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**COVER**

Stop or Don't Stop?  
By Jerry Johns

**The Rise And Fall**

by James J. Baxter, President, NMA

S ometime back I wrote an editorial arguing that the public's perception of the justice system is primarily shaped by their personal experience with the police and the courts. For most of us who are not engaged in high crimes, this experience involves the enforcement and adjudication of traffic laws. My theory was that if the laws seemed rational and fair, the enforcement reasoned and even-handed, and the courts unbiased and open minded, the public would be willingly compliant and supportive. Unfortunately, that is not the justice system we experience today.

At a recent gathering of NMA members in California, one of the participants made the comment "History shows that all great societies fall when the citizens lose confidence in their major institutions." I never had the opportunity to follow up on that remark, but I have thought about it a great deal since then.

"Major institutions" may mean different things to different people. The above mentioned "justice system" would certainly be one such institution. The other branches of government, religious and educational institutions, and even those entities that underpin our economic system are the framework and foundation of our society. Then, there is the press and private charitable organizations, also important to the well being of our country.

Reflecting on that comment made in California "...that all great societies fall when the citizens lose confidence in their major institutions" causes me to think, "We're in pretty bad shape!"

Pessimism and cynicism regarding our most important institutions is rampant! And, I'm sorry to say, a large dose of it is well

deserved. A government report is more likely a manipulative gimmick than a thoughtful analysis. Many newspapers and news programs are more informative if they are not read or viewed. Pronouncements from public officials have all the veracity of a Broadway musical. Charitable institutions who were once respected misappropriate donations and become engrossed in their own aggrandizement. And, let us not forget the deceptions employed by major corporations and related financial institutions.

So, do we put our hands in our pockets and just accept our fate? Not me, and I hope not you. The first step toward stopping this trend and turning it around is to recognize that it exists. Then, in thousands of little ways, we demand that the principles that built this incredibly diverse and prosperous society be honored, respected and enforced. In our realm, that means all defendants are entitled to a jury trial, cops give tickets to other cops, and traffic lights are timed to move traffic and reduce accidents, not generate income for camera merchants. Speed limits are set at the 85th percentile, not the 10th percentile to fill the coffers of dishonest governments—and my list could go on with items major and minor, all the victims of ethical and moral erosion and political expediency.

There is nothing that can stop us from publicizing these issues, and demanding adherence and accountability on the part of public officials and institutional leaders. The principles that we advocate are far more defensible than the self-serving excuses and odes to expediency that are undermining our important institutions. It's time to reverse this destructive trend. The alternative certainly isn't very attractive! 🐾

# What's Missing?

By Eric Skrum, Managing Editor

**P**ro-Motorist positions and perspectives are often missing from the media. The problem is that quite a few media outlets are willing to spout NHTSA (National Highway Traffic Safety Administration) and other "safety" organizations' propaganda without really investigating the facts. And, there aren't many people who know or care enough to write and contradict these anti-motorist perspectives.

This is where the NMA and its members come in. In many cases, it is up to us to supply the media (and even legislators) with the information they are missing, or at the very least, point them to where they can find the correct information. That means they have to hear from *you*. It could be a letter, an email, or even a phone call.

For letters either supporting or disputing motorist issues in the media, the NMA has a variety of resources for you to draw upon. The NMA web site has over 600 pages, many of which are devoted to the issues that concern *you*. If you visit <http://www.motorists.org/issues/index.html>, you will find a wealth of information.

You can also contact your **State Chapter Coordinator, Activist**, or the National Office to receive or clarify facts on the issue you want to address.

For those of you who are pressed for time, the NMA has pre-written editorials available for your use. Steal them, modify them as you see fit, and send the editorials to your local newspapers, local and state elected officials, and anyone else who might find them of interest. Our intent is to make it as easy as possible for you to weigh in on motorist issues. You can find these editorials at [http://www.motorists.org/stealthis/steal\\_this.html](http://www.motorists.org/stealthis/steal_this.html)

What should go into a letter? A letter can be as detailed as you want it to be. It can be as simple as, "You are wrong in your facts. If you are interested in learning the other side of

this issue, contact the **National Motorists Association**." Or, it can be used to dispute every point that was raised by the media.

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### *Too many times, it is the voice of the motorist that is missing.*

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One thing to remember with letters is that they don't have to be negative. It is just as important to give accolades to those whose actions reflect our positions.

The most important thing is to be heard. Too many times, it is the voice of the motorist that is missing.

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*Here is an example of a letter that a member wrote and copied to the NMA. This is a great example of writing to correct misinformation. (Keep in mind that your letters don't have to be very long or detailed to express your opinion on a topic.)*

On Tuesday May 21, 2002 at 10PM a story by Sean Conroy was aired by your station. The supposed topic was "aggressive driving."

