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**COVER**

Ivan Sever receives his Citizen Police Academy Certificate

**Red Light Cameras, The Trojan Horse**  
 by James J. Baxter, President, NMA

There has been wealth of attention focused on Red Light Cameras over the past few months. Even though the press and politicians seem devoted to avoiding mention of the NMA, most of the stimulus for this attention has come from the NMA and its members.

It is slowly seeping in that Red Light Cameras are primarily a money grubbing scheme. Any positive effect they might have can be equaled and exceeded by simple improvements and adjustments to traffic lights. In most instances adding a second or two to the yellow light duration eliminates red light violations at most intersections.

Once the tort attorneys put two and two together, they're going to figure out that there is a huge population of clients out there—victims not of red light runners, but victims of city governments that chose cameras over intersection safety improvements. How do you think a jury is going to react to a city that could have prevented a tragic accident by simply lengthening a yellow light, when instead the light was kept short to feed a ticket camera?

Nevertheless, Red Light Cameras have served their primary purpose; they have opened the door for automated/camera based traffic law enforcement, most notably speed enforcement.

For two decades the insurance industry and ticket camera merchants have unsuccessfully tried to make photo radar a fixture of American Life. With the exception of a few cities dominated by cranks, social engineers, and nursing home residents, photo radar just couldn't disguise its image for what it really is, a device to milk motorists. The

savior came in the form of the Red Light Camera.

The driving public deplors "Running" red lights, honestly and rightfully so. How could anyone argue against a device that can identify and penalize these miscreants? Even NMA members who normally shunned camera enforcement warned that we should get on the side of the angels and support Red Light Cameras. We didn't, and over time our position has been vindicated. We argued that Red Light Cameras were just greasing the skids for multiple camera based enforcement schemes. And, that is exactly what has happened.

It turned out that the targeted red light runner "miscreants" were us, except we weren't really "running" red lights. We were getting trapped by short yellow lights or other intersection flaws.

The ticket camera merchants and their apostles probably knew (or should have known) that red light violations are primarily the product of lousy traffic engineering decisions. The general driving public has an inherent desire and willingness to respect and comply with traffic lights. This is proven by opinion polls and, more importantly, universal compliance at properly designed and managed intersections. Therefore, condemning the driving population at large for wanton "red light running" was a red herring from the get-go. The real gold mine is, and always was, camera-based speed enforcement.

Unlike traffic signals, the driving public generally ignores posted and statutory speed limits. Even if individuals and opinion polls say otherwise, compliance with speed limits is just about zero. The reason? Most speed limits have no

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## Trojan Horse

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merit, no practical basis, and lack legitimacy. Therefore they are universally ignored. Even the cops charged with speed limit enforcement acknowledge this with their five, ten, and fifteen miles per hour enforcement tolerances!

Photo radar devices and their ilk have the potential to generate not millions, but billions of dollars of revenue from the fat, comfortable and apathetic driving public.

There's just a couple of pitfalls that the camera merchants have to avoid. First, they can't get too greedy too soon. They have to acclimate the victims by keeping the fines low and other consequences of minor concern. No points, no license suspensions, and no insurance surcharges. (This is how they blew it in San Diego, California. The \$271 fines, points, and insurance surcharges exceeded the masses pain threshold.) The elected political operatives on the East Coast are more practiced at this and have largely avoided a public uproar by keeping the fines low and the drivers shielded from more onerous penalties.

The second and more subtle challenge is to make sure driver compliance is not significantly modified. The more obvious assumption is that compliance will dry up the revenue. However, of greater concern is that compliance with today's posted speed limits would bring transportation and our economy to a grinding halt! The only reason our streets, roads and highways in-and-around our major urban areas are not one massive linear parking lot is that higher speeds (often way higher than the posted limit) increase the capacity of our highway infrastructure. If the public were to actually drive the speed limit, especially on major arterioles and urban Interstates,

thousands of people would starve to death in their cars before they ever reached their exits.

The ultimate goal of the ticket camera merchants is to have the public accept camera tickets as a surrogate speeding tax, just a little something extra they pay for the privilege of driving faster than the

speed limit. The ticket camera fans must avoid getting greedy, taking their technology seriously as a safety tool, or stimulating demand for realistic and legitimate speed limits. Rocking the boat could turn off the tap on a multi-billion dollar industry. We certainly wouldn't want that to happen, would we? ☺

## Wolves Are At The Door

by Jim Baxter, NMA President



We can only do more for less for a limited amount of time before financial constraints catch up with us. The NMA has not increased its membership dues for nine years. While inflation has been modest, it remains relentless. We have found ways to make better use of our resources and we have used technology to advance our causes and improve our efficiencies. But, the time has come that we have no choice but to raise membership dues.

