrong with this gift. The NMA also has a wide variety of books, bumper stickers, and other items to choose from. You can find a list of those products on page 15 of this newsletter or by visiting the NMA web

site ([www.motorists.org](http://www.motorists.org)).

Now that we have covered *why* you should buy from the NMA and *what* you can buy, it's time to tell you *how* to purchase from the NMA.

There is a purchase form on page 14 for gift memberships and an order form on page 15 for everything else. You can also order any of these items on our web site (which has a secure server) at [www.motorists.org](http://www.motorists.org). And, if you would like the personal touch, you can call 800-882-2785 and we will be happy to help you.

Thank you for supporting the NMA. I would also like to say that we here at the NMA want to wish you and yours a wonderful holiday season. 🍷

# Ticket Tips

By Casey Raskob, Esq., NY Activist

Every day, I speak with many motorists who have found themselves on the wrong side of a (radar) gun.

Based upon many stops, thousands of conversations with law enforcement, and a few overly revealing conversations with clients, I offer a few ideas to make the inevitable as painless as possible.

1. **Fight every ticket.** It's not the first one, but the third or fourth that takes your license. Fighting the early ones will net you a better result, as your clean record speaks for itself. If you don't, you go in as a two or three-time loser and won't get whatever sympathy or slippage that results in the system.

2. **When you are pulled over, be polite.** I don't care if you have a low opinion of police in general, or if you are the brightest star in your brokerage firm, surgical practice, or run a multi-

million dollar law firm. You are in the police officer's world, and for your own sake, you need to get rid of any attitude you may have. Many intelligent people outsmart themselves, not the officer, and talk themselves into a ticket. I've heard this more than once

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*Many intelligent people outsmart themselves, not the officer, and talk themselves into a ticket.*

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while negotiating in Court—"I would have let him off with a warning, but he was quite rude, counselor..." To the officer, your title is "violation."

3. **When you fight the ticket, don't bother the court clerk.** She (usually) is not in a position to dismiss your ticket and does not care one whit about your radar theories or opinion about the arresting officer. When you call with

attitude and berate her about the whole crooked system, you lose any courtesy you may gain. A basic rule most attorneys learn early, "The Judge can hurt you, but the Clerk can kill you."

4. **For those intent on rapid driving without police encounters, here are some other observations.** We all know that most tickets are random selection among many violators. Here are some low profile rules: You want to drive a silver, maroon or dark blue vehicle. Bright red, yellow, white, or gold makes you noticeable, whether your ride is in a Corvette or a Chevette. Next, (and there's no easy way to fix this) don't drive a car the cop can't afford. Your Mercedes star is prima facie proof that you can pay the ticket. At least have the good sense to buy it in silver—that's the color the military paints their planes for low observ-

*continued on page 9*

# Freedom Isn't Free

By James J. Baxter, President, NMA

**E**ditor's Note: This article was written shortly after the tragic events of September 11, 2001 and was posted on the NMA web site on September 20, 2001. We felt it bears reprinting.

"Freedom isn't free" is a common refrain when citizens are being reminded of their responsibilities to participate in the affairs of government. Voting, contacting legislators, attending public meetings and effectively voicing opinions are the actions usually promoted in this regard. Public service and serving in the military are also part of the price of freedom. However, the most difficult to bear and the most precarious costs of freedom are the losses suffered and endured because freedom exists.

Humanity's greatest achievements and progress can be attributed to freedom. Freedom to create, freedom to explore, freedom to build and develop, and freedom to express and promote new ideas. Inherent in this same exercise of freedom is the potential to make mistakes, use bad judgement, abuse the land, and perpetuate wretched excesses. It has been said in different ways; "to succeed we must accept the possibility of failure, and all its consequences."

We cannot "outlaw" mistakes, eliminate risk, or prevent failure while claiming to preserve freedom.

Personal mobility, a greatly underappreciated freedom, results in trillions of miles of travel. This travel constitutes incredible economic output, personal opportunity, human welfare, and literally makes our national prosperity possible. In fact, it is the cohesive "fabric" that holds this nation together. But, it is not "free," not in any sense of the word.

The freedom to travel, as we travel in the United States, has tremendous costs, most notably the 40,000 lives

lost every year in travel related accidents. No one openly claims that maintaining the freedom of personal mobility and its many rewards is worth the lives of 40,000 fellow human beings. But, as a society, we have come to recognize that the loss of personal mobility would be so devastating in terms of lost economic activity, diminished opportunity, and depreciated human welfare that the consequences, including the loss of life, would be far in excess of the "cost" of protecting and maintaining this fundamental freedom.