Unfortunately, the story was very one-sided, and perpetrated a number of urban myths regarding accidents. Perhaps Mr. Conroy thinks that the news should come to him, and that whatever blather is spouted by state government can and should be taken as gospel. If so, Mr. Conroy does not appreciate reality, and his story does not reflect reality. As such, his story is not in the public interest, and he discredits not only himself but also your station.

Mr. Conroy uses only traditional propaganda techniques to associate "aggressive driving" (which has no generally accepted legal definition, but certainly connotes something evil) with speeding (an offense designed primarily as a source of government

revenue). By merely mentioning speeding in the same sentence with aggressive driving, Mr. Conroy hopes to establish something more than a casual relationship. However, he cites no scientific studies linking speeding with the undefined aggressive driver. No such studies exist. I assert that no such link exists. He further cites a statistic (unnamed source) that "149 accidents last year" (presumably in the KC metro area in 2001) were caused by "aggressive driving." With no generally accepted definition of this term, the statistic is not only highly suspect, it is meaningless.

There are numerous studies that conclude that "speed kills" but none of these are scientific in nature, and most or all of them are sponsored by government (which depends on speeding enforcement revenues) or insurance companies (who unfairly profit by disproportionately raising premiums at the expense of those who are unlucky enough to have citations for speeding).

I simply observe that the top five causes of accidents and injuries on our roads and highways (driver inattention, driver distraction, driver incapacitation, improper highway design or maintenance, and failure to utilize seatbelts) does not include speeding! The obstructive drivers ("left lane turtles") may barely be "speeding" in excess of under-posted speed limits, but often are not. They are, however, a primary cause of "Road Rage." I further note that the fastest drivers (those even faster than I) are generally the most courteous, most attentive, and the least likely to be involved in accidents!

How can this be? Let's examine what speed limits are, and how they are set. Speed limits are enacted by legislators because; they are easy to enforce, they produce revenue, and

*Continued on page 13*

## Camera Shut Down

**B**eaverton, Oregon has shut down one of its red light cameras due to a conflict with state law.

Representative Bruce Starr and Representative Jeff Merkley were the first to question Beaverton's red light camera practices. State law states that a city of Beaverton's size may operate red light cameras at only *four* locations. However, Beaverton was operating *five*.

The official explanation for

Beaverton operating five cameras was that even though all the cameras continuously snapped photos, the city only issued tickets from four cameras on any given day. The idea was that because a camera only "operates" when it issues a ticket, the city was within the intent of the law.

However, this sophistry didn't seem to hold any water. Mayor Rob Drake soon ordered the camera at 158th Avenue and Walker Road to be shut

down. "Our interpretation of the law is apparently different from what (Rep.) Bruce Starr's is," Linda Adlard of the Mayor's office said.

"After considering it," she said, "the mayor decided to turn the camera off."

The Mayor's office has indicated that they will be lobbying the legislature to change the law next year so that Beaverton can increase their number of red light cameras. ☞

## Photo Contest Winner

**T**he first winner in our cover photo contest is NMA Lifetime member Jerry Johns of Moorpark, CA. This photo is a perfect example of why the *Manual On Uniform Traffic Control* (MUTCD) and its guidelines are needed. As shown with this photo, even when signs are used correctly, they can be conflicting and confusing. And, it would be much worse without the MUTCD.

The photo contest continues. The *NMAF NEWS* is looking for interesting, motorist-related graphics or photos for its cover. If we use your entry,

*NMAF NEWS* will send you **\$50**. Here are the requirements.

- **Color:** We would prefer black and white, however we can accept color photos if there is good contrast.
- **Orientation:** It should be *vertically* oriented with the subject of the photo in the bottom two-thirds of the graphic area. Also, the subject should also be to one side or the other to allow room for captions.

- **Topic:** Your entry must be motorist-related in its content.

Please send your entry to:

Cover Contest  
*NMAF NEWS*  
402 W. 2nd Street  
Waunakee, WI 53597

You can also email your entry to [nma@motorists.org](mailto:nma@motorists.org).

Please remember to include your name and address with your entry. If you wish to have your photo or drawing returned, please include a self-addressed stamped envelope suitable for that purpose. ☞

## Highway Fatalities Down Again

**T**he National Highway Traffic Safety Administration (NHTSA) has released the preliminary numbers of highway traffic fatalities for 2001 and once again, fatalities have gone down.

The preliminary fatality rate per 100 million vehicle miles traveled (VMT) was 1.50 in 2001, a small change from the final 2000 rate of 1.52. The total number of people killed in highway

crashes in 2001 was estimated to be 41,730, compared to 41,821 in 2000. The number of people injured dropped from 3.2 million in 2000 to 3.0 million in 2001. In 2001, vehicle miles traveled increased slightly to 2.778 trillion in 2001, up from 2.75 trillion in 2000.