If we were to increase our individual dues to reflect inflation over the past nine years, we would have to charge \$45 (in round numbers) for a one-year membership. That kind of jump in dues would undoubtedly cause many of you to reconsider your membership in the NMA. Therefore we have tried to hit a happy medium where we can raise enough money to remain solvent while avoiding a negative reaction on the part of

our members.

Our dues will be increased to \$35 per year for an individual member. All other membership categories will be increased by a similar percentage, including life memberships. This new dues schedule will take effect January 1, 2002.

If you wish to avoid the upcoming dues increase (check your mailing label for your expiration date), you may increase or upgrade your membership at the current rates anytime up until January 1, 2002. You can add three years onto your membership and avoid any dues increase for three years beyond your next renewal date. Of course, you can avoid all future dues increases if you sign up for a life membership!

As always, we appreciate your continued support and hope that you will remain an NMA member for many years into the future. ☺

### *The New Membership Dues Structure Effective January 1, 2002.*

	1 Year	2 Year	3 Year	Life
Individual	\$35	\$60	\$85	\$550
Family	\$45	\$80	\$115	\$750
Business	\$75	\$140	\$200	\$1200

## Lockheed Martin To Sell "RLC" Business

**L**ockheed Martin, one of the biggest manufacturers of red light cameras (RLCs) in the US, has stated that it is selling its subsidiary, IMS Corporation. This is the division that handles their RLC business and it will be sold to Affiliated Computer Services Incorporated for \$825 million. Lockheed has stated they expect the deal to close in the third quarter of this year.

Lockheed claims that this action is part of their plan to divest its non-core business and shed debt. "This

transaction is consistent with our previous commitment to realign the corporation," said Vance Coffman, Lockheed's chairman and CEO.

However, if Lockheed Martin is able to receive \$825 million for this business, RLCs sound very profitable. When you look at the estimated number of tickets that are going to be handed out in the next year, you begin to wonder what they are thinking. Washington DC estimates that it will receive \$16 million in revenue from these tickets in the next year. Why sell this business off to "shed debt" when

the numbers show it can be such a revenue generator?

It is possible that they are doing this because of the negative press that has been surrounding RLCs lately. Lockheed Martin receives the majority of their money from defense contracts. This could be a move to distance the company from a product that is not as favorable to the public or their clients as they originally thought.

Time will show if Affiliated Computer Services Incorporated plans to market the RLC business as much as Lockheed has. 🐾

## Rental Car Follow Up

**I**n the last issue of the *NMAF NEWS*, we reported that according to the *New Haven Advocate* of June 14, 2001, Acme Rent-A-Car of New Haven, Connecticut was being sued. This was due to their policy of using global positioning receivers and transmitters in their vehicles to issue fines to customers who exceeded the speed limit with Acme vehicles.

Not long after this story became public, the State Department of Consumer Protection filed a complaint against American Car Rental Inc., which operates Acme Rent-A-Car. The complaint accused American Car Rental Inc. of violating the Connecticut Unfair Trade Practices Act.

The complaint stated that the company failed to warn clients of the fines they would accrue if they were speeding. Also, the company gave no notice when they automatically debited customer's bank accounts or credit cards for these fines. The department has asked that Acme stop this practice and reimburse anyone who had been fined.

Consumer Protection Commissioner James Fleming said, "We have about 26 Connecticut consumers that we feel were forced to pay penalties which we think are illegal," said Fleming. The state has been investigating Acme since November of 2000.

As of July 9, 2001, Acme has refused to halt its current policy or to reimburse any customer they fined. Acme claims that its rental contracts inform customers they will be fined \$150 every time the satellite catches them speeding for more than two minutes.

Max Brunswick, a New Haven lawyer for Acme, "Our goal has never been to make money off of this. Our goal has been to enforce speed limits on our cars and prevent the catastrophic claims that can put us out of business," said Brunswick.

A hearing has been set for August 22, 2001. 🐾

### In The Line Of Duty

There were 151 federal, state, and local law enforcement officers killed in the line of duty in 2000, according to the National Law Enforcement Officers Memorial Fund (NLEOMF) and Concerns of Police Survivors (COPS). That is an increase from the 134 officers killed in 1999. Of the officers killed in 2000, 51 were shot to death, 47 died in automobile accidents, 20 were struck by automobiles while outside of their own vehicles, eight died in motorcycle accidents, seven were killed in aircraft accidents, and the remaining 18 died of a variety of other causes.

*Source: National Law Enforcement Officers Memorial Fund (NLEOMF) and Concerns of Police Survivors (COPS).*

## NMA Member And NMA Foundation Petition

**T**he State of Wisconsin has always been a bastion of support for protecting the citizen's right to a jury trial. This includes jury trials for traffic offences. However, this has not deterred state legislators, over the decades, from trying to undermine this right. Fortunately, the Wisconsin Supreme Court has refused the temptation to make the judicial system "more efficient" and it has consistently overruled laws that attempted to restrict or hinder a defendant's right to a jury trial.