A common error being perpetuated across the land is that freedom is the antithesis of security. "We have to give up a little of our freedom to protect our security." This is a self-serving myth perpetuated by those who hope to expand their authority by promising safety.

For decades we have been subjected to searches, questioning, and humiliation for the "privilege" of flying on a commercial aircraft. This was to protect us from "hijackers." Previous to this onslaught of security measures no lives had been lost as the result of a hijacked commercial flight. We gave up our right to personal privacy and personal protection to avoid the risk of being on a hijacked airplane. Billions upon billions of dollars were spent on "security" with the result being thousands of lives being lost in sabotaged and hijacked airplanes.

Freedom *is* security. Being locked into a dead-end fruitless job is *not* "security." Security is being able to quit a bad job and find a better one, or to start a business of one's own. Security is *not* assigning your welfare to a faceless bureaucracy and expecting it to care for and protect you. Having the freedom and means to protect and enhance your own interests and welfare is the foundation of

security. When the government protects and defends that freedom it is fulfilling its legitimate responsibility. When government sacrifices freedom, in the name of security, it is no longer legitimate and it has failed its responsibility. 🐾

## NMAF NEWS Online

Due to popular demand, the **NMAF NEWS** is now available to members on the NMA web site. The newsletter is a .pdf format so you will need Adobe Acrobat Reader in order to view it. However, Acrobat is a free software and there is a link on our site to the Acrobat web site. The link is located with the newsletter.

Currently, the issues from July/August and September/October are available for download. With **NMAF NEWS** online, it's easier than ever to get a copy of NMA articles to share with friends, the media, or even politicians.

The online newsletters are available only to NMA members. If you wish to access this, you will need to type in your *six digit member number* (found on your membership card or mailing label) when it prompts you for a Username. You also need to type in your *2-character state (or province) abbreviation* in UPPER CASE when it prompts you for a password.

Visit <http://www.motorists.org/newsletter/index.html> to view **NMAF NEWS** on our site. 🐾

# What Is The MUTCD?

By John Carr, Massachusetts Activist

**E**verybody knows that a red light means stop. But why is red used for all stop signs and signals, and not a color determined by the responsible agency or, in true democratic tradition, a vote of the local inhabitants?

In the early 20th century the state governments got together and established standards for traffic signs. Over the years they decided that red means stop, a diamond is used for a warning sign, etc. These standards became the *Manual On Uniform Traffic Control Devices*—the MUTCD. And, the MUTCD has evolved. People over 35 can remember when yield signs were yellow and highway centerlines were white. Now all centerlines are yellow, and yield signs are red and white. White on black signs became black on white. Whatever the choices, everyone agreed that national uniformity was important.

There's even international uniformity—Canadian and US traffic control devices are similar. Although Europe and America have different standards, each has borrowed some of the other's. We got the European yield sign in the early 1970s. They got our stop sign.

For 40 years the standards were the result of interstate cooperation. Generally, each state's Highway Department was the ultimate authority within the state and could define traffic control devices different from those used elsewhere. This all changed in the late 1960s. Under the authority granted by the 1966 Highway Safety Act, the U.S. Secretary of Transportation decreed that all traffic signs, signals, and pavement markings shall follow the MUTCD. And, in accordance, states must agree to follow the MUTCD in order to receive federal highway aid.

The MUTCD is a comprehensive standard. It combines requirements,

suggestions, and general advice. How big should a speed limit sign be? How high above the ground? What color is used for exit signs? What does a crosswalk look like? How does an engineer decide whether or not to install a traffic signal? When should "NO TURN ON RED" be posted? When a lane is closed due to construction, how can the lane reduction be accomplished most safely?

A common misconception is that the MUTCD only provides for the general appearance of signs. This is

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*It is far easier to buy votes with the promise of a new sign than it is to explain why a sign won't help the problem.*

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false. The MUTCD also says under what circumstances a sign may be used, and when a sign must not be used. It specifically warns against using standard signs when they are not appropriate. A stop sign where there is no need to stop, or a 25 mile per hour speed limit sign on a road obviously safe at 50, does nothing to help safety and encourages disrespect for stop signs and speed limit signs where they are needed.

A goal of the MUTCD is to make professional traffic engineers responsible for traffic control devices. Unfortunately, politicians love to play traffic engineer and all too often *refuse* to listen to professional advice. It is far easier to buy votes with the promise of a new sign than it is to explain why a sign won't help the problem. You will often find more stop signs and lower speed limits in rich neighborhoods, or near a particularly persistent and obnoxious resident, than elsewhere.