Historically, this is the safest the roads have ever been. In 1975, the fatality rate was 3.4. In just 26 years,

there has been a 56 percent decrease in fatalities. With the improvement in vehicles, roads, and more reasonable traffic laws, we should expect an even larger decrease in the future.

The final 2001 report should be available in August 2002. Summaries of the preliminary report are available on the NHTSA website at <http://www.nhtsa.dot.gov> ☞

# Texas Transportation Forum (Part Two)

By Luke Ball, Texas State Chapter Coordinator

**T**exas State Chapter Coordinator Luke Ball attended the Third Annual Forum on Public Health and Transportation Safety on behalf of NMA on March 16, 2002. This is the second half of his account of the two-day forum.

Day two started at 8:30 am with the National Safety Council and the Insurance Institute for Highway Safety addressing the topic of young drivers and how their crashes differ. The best I can say about this is that you can probably prove anything with bar graphs and a gullible audience. A typical slide was presented as, "I believe this one was a percent of drivers killed, 16 year olds, then 17-19 year olds, then 20-49 year olds." Guess what? The graph went down! There wasn't even the pretense of grouping information in a scientifically usable way. However, it did look impressive.

We then got a presentation by Arthur Goodwin, of the University of North Carolina (UNC) Highway Safety Research Center on Graduated Drivers Licensing. In short, they claimed about a 50 percent reduction in young driver crashes and a 70 percent reduction in young driver deaths in the 5 years that they have had the program in place. My one question was simple, "With such impressive numbers, how much have insurance rates dropped in North Carolina for young drivers?" I believe it was Mr. Goodwin that said he wasn't aware that rates had. I followed with the comment that I thought rates were based on actuarial tables and claims, and that this type of benefit should certainly show up after five years. He stated that he couldn't answer the question because he was not a spokesperson for the insurance industry.

Older drivers was the topic at 10:30 and this was a panel discussion with reps from the Texas Transportation

Institute, the UNC Highway Safety Research Center, Cal-Berkley, and the University of Michigan Transportation Research Institute. It was recognized that accident rates for older drivers were considerably higher than average. Surveys indicated that in most situations the drivers regulate themselves. While preservation of personal mobility was addressed, the direct objective was stated as accident reduction and mobility benefits were classified as secondary!

During lunch, Richard Wainerdi, Director of the Texas Medical Center (TMC) spoke about the size of the TMC. In case you didn't know, the trauma units included at the TMC are the largest in the country. He is on a mission to have anyone involved in an

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***Obviously, if the NMA, you, and I don't speak out, there is the very real possibility that no one will.***

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accident within one hour of a trauma center. The ability to save lives goes up considerably if they can get victims to real help within that first hour.

At 1:45, the topic of pedestrian and bicycle safety was addressed and was the same thing we have heard over and over again. More resources need to be set aside to provide more facilities for bike riders. Cars must be more aware of pedestrians' right of way, and more helmets need to be worn by bicyclists.

The last topic was construction zone safety. There was discussion about a number of items including nighttime operations to expedite construction work. The Federal Highway Administration is also soliciting comments on additional rule making. Apparently, the doubling of work zone fines hasn't been the panacea that it was predicted to be.

In closing, I have related my observations and impressions of this conference as accurately as possible. While it is important to network with the vast majority that agrees with us, it is also important to go to meetings hosted by those who do not. It wasn't pleasant, but we need to be represented and these people must be challenged. They wrap themselves in the cloak of self-righteousness because anything they do is for "safety." It doesn't matter whether it infringes on your freedoms, or whether it works, as long as they can develop a chart that says it does. I spoke one-on-one to a number of the educated, engineering types who agreed with our positions on several issues but out of financial necessity (government/insurance industry grants) couldn't challenge various assertions being promoted. The thing I found most disturbing was the pervasive attitude of how evil cars are. I do not recall anyone else talking about the numerous benefits afforded all of us by our cars.

This helps to affirm why I chose to join the NMA and to work actively as a **State Chapter Coordinator**. Obviously, if the NMA, you, and I don't speak out, there is the very real possibility that no one will. ☺

***Visit one of the NMA web sites for more motorist information.***

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

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

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

## Joyriding

by James J. Baxter, President, NMA

If you're a parent, uncle, grandmother, or just an older friend of a young person who is about to learn how to drive, I'd like to suggest a great and lasting gift. Give them a copy of *"Joyriding: A Practical Manual for Learning the Fundamentals of Masterful Driving."*

This is a book that starts out with the premise that driving is just about the greatest thing a human being can do. Driving is a right of passage. Driving is a skill to be honed and refined into a fine art. And yes, driving is a responsibility with consequences. But more than anything else, driving is and should be fun!