The Wisconsin State Constitution is crystal clear on this point; Defendants charged with a crime and civil case litigants are eligible for a jury trial. This hasn't stopped those who want to limit and remove the jury trial right. Currently, the State has a law on the books that says traffic law defendants are only entitled to six person juries. Yet, all court precedents in Wisconsin say that by definition a jury must consist of 12 persons.

Why limit traffic defendants to six person juries? Two reasons. First, it's cheaper for the state to provide a six-

person jury. However, it is not just a matter of cost. It is well documented that smaller juries are more often to find a defendant guilty, than is a twelve-person jury. Therefore, this is a due process issue.

NMA member and Wisconsin resident, Ken McGrew decided to challenge the state law limiting juries to six persons in traffic related cases. He was denied a twelve-person jury and found guilty by a six-person jury. He then drafted an appeal to the Wisconsin Appellate Court, which subsequently supported the six-person jury statute. Now, with the aid of the National Motorists Association Foundation, Ken is petitioning the State Supreme Court to hear his case.

The NMA Foundation believes that preserving the right to a full and proper jury trial, including a jury of twelve persons, is absolutely critical to maintaining the integrity and credibility of the justice system. The jury is a third party that has no vested interest in the outcome of a trial. Biases are diluted, personal affiliations with the parties to the case are prohibited, and the testimony of

defense and prosecuting witnesses are likely to be given equal weight. A twelve-person jury, versus a smaller jury, provides greater assurance that these qualities are protected.

More than any other law or regulation, traffic law violations are the most likely to bring citizens into conflict with the "state." The individual's experience with this system will greatly influence his or her opinion of the fairness and legitimacy of the judicial system. Being confronted with a judge who plays golf with the District Attorney and who always holds the testifying police officer as infallible does not give the appearance of fair and unbiased treatment. A jury trial can overcome the worst of these deficiencies.

Ken's petition to the Wisconsin State Supreme Court requests that the court take this important case and address the statutory attempt to erode the citizen's right to a twelve-person jury.

You can find the petition on the NMA web site at <http://www.motorists.org/nmaf/jurypetition/toc.html>

## Bankruptcy

**T**exas has a state law that allows towns with populations up to 5,000 to keep no more than 30 percent of the revenue they receive from traffic fines. The remainder must be sent to the state. This law was enacted six years ago to specifically keep towns from using tickets as a revenue generator.

As a result of this law, Kendleton (a town of 700 residents along U.S. 59 in Fort Bend County) has been forced to declare bankruptcy.

By all reports, Kendleton has had a reputation as a speed trap for twenty

years. This small town had fifteen officers on its police force until last summer when the force was disbanded during an investigation of improprieties.

In 1997, there was a court ruling that found that Kendleton owed the state \$660,000 due to traffic fines collected between 1990 and 1996. The Texas attorney general's office obtained a writ of garnishment against Kendleton. On June 19, 2001, the state froze the city's bank account, then removed all of the funds (a total of \$18,599). Kendleton had been making

payments on this and had decreased the debt by at least \$50,000. However, a spokesperson for the attorney general's office said that Kendleton hadn't made any payments in two months.

Because of the seizure, Kendleton declared bankruptcy.

In addition to the \$660,000 judgment owed the state, a recent state audit showed the city owed just over \$1 million from traffic fines collected from 1996 to 1999. Maybe they need to write a few more tickets to help with this debt.

# My Citizen's Police Academy

By Ivan Sever, Massachusetts State Chapter Coordinator

**G**et to know your Police Department—Classes Forming Now," read the poster in my local supermarket. "Pick up an application today."

And so I did. On a whim I decided to voluntarily get to know my police department.

I sat down to fill out the form. Name, address, phone number... social security number (hm, they must want it for my taxes...), driver's license (are they planning to let me drive a cruiser?).

"Why are you interested in this course?" That's easy: "I want to get to know my Police Department."

"List all organizations you belong to." This one is a bit tougher: "Czech Table Tennis League, and a Motorists Organization," sounds innocent enough...

Two days later I got a phone call: "Welcome to the Citizens Academy," said the Lieutenant. "Report to the police station next Tuesday evening at seven."

"Yes, sir," I replied.

## The Classmates

Seated around the room were about ten citizens; A couple of young people planning to "go into law enforcement," an older woman upset over traffic in front of her house, parents of teenagers about to begin driving, a guy interested in municipal politics, and me, *The Mole*.

## The Classes

Over the next eight weeks, we heard from everybody. One week the Chief tells us about how the department is organized while we tour the station house. A week later, the *DARE* (Drug Abuse Resistance Education) officer lets us play with bags of pot, crack cocaine and heroin. A Lieutenant explains the latest

telephone scams and a detective brings in a box of "toys of the trade." A dispatcher reveals why they don't use the expression "nine-eleven" anymore. Seems that a while back, a distraught caller sued the city when he was unable to find number 11 on his telephone dial during an emergency...