Once upon a time, state agencies and local governments did have the

power to make up traffic laws and you had no legal recourse if you didn't like them. The law was the law, no matter how arbitrary or unreasonable. Times have changed. Now cities and states have to follow rules, and although the MUTCD may be widely disobeyed, it is still the law of the land. If they don't follow the rules, and somebody has an accident or gets a ticket because of a noncompliant sign, courts can and will rule against the government.

In coming *NMAF NEWS* issues...

The MUTCD and you—how do you tell if a sign complies with the MUTCD, and what can you do if it doesn't?

Getting results—how you can make a difference in your community.

*Editor's Note: You can find the MUTCD online at <http://mutcd.fhwa.dot.gov/>*

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## ***Ticket Tips***

*continued from page 7*

ability. A four door sedan is the lowest profile vehicle of all. You can drive it faster in the real world than any sports car. Avoid wings, super scoops and boy racer cladding. Paul Newman was known for many years to drive Plain-Jane Volvo 240's-with Ford V8 power.

**5. Accept that you will, if you play the speed game, lose.** Do so gracefully, and fight the ticket in Court, not on the side of the road. Accept the fact that a fast, safe driver will get tickets, while the dunderhead blocking the left lane at 60 mph is a "GEICO good driver," and won't get a ticket.

Life may not be fair, but if you are pro-active, you can at least increase your chances of winning. 🐾

## News From Around The Country

### Arizona

Phoenix has just posted 65 mph speed limits on 70 more miles of urban freeway.

### Georgia

Representative Stephanie Stuckey Benfield (D-Decatur) stated that she is drafting a bill that would make speeding in a school zone an aggravated misdemeanor with a fine of up to \$2,000 and incarceration for up to 12 months. The actual wording and bill number are unavailable at this time.

### Maine

A new law increases fees that Maine residents pay for motor vehicle inspections. Inspection stations may set their own fees, capped at \$12.50 for a standard inspection, \$15.50 for an enhanced inspection on pre-1996 models, and \$18.50 for an enhanced inspection on later models.

### Michigan

Livonia Mayor Jack Kirksey has asked the Michigan State Police to lower the speed limit along Interstate 275 from 70 mph to 55 mph. Because the state police denied his request, Kirksey plans to take the issue to legislators and the governor this fall. Sergeant Derrick Barker, who conducts traffic studies for the state police, said lowering the speed limit will actually cause more accidents.

### New Jersey

Beginning in December 2001, children up to age 8 and weighing less than 80 pounds will have to be strapped into a car seat or a booster seat. They will not be allowed in the front seat unless the vehicle has no back seat or the back seat is already filled with other youngsters. The new law also requires children who are at least 8 but younger than 18 to wear a seat belt when seated anywhere in the car.

### New York

Single-occupant passenger vehicles will be barred in Manhattan below 62nd Street between 6 a.m. and noon. Mayor Rudolph Giuliani has said these measures had been suggested before the World Trade Center attack but would be added now because of security concerns. They may also help reduce traffic jams that have snarled the city since the September 11th attack.

The ban includes the Lincoln Tunnel to New Jersey and four East River bridges linking midtown Manhattan and the financial district to Queens, Brooklyn and Long Island. It isn't immediately clear how the ban will be enforced, though police said there would be checkpoints at entrances to the island of Manhattan. It is also unclear whether offenders would be fined, ticketed or simply turned away.

### Virginia

Virginia has authorized speeds to be posted 65 mph on all interstates, freeways, and toll roads, thereby wiping out the old federal urban/rural 55/65 limits which were still in place since the 1980s. So far, speed limits on I-395 HOV lanes near Washington DC have been increased to 65 mph and on two 5 mile stretches of I-95. Speed limits on I-66 have been increased from 55 mph to 60 mph.

### Washington

A federal law says traffic data compiled for any road project using federal money "shall not be subject to discovery or admitted into evidence in Federal or State court." In a unanimous opinion, the state Supreme Court disagreed. This case will have national repercussions for counties and cities. If Washington's Supreme Court is correct, local governments will be forced to hand over traffic data when targeted by negligence lawsuits over traffic accidents.

### Washington DC

The photo-radar cameras have generated \$420,584 and issued a total of 31,220 speeding citations since the program began on August 6, 2001. However, the numbers are much lower than were expected. Officials had originally estimated 80,000 citations and \$1 million in revenue a month.