The Author, Ken Zuber, extols the

virtues of driving as an end all to itself. He acknowledges the importance of "safety," but correctly points out that safety is a byproduct of being a good and skilled driver.

*"Joyriding"* is **not** just a commercial version of a 40-page Department of Motor Vehicles drivers' manual that explains the difference between stop signs and yield signs, all the while harping about the dangers of driving. *"Joyriding"* is a 400-page book that covers just about every aspect of practical car handling techniques, driving tactics, and strategies that result in masterful and enjoyable driving.

If you want to get a new driver off

on the right foot as they begin their driving careers, you couldn't do better than to give them this book—and insist that they read it. It won't take much persuasion. The book talks to them about something they really want to learn, and it presents the information as if it's coming from someone who shares their excitement in reaching this wonderful stage of life. It might be the best \$20 you ever spent.

You can order *"Joyriding"* on the *"Items For Purchase"* form on page 15 of the *NMAF NEWS*, by calling 800/882-2785, or by visiting the *Motorist Marketplace* on the NMA web site at [www.motorists.org](http://www.motorists.org).

## What's Your Sign?

On a lighter note, a study was released from the "Land Down Under" that took a look at drivers involved in accidents in a different light. Australian financial services group Suncorp Metway Ltd. decided to study car accident claimants by their birth sign. According to this study, if you are a Gemini you had better get some insurance because you are the most likely to be in an accident compared with the other signs of the Zodiac. On the heels of the Geminis, Taureans and Pisceans are people who you shouldn't loan your vehicle to.

"Geminis, typically described as restless, easily bored and frustrated by things moving slowly, had more car accidents than any other sign," said Warren Duke, Suncorp's national manager of personal insurance.

"Taureans were thought to be obstinate and inflexible, while Pisceans could be risk-takers and dare devils," he said.

The study was based on 160,000 car accident insurance claims received over the past three years. Suncorp Metway said it has no intention to alter premiums based on your Zodiac sign.

Here is their list from worst to best drivers.

1. Gemini, May 21-June 21
2. Taurus, April 20-May 20
3. Pisces, Feb. 19-March 20
4. Virgo, Aug. 23-Sept. 22
5. Cancer, June 22-July 22
6. Aquarius, Jan. 20-Feb. 18
7. Aries, March 21-April 19
8. Leo, July 23-Aug. 22
9. Libra, Sept. 23-Oct. 22
10. Sagittarius, Nov. 22-Dec. 21
11. Scorpio, Oct. 23-Nov. 21
12. Capricorn, Dec. 22-Jan. 19

## Return Address

We have been receiving quite a bit of mail without return addresses. This makes it difficult for our membership department to ensure that you receive your benefits. For example, a member will pay for his/her

membership with a money order and not include the renewal form. That member's name isn't on the money order and the signature isn't legible. We then refer to the return address on the envelope for a name. If it isn't there, we don't know who

to credit with the renewal.

Filling out the return address will make it easier for us to ensure that you receive the member benefits that you deserve. Please help us to better serve you. Thanks.

## NMA Mentions

**T**his new section in *NMAF NEWS* illustrates how the NMA is used as an information source by many in the media. If you know of a reporter in your area who is looking for motorist information, you can refer them to your **State Chapter Coordinator (SCC)** or **Activist**. If you don't have one in your state, the National Office is always available as well.

The following **State Chapter Coordinators**, **Activists**, and NMA personnel were either quoted in or had their articles reproduced in the media:

**Steve Bacs (AZ SCC)** was in *The Arizona Republic* in May on the topic of absolute speed limits.

**Greg Mauz (FL Activist)** was featured in two April articles of the *Palm Beach Post*. One addressed illegal speed limits in Florida and the other centered on turnpike repairs. In May, Greg was on *Channel 5 News* talking about speed limits.

**Ivan Sever (MA SCC)** was interviewed in May by a *New York Times* writer about emissions testing

and by a reporter at *Kiplinger Magazine* in Washington DC concerning traffic ticket fighting.

**John Carr (MA Activist)** was featured in the *Lincoln & Continental Owners Club (LCOC) Newsletter* concerning his article, "What is the MUTCD?"

**Thomas Trecker (MN SCC)** contributed to an article for *Tech Central Station* in May on HOV (high occupancy vehicle) lanes.

**Steve Carrellas (NJ SCC)** is constantly addressing the topic of the New Jersey E-ZPass system in all media forms. He was a guest on several radio talk shows in April addressing this issue. *The Courier-News* carried the story as well as an Associated Press article for the same topic that appeared nationally, including *USA Today*. *Tech Central Station* also contacted Steve in May for comments on how to remove HOV (high occupancy vehicle) lanes given efforts in other states to follow New Jersey's lead. Steve has had so much press on transportation issues that the

state's Department of Transportation wants to get his direct input.