Overall, the material was very interesting. And, it was fun to watch the police officers squirm in front of a classroom.

## The Ride-along

My new partner and I meandered through town at 20 mph, we went through the back woods and through the dumps, and we visited the local TV station. But my partner wasn't too exciting because he had worked a construction detail the whole day before his shift. He was more than ready to call it quits early.

As we were moseying about town, my partner drove like everybody else; He rolled through some stop signs, he didn't use his directionals much, and he didn't have his seat belt on. We were the back-up unit for one call, a domestic violence case, and I got to ride down suburban streets at 60 to 80 mph, except this time it was legal. As we were responding to that call, the officer steered with one hand and used the other to hold on to the letters he was going to mail later that evening.

When we talked about speeding, he said unless you are a criminal or act like a jerk, he usually gives local citizens written warnings because in his experience many speeding tickets turn into domestic violence calls later that evening...

## The Pay-Off

A week after graduation, I got pulled over for rolling through a stop sign.

"Hello again, patrolman," I smiled

at the officer.

"I saw that 'California stop' you did back there," he said. "But this time, I'm giving you a verbal warning."

"Thanks," I said to him.

Now when I see a police car about town, I always make a point of waving to them. And just yesterday, I got a call from the town administrator.

"I understand from the Police Chief that you are interested in traffic issues. We are forming a transportation committee, and we would like you to serve on it."

"I'll be happy to," I replied.

Imagine that: *a mole* having a say in his town's politics!

*Editor's note: The current cover of NMAF NEWS is a photo of Ivan Sever receiving his certification for having attending the academy. 🐹*

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[www.speedtrap.org](http://www.speedtrap.org)

[www.roadblock.org](http://www.roadblock.org)

# Emission Inspection Programs

Once again government findings are reflecting what the NMA has been saying for years. A recent report by a National Research Council Committee (a division of the National Academy of Sciences) has stated that state vehicle emissions inspection programs are wasting much of their effort and should refocus on older malfunctioning vehicles that produce most of the pollution.

The report, which was requested by the EPA (Environmental Protection Agency), has concluded that current programs are only reducing half the pollution that had been promised. Evaluations by independent and state-sponsored agencies show that the EPA and other state agencies used flawed computer-models. The result was an

overestimation of the reduction that inspection and maintenance programs had on vehicle emissions.

Even though the report came to the conclusion that the programs are ineffective, it was also vacillating in that it turned around and stated that "these programs are absolutely necessary to reduce harmful auto emissions and achieve better air quality."

The report also found that while older and malfunctioning vehicles make up about 10 percent of the vehicles on the road, they emit half the worst pollutants. These are the vehicles that need to be targeted, not newer or well-maintained cars.

However, the committee suggested that many older vehicles are owned by

people who may not be able to afford repairs to their car or a newer car. Thus, they suggested that financial relief or other incentives to help these drivers should be explored.

The committee also suggested that if you exempt recent cars from the tests along with reducing the frequency of testing vehicles that have low failure rates, emission testing programs could become more cost effective.

In other words, focus clean air efforts on those vehicles that are actually a problem and you will achieve more dramatic results with less effort and money expended. And, you won't be inconveniencing those who aren't part of the problem. 📧

## Clippings

By Eric Skrum, Managing Editor

As the Managing Editor for the *NMAF NEWS*, I receive many newspaper clippings from members. Some of these are the traditional clippings where someone took the time to cut the article directly from the newspaper. Others will send me an electronic version via email or send an internet link to an article that I should read.

These clippings are invaluable. They give a glimpse of what is happening across the nation. Clippings can identify an issue that is catching the eye of the media (such as the recent deluge of reporting on red light cameras). They give clues as to how the media is covering the issue and if they need to be set straight on certain facts.

A good example is the article in this issue of *NMAF NEWS* on Kendleton, Texas. If a member hadn't sent this to me, I would never have known about

this town. This means that you and I would have missed out on this great example of tickets being used to generate revenue, in place of legitimate local taxes.

I can always use more clippings. If you see an article that addresses an NMA issue, I urge you to send it to me. Every article, newspaper clipping, and email helps keep me more informed on the issues that affect us all. I can then disseminate that information to our membership. The more information we have, the better prepared the NMA and its members will be.

To those members who currently send me information, I thank you. You make my job easier and you do a great service for the NMAF.

If you have news of interest, please send it via email ([nma@motorists.org](mailto:nma@motorists.org)), mail (NMA, 402 W. 2nd Street, Waunakee, WI 53597) or fax (608/849-8697). 📧

## Credit Reports

An Indiana NMA member sent on the information that the four major credit bureaus in the US (Equifax, Experian, Enovis, and Trans Union) will be allowed, starting July 1, 2001, to release your credit information, mailing addresses, and phone numbers to anyone who requests it.