### Wisconsin

AB 271 has passed the Assembly Committee on Transportation. This bill permits circuit courts and municipal courts to suspend the operating privilege of an adult solely because the adult has not paid a forfeiture imposed for an ordinance violation unrelated to the operation of a motor vehicle. This could literally be anything that doesn't involve jail time. If you don't shovel your sidewalk, don't put your trash out correctly, fail to dispose of your leaves properly, you could lose your license. None of these are truly crimes and they have nothing to do with how well you operate your vehicle, but they still could cause you to lose your license.

SB10 requires that all drivers approaching emergency vehicles or tow trucks stopped on or within 12 feet of a highway with lights flashing to move into a lane not nearest the authorized vehicle until safely passing that vehicle. This bill is awaiting Governor Scott McCallum's signature.

### Wyoming

People arrested for drunken driving have no right to consult a lawyer before being tested for alcohol in their blood, the Wyoming Supreme Court has ruled. In a unanimous decision, the court said suspects have the right to an attorney *after* they have been charged with a crime, not during a law enforcement investigation. ☞

## The Experts' Corner

**D**o you have a question that only an expert can answer? If so, look no further. We have many NMA members with special fields of expertise. This feature was created to assist members with answers to both practical and technical questions.

This sharing of knowledge is another benefit of belonging to the NMA. Please indicate that you are an NMA member when calling a listed "expert."

Can you help? Please contact us with your field of expertise and provide us with a contact address.

A telephone number would be very helpful, but is not required. Feel free to list preferred contact times if you do provide a telephone number.

***PLEASE NOTE: This is not intended for listing of commercial business services.***

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**As an NMA member, the Experts' Corner is available to you online at**

**<http://www.motorists.org/join/membersonly/experts.html>**



## MEMBERS WRITE

*Your letters are welcomed and appreciated. This is a forum for diverse opinions, different perspectives, and personal experiences. Letters may be edited for length or clarity. Letters should not exceed 300 words in length. Full-length articles will also be considered for publication in the NMAF NEWS. Articles should not exceed 600 words in length. Positions and opinions expressed in letters and member-authored articles are those of the author and do not necessarily reflect NMA policies or objectives. To submit, you can email us at [nma@motorists.org](mailto:nma@motorists.org) or mail to our NMAF Office.*

Over ten years ago, I was driving along a long stretch of city streets in the Los Angeles area, gauging my speed to match the light changes. Suddenly, I missed one and what do you think happened? A police car was sitting there to wave me over. I sensed something was funny, and later went out with a stop watch and measured the amber time of the string of lights leading up to the ticket spot. They were all four seconds. The intersection I got ticketed at was three seconds. I couldn't stay around to fight it, but your article "All in the timing" in the July/August issue of *NMAF NEWS* brought the memory back.

Your readers should know that it is very easy to time ambers. An inexpensive stopwatch from the local drugstore can be used. You have to measure the timing a number of times and average them to get a good number. Doing it 25 times and then averaging gives a good result. The spread in the data also can be used to measure how accurate your number is. The lights I measured were all set to multiples of seconds, in fact, only three or four, and if that's still true, showing the difference should be easy.

**Stan Erickson  
Pleasanton, CA**

This is in regards to the article entitled "Troopers In Disguise" which appeared in the September/October *NMAF NEWS*. It is true that there are some very mundane,

plain vehicles in which the police, presumably the Minnesota Highway Patrol, are cruising the highways of the Twin Cities. I have seen a white, late nineties, four-door, Dodge Stratus, with no noticeable markings that had someone pulled over. I have also seen a dark late model pick-up, with smoked windows on the cab and the topper. With both these vehicles, and any others like them, it isn't possible to know who is in them until it's potentially too late. It seems that law enforcement in Minnesota (and Wisconsin) is doing everything but bringing along the wife, kids and "mother-in-law" to remain anonymous in the name of "safety," also known as generating revenue and entrapment.

A concern of the public should be that there is, or could be, an honest doubt as to whether that is a real police car, or some kind of a "crazy," trying to get by you or pull you over. One reason that police cars have always been so well marked is that it leaves no doubt as to the identity of the vehicle. A marked squad is visible and is, to some degree, a deterrent to crime, where as an unmarked car can only serve as reactive to such high crimes as speeding, rolling stop signs, etc.

**Bill Young, Jr.  
Minneapolis, MN**

An incident concerning an error by my insurance company may have escalated to fraud when the company would not deal with the error. Their

computer indicated that my 1995 SVX L did not have ABS, so I could not get the discount. So instead of receiving a refund, when they might have corrected their error, I received another bill with an additional penalty charge! When my agent called them on this, their next story was that their computer said my SVX had ABS on the rear only, for which there is no discount (although there should be). I offered to let one of their adjusters look at the car, but their response is delayed. NMA Members should be aware that insurance companies will give discounts for cars with ABS, and that Members' cars may be erroneously listed as not having it, or, as having only a partial ABS. Check your policy declarations. When my company was Commercial Union there were no such problems. When it became CGU things were still OK. When it became One Beacon, trouble struck, and now it is to become Peerless.