**Christopher Fredette (WI Activist)** was on *CBS 58* in May talking about High Intensity Discharge Lights.

**Michael Nichols (NMA Executive Director)** contributed to a *CNN Money* article in May on auto theft.

**Eric Skrum (NMA Communications Director)** was featured on *CNN Money* in May with the topic of speeding tickets. He was a guest columnist for the *Indiana Post-Tribune* in May addressing the seatbelt issue. In April and May, he also conducted six radio and 23 newspaper/magazine interviews in various states, addressing a wide range of NMA topics.

**James Baxter (NMA President)** was published in the May issue of *Land Line* addressing the topic of traffic tickets. He also tackled the topic of red light cameras on *CNBC Capitol Report* in May and in an article in the July issue of *Sport Compact Car* 📍.

## Florida Limits Raised

**N**MA activist Greg Mauz has been leading the charge against illegal speed limits in Palm Beach City and County, and it looks like his efforts are beginning to pay off.

The West Palm Beach City Commission had to raise speed limits five mph on some streets after Greg's efforts brought light to the fact that many of the limits were illegally set.

Florida state law is very specific. Florida State Statute 316.189 states that speed limits must conform to criteria promulgated by the Department of Transportation (DOT). That criteria is defined in Section 9.1 of the Florida DOT manual 750-010-002, "A speed limit should not differ

from the 85th percentile speed... by more than three mph and it shall not be less than eight mph."

So when the Commission set 25 mph speed limits on streets that had been 35 mph without any regard to the 85th percentile rule, they were setting those limits illegally. Due to Greg's efforts, these actions became publicly known and higher limits have now been restored.

With this renewed focus on the legality of Florida speed limits, Palm Beach County engineers and attorneys are studying traffic west of Boca Raton. And, West Palm Beach commissioners just paid \$19,000 to study traffic patterns in the city. 📍

### ***We Apologize!***

Here at the NMA, we test new ways of invoicing members when "dues are due." With the most recent renewal notices sent, we were trying a new design and format for invoicing. Unfortunately, we inadvertently invoiced our faithful members who are already on the ***Automatic Renewal Program***. For this we apologize. 📍

## For Your Own Good (Opinion)

By Eric Skrum, Managing Editor

In May, the *Indiana Post-Tribune* asked the NMA for an editorial that would be the opposing view in a mandatory seat belt law debate. The following was our submission.

In the early 1980's, state legislators introduced legislation mandating the use of child restraints in automobiles. The argument was that children didn't possess the judgement necessary to make important decisions and parents weren't wise enough to make these decisions for their offspring. Legislators declared that these mandates would *not* lead to similar laws for adults.

A few years later, the auto industry, in an attempt to derail air bag requirements, launched a \$100 million lobbying campaign to pass belt laws in all states. Appeasing citizen resistance, most legislatures promised "secondary enforcement" and small fines. The official claim was "we just want to 'encourage' people to use seat belts." (Secondary enforcement means you must commit another offense before an officer can issue a citation.)

In 2002, we enter the third phase of this duplicity (primary enforcement), ticketing motorists merely for failure to wear seat belts. Lest you think this is the end, rest assured there is more to follow. Look forward to extortionist fines, license violation points, and insurance surcharges. Politicians may claim this will never happen, but then again, they also said there would never be any primary enforcement. (Primary enforcement means no other reason is needed to stop you.)

This current campaign is based on dubious premises: "Motorists are too stupid to be educated on the value of seat belts. Motorists are incapable of exercising personal judgement concerning their personal safety. Primary enforcement seat belt laws will significantly reduce insurance

costs." Thus, the government must step in and force you to buckle up, for your own good.

True, seat belts increase safety. But so does maintaining an ideal body weight. A person is more likely to live longer if they eat properly and exercise daily. However, we don't have a ban on potato chips or require mandatory sit-ups each day (yet!). If the justification for seat belts is that it's for your own health and safety, it's only a little farther down the slippery slope to regulate lifestyle choices.

Our belief is that it's up to you to make your own decisions. The government shouldn't be forcing anyone to do anything "for their own good." It's true, that in many cases, you are safer with a belt on. However, there is ample proof that in certain accidents, people were more seriously injured or killed only because of their seat belt. Mandatory seat belt law proponents occasionally acknowledge that some people do die because of seat belts, but those fatalities are instantly dismissed as "insignificant."

There is ample proof, that in certain accidents, people have survived only because a seat belt was not used— injured, perhaps, but not dead. In 30 percent of fatal accidents where a person is ejected from the vehicle, the person remaining in the vehicle is the fatality.