If you would like to "opt out" of this release of information, you can call 1-888-567-8688. It only takes a couple of minutes to do, and you can take care of anyone else in the household while making only one call, you'll just need to know their social security numbers.

Be sure to listen closely, the first "opt out" is only for two years, make sure you wait until they prompt you to press "3" on your keypad to "opt out" for good.

You will be mailed a confirmation of your call.

## NJ NMA Speeding Ahead

The New Jersey Chapter of the NMA has reason to celebrate. The New Jersey Department of Transportation (NJ DOT) three-year study of their 65 mph speed limit has been released. The study supports expanding the 65 mph speed limit to cover approximately 75 percent of limited access highways.

After the NMA led the repeal of the 55 National Maximum Speed Limit in 1995, New Jersey State Chapter Coordinator Steve Carrellas began the battle to increase New Jersey's maximum limit. This resulted in the legislature passing a bill at the end of 1997 to allow the NJ DOT to increase the limit to 65 mph or higher on all limited-access highways. Governor Whitman conditionally vetoed the legislation and called for an 18-month trial period with the 65 mph limit on 475 miles of highway. That trial resulted in another 18-month study that now calls for expanding the 65 mph limit further.

Which leads us to the present. The announced additional miles would bring the total number of limited-access highway miles at 65 mph to about 600.

DOT claimed that the process for this three-year study follows the same path as the one submitted at the 18-month mark. That would have the DOT implementing the recommendations in 60 days unless the legislature "disapproves" any of them in a concurrent resolution. Carrellas says this is in error.

"The statute (39:4-98.8) only called for this to occur one time, at the end of the original 18-month study. This means the DOT can proceed immediately using their standard process for changing speed limits," he said. "Yet," he added, "the more time they wait, the greater the chance that legislators will add more mileage at a higher limit."

Bills in both houses of the legislature to increase the mileage for

the 65 mph limit have passed their respective committees. Both bills call for more miles at 65 mph than the DOT's recommendations. Senator Kosco's bill calls for all 810 miles of limited-access highways to be posted at 65 mph while Assemblyman Guy Gregg's bill adds an additional 188 miles for a total of close to 665 miles at the 65 mph limit. This includes interstate highways, the state's toll roads, and other limited-access state highways.

The NMA has advocated for years that a properly set speed limit that reflects the reasonable behavior of the vast majority of motorists is complied with and results in a smoother and safer traffic flow. It looks like New Jersey is one step closer to rational speed limits, thanks to the efforts of Steve Carrellas and our New Jersey NMA members. 📍

## MTA Giving It Away

If you have traveled the Massachusetts Turnpike, you may be familiar with Fast Lane. Motorists using the Fast Lane system have radio transponders in their vehicles, enabling automatic billing from special lanes along the Massachusetts Turnpike and several tunnels. The system tracks the date and time of each charge, thus the data becomes a record of a vehicle's location.

The Fast Lane system has been in place since 1998. In August of 2001, the Massachusetts Turnpike Authority (MTA) turned over motorist Fast Lane records to criminal prosecutors. This is the first time that this technology has been used for law-enforcement surveillance in Massachusetts.

From the very beginning of this

program and even as recently as last January, MTA denied the possibility of the courts using Fast Lane records to prosecute members of the public. MTA contract for Fast Lane claim that it "shall hold all customer account information confidential." However, an order from a judge showed the strength of the MTA's claim. The judge was able to receive the information from MTA and refused an MTA motion to notify the user that the records would be disclosed.

This is a dangerous slippery slope. The MTA has gone from the stance that this information is confidential and will not be given out, to a position that dismisses this occurrence. MTA spokesman Bob Bliss said that this incident is "insignificant compared with the 6.5 million transactions

generated each month by the 280,000 Fast Lane account holders in the state." If they give away confidential information once, there is a precedent to give it away again. MTA has also stated no plans to reinforce their policy of confidentiality to ensure that this won't happen in the future. 📍

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

## Troopers In Disguise

**I**t pays to be an observant driver. You are less likely to be in an accident. You are more likely to be aware of traffic, bicyclists, and pedestrians. And, you are more likely to see that patrol car waiting to add to your city's income.

More drivers are realizing the advantages of scanning the upcoming traffic and scenery in spotting those officers. As a result, the police are changing their tactics. While some of the strategies are old and some are new, they all merit attention during our drive.

**The unmarked car:** The old, dark blue Crown Victoria was never too hard to watch for. Now, the police are using a wide variety of vehicles ranging from SUVs to sports cars to sedans. And, you can no longer trust color either. The car could be the traditional dark blue, but most likely it is maroon or even a light green color. The only consistent factors to look for are a plethora of antennas, a prisoner cage on the inside, and an uniformed officer driving the vehicle.