**Joel M. Kauffman  
Wayne, PA**

I certainly agree with Greg Walljasper's point on keeping right except to pass ("MEMBERS WRITE," September/October). However, he refers to other drivers hanging in his blind spot. I am often surprised at how many drivers, even skilled, thoughtful ones don't realize that by properly adjusting the

*continued on next page*

## ***Members Write***

*continued from previous page*

mirrors, you can easily eliminate the blind spot.

To eliminate the left side blind spot, ride in the right lane and watch your inside rear view mirror as a vehicle approaches from the rear in the left lane. Adjust the left outside mirror so that the approaching vehicle appears in that mirror before it disappears from the inside mirror. Then check that the vehicle is visible in your peripheral vision through the side window before you lose it in the outside mirror. Since the vehicle can be seen either in one of your mirrors or through the side window at any point, there is no blind spot!

The right side is done in the same way. It does, however, require temporarily violating good driving practice by riding in the left lane and adjusting the right side mirror as vehicles pass on the right.

Many drivers adjust their outside

mirrors until they just see the side of the car in the mirror. You'll note that after setting the mirrors by the above method you most likely will not see the side of your car. That's ok as you don't need to see *your* car. You need to see the other guy's car!

I hope some readers find this helpful.

**Bob Roraback**  
*Poughkeepsie, NY*

*Editor's Note: The procedure described by Bob can be found in greater detail on the NMA web site at [http://www.motorists.org/issues/safety/adjust\\_mirrors.html](http://www.motorists.org/issues/safety/adjust_mirrors.html)*

My son and I beat three tickets using your **Legal Defense Kit™**. It works just like you said it would if a person does his homework. First ticket was driving while suspended. Dismissed. The second ticket was negligent driving (71 in a 35). Dismissed. The third was speeding

56 in a 35 which was measured by radar. Dismissed.

Thank you much. This was \$1150 worth of tickets gone! We both have clean driving records again. It was so much fun it almost makes me want to go out and get some more tickets. I'll bet the cop who wrote all these tickets would be mad to write us again.

**Richard Petersen**  
*Vancouver, WA*

I just returned from a trip to Pennsylvania and was surprised to see the exit numbers on I-80 and I-84 had been changed to equal the mile marker. My maps and routing notes did not reflect the change which made it very confusing. It is most likely that other exit numbers have been changed as well.

Please let the NMA members know so that anyone traveling in this area will know what to expect.

**Martin Daniels**  
*New York, NY* 📍

## ***Roadblock***

*continued from page three*

people complain, you can help to eliminate this propaganda opportunity.

There may be a negative reaction to your expression of disfavor. Legally, there is nothing wrong with not answering questions at a roadblock. That doesn't stop the police from "jerking your chain" either. They may keep you longer or try to intimidate you with a show of "authority." Before you enter a roadblock, you need to decide if you are going to stand up for the principle or if you are going to cave-in and fully cooperate with everything the police would like you to do. Most people will cave in. However, if just a few motorists refuse to be victimized by the use

of roadblocks, the police will become reluctant to continue or expand this practice.

You also need to know that the police do not have the authority to search you or your vehicle, not without probable cause, or at least reasonable suspicion, that you have, or are committing a crime. They may ask your permission for a search—which means they do not have legal grounds to force a search. You should not permit a voluntary search of yourself or your vehicle.

A special note on DWI roadblocks. You shouldn't allow any object to penetrate the interior of your vehicle. Chances are that flashlight shining in your face also has an alcohol sensor on the end of it. You can be required to show the usual documentation, such as your driver's license, but you do not have

to open your window any further than the space to hand it out.

If, for any reason, you are ordered out of your car, lock the door behind you. This will avoid anyone entering your vehicle without your permission. Locking the door is a clear expression of your intention to refuse a search.

These are just a few suggestions on what you can do at a roadblock. It takes courage to stand up for yourself and your rights especially when you're stopped at night with all the bright lights, orchestrated show of force, and flashlights thrust in drivers' faces. For more information on roadblocks, visit the NMA web site ([www.motorists.org](http://www.motorists.org)) or the Roadblock Registry ([www.roadblock.org](http://www.roadblock.org)). 📍

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