In a *free* society, if a person is injured or killed because he/she freely chooses to use or not use a seat belt, that is a personal tragedy, as it is with all other kinds of freely chosen risks in life. However, if a person is injured or killed because the government forced that person to use a certain device against their will, that is an unacceptable tragedy. Whether it is mandatory seat belt laws or any other "protect us from ourselves" regulation, this isn't a legitimate function of government.

According to a report from the National Highway Traffic Safety Administration, unbelted passengers cost society 26 billion dollars. While this number is greatly inflated and lacks even a modest level of sophistication, it exemplifies the government's attempt to hoodwink the public with scary numbers and the implication that unbelted accident victims are single-handedly responsible for sky-rocketing insurance premiums and health care costs. Even if the \$26 billion was close to reality (which it isn't), it constitutes less than two-tenths of one percent of the annual national expenditure for health expense. That's two cents out of every \$100 spent on health care! For this, we should accept "mandatory" seat belt laws and the predatory enforcement of such laws? Do we really want to give up our personal choices and individual freedoms to save a few pennies each year in insurance premiums?

If you want added motorist harassment, increased fines and insurance surcharges, and less personal discretion, then support primary belt laws. But, please understand that belt laws won't reduce insurance and medical expenditures. It hasn't happened yet and it isn't going to happen. All it will do is transfer more money from your pocket to the police, politicians, and insurance companies. ☹

### **State Chapter Coordinators & Activists:**

You can find a list of these volunteers on the back of *NMAF NEWS*. They are a great resource for NMA members. Can't find one in your state? Would you like to become one? Contact the NMA for more information.

## Repair Rights

If you drive much at all, you've probably had car problems. You either shopped around for repairs or, you went directly to a trusted mechanic and had him do the work for you. Either way, you most likely had options on how to proceed with the repair of your vehicle.

This may be changing. With computers controlling more of your car systems, your mechanic has to have access to those computers to diagnose your car's troubles before it can be repaired. However, some auto companies are designing systems to prevent independent technicians and repair shops from seeing and understanding that important information needed to repair your car.

By denying access to the information needed to repair your vehicle, the auto manufacturers are hijacking your ability to choose where you have your vehicle fixed, by whom,

and the ability to "shop around" for a better price. You will be forced to rely on "approved" technicians and dealerships.

What happens if the "approved" business is nowhere near where you

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***...the auto manufacturers are hijacking your ability to choose where you have your vehicle fixed, by whom, and the ability to "shop around" for a better price.***

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live? Would you have to tow your vehicle hundreds of miles to have repair service?

You would be at the mercy of the chosen few who could work on your car.

H.R. 2735, the Motor Vehicle Owner's Right to Repair Act, is the solution to this problem. This

legislation states that "Vehicle owners in the United States should have the right... to all information necessary to allow the diagnosis, service, and repair of their vehicles..." Basically, you (or your mechanic) have the right to access the computers that control your vehicle. This allows you to choose the repair shop and the replacement parts to service and maintain your vehicle.

H.R. 2735 also authorizes the Federal Trade Commission (FTC) to promulgate regulations to protect consumers and to promote competition in auto maintenance and repair.

If you would like to express your concern on this issue, you can visit <http://www.house.gov> for a full list of representatives or you can write to:

*United States House of Representatives  
Washington D.C. 20515  
(202) 224-3121  
TTY (202) 225-1904* 📧

## Suit Targets Traffic Improvements

Here's a traffic story with a new twist. Most communities are happy when the city is going to pay for traffic improvements. Not the Roscomare Valley Association in the Santa Monica Mountains of California. They are suing Los Angeles because the city approved \$200,000 to add turn lanes and a traffic signal on their road.

The Roscomare Road residents are claiming that the new lanes and the signal at the intersection with Mulholland Drive would *improve* the flow of traffic and cause more motorists to drive in their neighborhood. And, those motorists would bring more noise and more traffic accidents with them. The Roscomare Valley Association justifies their beliefs with their commissioned study which predicts the traffic would increase by 1,800 cars per day due

to the improvements.

The lawsuit also states that an environmental study is required before the city can make street infrastructure

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***...would improve the flow of traffic and cause more motorists to drive in their neighborhood.***

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improvements that might increase traffic because of the community plan for the neighborhood.

Los Angeles receives nearly 200 requests a year for traffic signals, but can only install 10 to 15 per year due to the city budget constraints. This community is one of the lucky few that has been chosen by the city traffic engineers as not only needing these enhancements, but is actually next in

line to receive them. However, there is the possibility that the engineering improvements that would increase the safety of the neighborhood will not be installed because of residents who don't want traffic on their streets.

City officials have indicated that they believe this lawsuit defies logic. Officials have said that an environmental study doesn't need to be conducted to install a traffic light and that the only increase in the neighborhood will be safety, not traffic.