**The lone officer:** That officer by the side of the road is much harder to see than a normal sized car in the

same area. However, the overlooked officer in a ditch, a median, or even on a bridge will radio ahead to several patrol cars, waiting eagerly for the go-ahead to pull over unsuspecting motorists.

**The construction worker:** This is a summer favorite as the police use the "safety" of construction workers as justification for this strategy. One officer camouflages himself as a construction worker in the construction zone. He then radios ahead to waiting patrol cars. This tactic ignores the fact that studies have shown when police are visible before a construction zone, traffic will slow accordingly. This actually stops accidents from happening rather than just handing out tickets after the fact.

**The pedestrian:** In some areas, officers are assigned the duty of catching motorists who fail to yield to pedestrians. The result is that you have officers dressed as pedestrians and in some instances are literally stepping in front of moving vehicles. The entrapment occurs when the officer steps in front of the vehicle late enough that it doesn't give the motorist time to yield.

**The harmless motorist:** The

NMA has received recent reports of a new tactic occurring in Minnesota. This is a claim that we are still attempting to verify. However, it is disturbing enough to merit mentioning. Members should be aware that this may be happening and prepare accordingly. The claim is that police are now operating in vehicles that have no unusual antennas, no prisoner cage, no official plates, and no other markings to indicate that it was a police vehicle. The vehicle in this instance was a Buick. However, it has been said that a variety of vehicles have been modified in this manner. This tactic is being used to erase any of the normal telltale signs of a vehicle being used for enforcement purposes.

The methods are becoming more sophisticated as motorists become more informed. These tactics of camouflage are being rationalized in the name of "safety." This sophistry does nothing to conceal the true nature of these speed traps. It really does pay to be an observant driver and avoid these revenue generators. 📧

## Check Your Address Label!

**T**he NMA's single biggest membership challenge is getting information to its members through the United States Postal Service. Please check your mailing label on this issue of *NMAF NEWS* to see if anything is missing (i.e. street delineation, business name, apartment, or suite number). If there is or if there are errors of any kind, please contact us immediately.

If you want to receive NMA mail at your place of business, please provide us with the business "name." If you

don't, your mail will eventually be returned to us as a "bad address."

If you go away on vacation and notify the post office accordingly, tell us too. The post office will only return the piece of mail.

If you have a "seasonal" address, please notify us. We're updating records continuously so there shouldn't be any lapse in delivery.

All it takes is for your regular postman to be on vacation when we mail something to you. Their substitute doesn't know the routine so

mail gets returned. When we receive "returned" mail, we follow up immediately. If we cannot reach you by phone or email to verify the address, we have no other choice but to delete your name from our mailings.

So, please provide us with correct mailing information. Also, additional contact information would be helpful. We do not sell or rent our mailing list to anyone and the information helps us keep your NMA membership current and ensures that you receive your copy of *NMAF NEWS*. 📧

## News From Around The Country

### Alaska

Governor Tony Knowles signed a bill that would eliminate the requirement that Social Security numbers be placed on Alaska driver's licenses.

### Arkansas

Little Rock has decided to postpone plans to install ticket cameras at intersections due to challenges to similar plans in other states.

### California

State Senator Nell Soto is pushing a bill to require motorists to cover their loads of trash at all times. Current law requires trucks to be covered only when heading to a dump site. The bill, SB 624, passed through the Assembly Transportation Committee and is waiting to be heard in appropriations.

### Colorado

The Department of Motor Vehicles is buying cameras that will map every driver's facial characteristic. They are doing this to prevent identity theft and driver's license fraud. But essentially, they will be creating a photographic identification system for every person in the state who has a driver's license.

### Connecticut

The state police and the police departments of nine towns joined forces with federal and Connecticut authorities to form the first regional traffic unit in the Hartford area. The team will set up checkpoints for DWI and compliance with safety belt laws, and work to reduce speeding and other traffic violations.

### Maryland

Maryland has chosen part of Route 50 as the place it would like to test High Occupancy Toll (HOT) lanes. These are lanes where drivers pay to use the lane. Drivers would obtain plastic transponders for \$20 to \$40 and place them on their vehicles. There

would be no toll booths. After the vehicle moved into the HOT lane, the transponder would trigger a device that would electronically assess the toll. The project could begin by 2003.

### Minnesota

A new law took effect August 1 that allows convenience stores to videotape the license plates of motorists who steal gas, send the vehicle's registered owner a bill, and tack on a \$20 service charge. The new drive-off law is designed to help gas retailers recoup some of their losses, which the National Association of Convenience Stores estimates at \$3,000 per station a year.

### New Jersey

E-ZPass customers who speed through a New Jersey toll-road toll booth above 35 mph will now receive initial warning notices in the mail. The toll booth speeding policy in New Jersey allows for two warning notices. A third violation of the unofficial enforcement limit will result in a 60-day suspension of E-ZPass and a fourth violation results in a 180-day suspension. The entire account will be suspended even if the violation occurred on only one of the transponders on the account. So if you and your spouse have a joint account, and, if a violation occurs because of one vehicle, the entire account is going to be shut down.