A trial date has yet to be set. 📧

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## News From Around The Country

### California

Since April 23, Sacramento red light camera tickets have ceased to be issued. Under California law, photos can only be taken when a motorist enters an intersection 0.2 seconds after the light turns red. The red light camera manual states that the equipment rounds the numbers up (from 0.151 seconds up to 0.2 seconds). Because of this, motorists may have been mistakenly issued tickets. Officials have decided that all pending red light cases will be dismissed. Cases won't be prosecuted until authorities and the company that operates the program can prove the equipment complies with state law.

### Colorado

New laws will now limit the use of photo radar vans to neighborhood streets and school zones. Due to these changes, Denver may be ridding itself of the photo radar program. "Photo radar was started for safety," Mayor Wellington Webb said. "If it ends up costing money, the council will have to make a decision whether to continue it." Because the photo radar is limited to areas where it isn't possible to issue as many tickets, there is the very real concern that the cameras will actually start to *cost* the city rather than being the revenue generator it once was.

### Connecticut

Connecticut is changing its emission testing programs. Effective July 1, 2002, Agbar Technologies, Inc. will be used. Motorists will have the opportunity to have their testing done at 300 licensed dealers and repair shops compared to the previous 25 centralized stations. Also, up to 35 percent fewer cars will be tested. Vehicles newer than four years old will be exempted, vehicles older than 25 years will not be required to be tested.

### Florida

Governor Jeb Bush has signed a

"Move Over" law and it came into effect July 1, 2002. This law states that drivers on an interstate or other multi-lane highway have to move away from the lane nearest a police officer or emergency worker, if they can do so safely, or receive a fine as high as \$80.

### Hawaii

Based on news reports, all photo enforcement cameras in Hawaii have been shut down, including red light cameras.

Also, Governor Ben Cayetano is expected to sign a bill that would cap gasoline prices beginning in July 2004. The bill would allow the state Public Utilities Commission to set a maximum price on gasoline based on an average of prices in West Coast markets. Profit margins for dealers would be capped at 16 cents per gallon on regular unleaded gasoline.

### Maryland

Governor Parris Glendening signed a bill into law that will ban motorists from having open alcohol containers in their cars.

### Massachusetts

A gasoline tax increase amendment (H 5050) was presented in the House, but was rejected (151-3). Proponents noted that hiking the tax from 21 cents to 31 cents a gallon would be "one of the easiest taxes to collect."

### New York

A bill has passed the Assembly (and is expected to pass the Senate) that would increase the speed limit on Route 219 from 55 mph to 65 mph. US 219 runs from Orchard Park south to Concord, about 40 miles total.

### Pennsylvania

Governor Mark Schweiker signed legislation that authorizes police to audio tape traffic stops. In the past, officers could video tape the stop, but

were unable to use the audio portion of the equipment.

Also, at the end of August, the Turnpike Authority is going to start measuring the speed of traffic going through the E-Zpass lane. If you are exceeding five mph, your license plate will be photographed and you can expect a warning letter. If you are cited for speeding three times, you could lose your pass for a month.

### Texas

Houston police chief Clarence Bradford is planning to institute a point system to increase police productivity. Each officer will be required to turn in eight points of activity per day. Points can be achieved by running calls, writing reports, making arrests, stopping traffic, and time spent on special assignment. There is no information on how many points will be allotted to certain actions, and there is no indication as to when this point system will start.

### Virginia

Under a new law, if a motorist is found to be at fault in a traffic accident that results in a motorcyclist's death, the driver could lose his/her drivers' license for up to a year. This is in addition to any other penalties usually imposed. This law goes into effect July 1, 2002. 📧

### *Motorist News*

If you have any news on motorist issues, please send it to the National Office. You can email it to us at [nma@motorists.org](mailto:nma@motorists.org)

or you can mail it to:  
Eric Skrum, Executive Editor  
**NMAF NEWS**  
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Waunakee, WI 53597

## 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.*

There is one instance in which a law enforcement officer can enter and search your home without a warrant or even any suspicion of a crime or contraband. If you live on a boat, even if it has no motor and is tied to a wharf or pier, your rights are gone. Primarily the Coast Guard would be doing this, but I believe any law enforcement officer can. I am not a lawyer, but I believe this is true.

**Jack Stickley**  
**Charlotte, NC**

I recently read the great article by James Baxter titled "*The Whisper War*" in the May/June 2002 issue of *NMAF NEWS*.

This morning I read in the San Diego Union-Tribune newspaper that the **revenue grabbers** have arrived in San Diego County.

The City of Escondido has received a two-year federal grant to assign two seasoned motorcycle officers to focus on "unlawful driving." They are "expecting nearly 25 percent more money and fines and forfeitures than last year." The City is "anticipating a \$400,000 increase in fines and forfeitures from vehicle code violations this fiscal year, up from \$1.6 million last year."

The \$377,000 grant from the Federal Office of Traffic Safety is to pay for the two motorcycle officers and their equipment. Their purpose: "to tackle drunken driving."

A Deputy Police Chief has

indicated that the specialized enforcement isn't about making money, but about reducing alcohol-related crashes. "They will be generating more revenue from tickets just because of the enforcement efforts," he said.

"The grant will allow police to conduct quarterly checkpoints for alcohol-impaired drivers and to target areas with a history of alcohol-related accidents."

It seems to me that the American motorist is in the "ten-ring" of the target to stuff the city coffers. I also resent my tax dollars being utilized for this purpose.

**Robert James**  
**San Diego, CA**

Great article on the Texas Transportation Forum in the last issue of *NMAF NEWS*.

I'm not surprised by the reception you received, but it is clear that we must keep beating our drum if anything is ever to change. The worse thing we could ever do is stop attending and preaching the truth at open forums like the one you attended. These "Do-Gooders" do not like to be challenged and only wish that we would go away. Although you were given the brush-off, I'm sure there were several people in attendance who were interested in your questions and statements. Maybe next time someone else will join you in questioning "authority."

Keep up the good work and thanks for representing the NMA.

**Dan Gould**  
**Brookfield, MA**

I can never thank you enough for providing this service (*Legal Defense Kit*). This was the best \$40 I've ever spent.

Today was my hearing before the Magistrate. I already knew that I had *no chance* because no one is found "not responsible" by the Magistrate in this town. I just thought of it as a "trial run" to prepare me for my court case upon appealing.

So... my hearing began by the Magistrate telling me that lidar cases never win in court and they never will because lidar does not make mistakes... She spent five minutes telling me I had no chance with *her* and that I would have no chance if I appealed.

Then the Police Prosecutor spent five minutes going into all of the reasons why lidar citations are simply unchallengeable. He was very nice about it, very personable actually, but he too wanted to make sure I understood that I would be found "responsible" and if I appealed, I would lose that as well.

Then the Magistrate asked if I had anything to say. I *felt* like saying, "What's the point?" But

*continued on next page*

## Members Write

*continued from previous page*

instead, I gathered what was left of my courage and self-confidence and said that, "yes, there were a few items that I would like to present."

I brought forth ten exhibits (photographs, documents, maps, etc.) and at each step along the way *both* of them blew every one of my defenses out of the water. I kept on smiling and said I could certainly see their points too.

When it was all over, it came down to *one irrefutable* bit of evidence. I'd managed to get a copy of the back of the officer's citation and I spent *a lot* of time figuring out what he'd scrawled on the back of it. That was time well-spent. He wrote that he had observed "a dark colored motor vehicle..." and my car is a pale, pale metallic blue. I showed them what he'd written and presented two photographs of my car. They were both perplexed.

When it was all over, the cop said it was entirely up to the Magistrate if she wanted to cut me a break by lowering my fine.

So I said, "But if she reduces my fine, I still have points on my insurance, right?" And, he said that was true and they couldn't do anything about the insurance part of it.

Then the Magistrate said, "OK, I'm going to give you a break, but don't tell all those other people waiting in the hall, *because I never give breaks.*" She handed me a piece of paper with some illegible scrawl on it and I figured she was taking money off my fine. (That's *always* the best you can hope for in this town.)

I asked her what the form was because I was going to tell her I wasn't interested in a reduced fine. Imagine my surprise when she said, "I'm finding you *'not responsible.'*"

I was in a state of complete

shock. She said she gave me a break because of the car color issue, but I think there was more to it than that. I thanked them *both* and they both told me that I had done *a very impressive job* and that I had clearly spent a lot of time on it. God knows I did!!

So, that's my big, wonderful story. Thank you for all your help!

**Lori Harvey**  
Acton, MA 📍

## Missing

*continued from page 3*

they give the public a perception that legislators are "doing something" about vehicle accidents. While engineering studies consistently show that accidents are minimized if posted speed limits are set consistent with the engineering concept of the 85th percentile (as promoted by the Kansas DOT), politicians know that limits set that way generate very little revenue, because compliance is greater, and accidents are reduced. So politicians take it upon themselves to impose lower speed limits, actually increasing fatalities, and increasing the "driver tax," all in the disingenuous name of "safety." When accidents increase, there is public outcry, and the speed limits are lowered again!

Of course "speeding" is present as "a factor" in a significant percentage of accidents. Most drivers are "speeding" at any given time! This fails to establish any causality whatsoever!

Only educated citizens realize the absurdity in this. If Mr. Conroy wishes to inform the public, then he needs to become educated himself. This would involve expanding his research beyond blind acceptance of the blather promulgated by the Kansas Highway Patrol. He would do well to begin such research by visiting

**www.motorists.org.**  
Bruce Liddel  
Lawrence, KS 📍

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