### New York

New York state will become the first state with a cell phone ban. Governor George Pataki has stated he will sign the bill when it comes to him. The measure was adopted by the Senate, and the Assembly will pass it. The ban will take effect December 1, 2001, and supersede all local laws. Violations will be traffic infractions and carry a fine of \$100.

### North Carolina

A lawsuit challenging the use of red light cameras at traffic intersections in High Point has been moved to federal court at the request of the defendants. The complaint filed June 13 on behalf of High Point resident Henry H. Shavitz alleges the red light camera program, through which citations are mailed to the owners of vehicles, violates a person's right to due process as guaranteed under the Constitution. The complaint also argues that the use of these cameras violates the constitutional right to equal protection under the law because violators cited by police for running red lights at intersections without cameras are afforded the opportunity of a trial while those cited by the cameras are not.

### Tennessee

The Senate voted 19-14 to put a sliding-scale tax on car tags next year with the amount based on the age of the car. That tax would convert to a one percent tax on the car's value beginning January 1, 2003. That measure, paired with a half-percent increase in the state's excise tax on business, was estimated to bring in \$300 million this year, \$392 million next year.

### Washington

Traffic fines will be increasing by \$15 specifically to increase revenues for cities, counties, state programs, and courts. Senator Dow Constantine, the prime sponsor of the ticket surcharge bill, said the bigger fines will help local governments offset money lost when the Legislature abolished the state car tax last year. ☞

## 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.

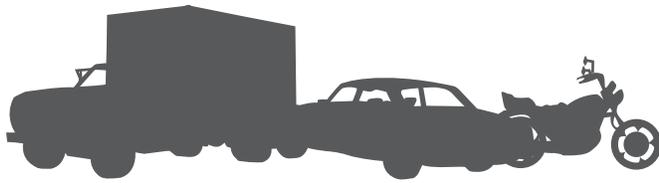
A telephone number would be very helpful, but is not required. Feel free to list preferred contact times if you do provide a telephone number.

***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.*

*Editor's Note: Many members write to their elected officials and send copies to the NMA. I thought it might be encouraging to other members to see some samples of the recent efforts of NMA members.*

As a member, I thought you would like to see the letter that I sent to Governor Pataki about my feelings regarding the new cell phone ban.

Dear Governor,  
I am very embarrassed to be a New York State citizen after hearing of the law that you signed effectively banning the use of cell phones in cars. Many studies have shown that the use of a cell phone is less distracting than a chatty passenger or changing the station on the radio. Also, there are existing laws on the books against reckless driving, but this law makes the assumption that *anyone* using a cell phone is driving recklessly. I refer you to this article written to address this very issue.  
[http://news.cnet.com/news/0-1004-200-6447236.html?tag=mn\\_hd](http://news.cnet.com/news/0-1004-200-6447236.html?tag=mn_hd)

As the owner of a large Internet Service Provider based on Long Island, I am now forced to explain to clients and vendors why, unlike their clients and vendors in other states, I cannot be reached for the 3 hours a day I am in the car. This law puts my company, as one based in New York state, at a great disadvantage. I ask that you consider changing this law to requiring that people drive **responsibly**, and that you do not

criminalize an act which may not be dangerous at all.

**Reid Fishler**  
**Huntington, NY**

I thought you might like to see my efforts here in Albuquerque. Thanks to the NMA, I have the ammunition I need to fight the fight.

Representative Rob Burpo,  
I am a resident of Sandia Heights, and I believe you may be able to assist me. The posted speed limit here is 15 mph. I think it is unreasonably low, compared to other subdivisions. According to State Statute 66-7-301/303, residential speed limits must be 30 mph unless an engineering survey and traffic investigation, filed with the traffic safety bureau, establishes a speed higher or lower than 30 mph.

I have spoken with Richard Mubarak at the county traffic department, and he is unable to locate such a study for Sandia Heights. I also spoke with Frank Williams in the Plans department, as well as our Sandia Heights traffic representative Glen Kuswa. No one is aware of any study that legally authorizes the lowered speed limit.

I was hoping you might be able to help me locate such a study, or, help me raise the speed limit here in Sandia Heights to something more realistic and legal. I know this flies in the face of general consensus, as most people wish to lower the limits as low as possible, and if that doesn't

work, build speed bumps. However, either the 15 mph limit is legal, or it is not. With no study authorizing 15 mph, it appears the speed limit is illegal.

We have seen the Sheriff's department hand out speeding tickets for going 20 in a 15 zone, an act that simply enforces the notion that these tickets are more for revenue than for safety. I am however, firmly in favor of safe driving, and hope to give the impression that I do not favor reckless driving.

Yet, a recent study in Montana shows that accidents and fatalities have doubled since they reinstated a speed limit in that state. It created a big enough stir that it made the front page of several Montana newspapers. Reducing speed limits is not always the answer we seek. Let's not start changing the areas we have come to call home because of a very select few who do not understand the complete issue. I moved to Sandia Heights because of the lack of sidewalks, the lack of streetlights, the natural landscape, and indirectly, because of the lack of speed bumps. I do not wish to see those issues changed.

I would like your help in assisting me in determining the legality of our speed limit in Sandia Heights, and assisting me in stopping the proliferation of needless speed bumps in the neighborhood.

**Bill Rodway**  
**Albuquerque, NM**

*continued on next page*

## ***Members Write***

*continued from previous page*

A week ago I was cited for 85 in a 70 on I-24 near Murfreesboro, TN which is 40 miles from my home. The State Trooper was using laser and I saw her aim her gun and my laser detector went off. At that instant I looked at my (digital) speedometer and (corrected for speedometer error) it said 72. Yes, I was over the limit but well within the tolerance they allow in Tennessee. My car has no front license plate, a black grill and a steeply sloping hood and headlights so apparently, this kept the laser from getting a good reflection and a true reading. Along with the ticket, the trooper gave me a small piece of paper saying that I would be eligible for driving school if I wasn't exceeding the limit by more than 20 mph, hadn't had a ticket in 2 years, and appeared in court and paid the fine. I called the court and these are my 3 options!

1. Pay \$156 by mail and it goes on my record.
2. Go to court (80 miles round trip), plead "guilty", pay the \$156 and a \$25 fee for the school, attend the school (another 80 mile round trip) and it won't go on my record.
3. Plead not guilty and plead my case. If found guilty I will *not* be allowed to attend driver's school and I will be fined, pay court costs, and have it on my record.

If this isn't blackmail I don't know what else you would call it.

**Andrew Ewing**  
Nashville, TN

I am writing to suggest a variation on the old bumper sticker you guys issued years ago that read "slower traffic keep right" in mirror image. After rereading James Egan's *A Speeder's Guide to Avoiding Tickets* (a book I purchased from the NMA) and after driving in Germany last fall, I now am a total convert to

the concept of keeping right except to pass. However, in multi-lane traffic I have experienced some inconvenient behavior from other drivers who are not acquainted with such a driving principle put into action.

Therefore, as an experiment, I generated a large lettered sign, 4x10 inches on my computer. I copied it onto day glow green paper and stuck it on the lower left corner of my rear window. This sign functions as both an explanation for my more frequent lane changing, as well as a suggestion to other drivers.

It seems that now when I am forced to pass on the right, there is a larger percentage of drivers that move to right after I pass. I also notice that drivers overtaking me are less likely to hang in the left lane near me (especially dangerously in my blind spot). They are more likely to expedite the pass, and often move right too. It may just be my perception, but I am fairly certain that this is one bumper sticker that observably influences other drivers.

I think "keep right except to pass" ought to be a law. I have given thought to the idea that the NMA could consider a "keep right except to pass" program. You could issue "keep right except to pass" bumper stickers with a flyer listing all the many good reasons for driving right, and an informal little pledge to drive that way. I believe the practice would spread if there were more drivers out there setting the example, and the explanatory bumper stickers making the message clearer.

**Greg Walljasper**  
Dillon, CO

*Editor's note: If readers think a "Keep Right Except To Pass" bumper sticker is something that you would be interested in, please contact the NMA. We would like to see if there is interest in this product before we consider making it.*

I was pleased to see the subject of speed humps addressed in the article "The Continuing Problem with Speed Humps" in the July/August issue of *NMAF NEWS*.

The case Transportation officials build for installing speed humps on public streets rests on tenuous ground. A wealth of data confirms the safety risks of humps, as outlined by Eric Skrum in his article. This risk is compounded by the fact that even the FHWA's own studies show there is no consistent evidence indicating the devices improve safety. In addition, the increased gas consumption and pollution caused by constant braking and accelerating is at odds with national legislation to reduce the environmental impact of both of these.

Installations of humps will negatively affect the results of other goals of the Foundation, such as creating sensible speed limits and timing traffic lights. As installation of humps on public streets is still an experiment in the United States, there is time for organized opposition to make them illegal. If you are familiar with problems with the proliferation of devices in your community, please let the NMA know your support for this issue. A wealth of information is provided on the web site at:

[www.digitalthreads.com/rada](http://www.digitalthreads.com/rada).

**Kathleen Calongne**  
Boulder, CO

**KCALONGNE@compuserve.com**

*Editor's note: Kathleen has studied the issue of traffic calming for five years and has compiled her research into a 400 page report on "Problems Associated with Traffic Calming Devices," which she offers to all interested individuals at her cost. 📧*

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