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COVER

"Lane Courtesy Month"

Getting The Message Through

by James J. Baxter, President, NMA

Anyone who has scraped up against a history book has heard the story of how Columbus defied the conventional wisdom of the day, that the earth was flat, and sailed off to discover America. If you had occasion to actually open and read the book you know that there were legions of knowledgeable people who knew full well, long before Columbus' time, that the world was not flat.

The "flat world" dogma was kept in vogue for eons because it served the purposes of those in power. So it is today with public policies, cultural myths, and air-headed platitudes. It isn't that the truth isn't known, or at least strongly suspected. More often than not, the truth is buried, subverted, or distorted by those who benefit from a status quo consisting of self-serving fabrications.

More often than not, the truth is buried, subverted, or distorted by those who benefit from a status quo consisting of self-serving fabrications.

More than a decade ago we started to question the validity of mandated universal vehicle emissions inspection programs. Independent (non-EPA) evaluation of emissions inspection programs found a lot of expense and inconvenience and no discernable improvement in air quality. Of course this didn't phase the EPA or the typical cast of "cars are bad" organizations.

NMA made specific inquiries into the Wisconsin centralized emissions inspection system, one of the oldest (if not the oldest) such systems in the country. We asked for documentation of the improvements in air quality that could be attributed to the inspection program. Not only did such documentation fail to exist, no one in government felt it was even necessary to measure or evaluate program results! Millions of dollars and millions of hours expended and no one knew if the program was

accomplishing anything, other than feeding a bureaucracy.

When NMA came out four square against mandatory universal emissions inspections, we were either ignored or labeled as "anti-environmentalists." Now, ten years later, after billions of dollars of wasteful spending, even the EPA has run out of excuses and is grudgingly admitting that vehicle emissions inspection programs kinda, maybe, sorta don't improve air quality. (See Emission Inspections Fail The Test in this issue of the NMAF NEWS.) That doesn't mean there will be a rush to dismantle these programs. That wouldn't serve the best interests

of the public and private parasites that have benefited from promoting their own "flat earth" reality.

More recently we have dug our heels in on the subject of Red Light ticket cameras. As usual, the "flat earthers" are labeling the NMA as "anti-safety," or worse. The flat earth proposition being sold by the ticket camera crowd claims that normal people only comply with traffic signals under the threat of punishment. This implies that motorists neither understand nor appreciate or accept the purpose of traffic signals. This is sheer folly.

The NMA position holds that there is virtually universal acceptance of traffic signals and the need for compliance with traffic signals, on the part of motorists. If a particular intersection is experiencing a high degree of non-compliance with traffic signals the problem's source is most likely not willing non-compliance on the part of motorists. Rather, the flaw is more likely to reside in the installation, maintenance, or operation of the traffic signals. The intersection

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# Do The RIGHT Thing! June Is Lane Courtesy Month

by Eric Skrum, Executive Editor

**T**he NMA wanted to focus on a positive approach to enhance the driving experience for everyone on the roads. We decided that the often-overlooked practice of lane courtesy would be a great way to do this. We launched our "**Do The RIGHT Thing! June Is Lane Courtesy Month**" campaign just in time for the Memorial Day Holiday. The theme for this campaign (courtesy of *Massachusetts State Chapter Coordinator Ivan Sever* and *NMA Member Bill Stinnett*) seemed to strike a chord with quite a few people... or so I would say based on the amount of feedback we received from members and nonmembers alike.

This campaign was funded by member contributions to the *National Motorists Association Foundation* and consisted of five press releases. The first release focused on what lane

courtesy is and the history behind the practice while the second explained the safety benefits of yielding to faster traffic. The third release illustrated how lane courtesy can be facilitated. Our fourth release entitled "**I Won't Do The RIGHT Thing! I'm Driving The Speed Limit**" seemed to garner the most publicity most likely because it showcased and debunked the rationale of "left lane hogs." The fifth release highlighted the effect that arbitrarily low speed limits have on lane courtesy.

If you want to read all the releases, we will be keeping copies of all five on the NMA site in the *Issues & NMA Positions* section. In the same section, you can also find a list of state "Keep Right" laws along with *NMA's Seven Sensible Signals* (hand signals developed by the NMA to facilitate communication between drivers) and

*Real World Driving Tips* (which are suggestions that can make your travel safer and more enjoyable). You may want to point acquaintances to this area. If more drivers know and utilize these practices, driving could become something to look forward to again.

I also want to thank those members who took the time to pass our press releases to the media and others with an interest in this topic. The NMA received a lot of positive coverage on this campaign and much of it was due to the efforts of NMA members. I received many media calls that began with someone saying, "I received this press release from one of your members." It is this type of referral that really helps spread the word concerning NMA and our efforts. Your efforts are recognized and appreciated. Thank you. 🙏

## Getting The Message

*continued from page two*

itself, and its surroundings, may further contribute to compliance problems.

Here's a simple question the ticket camera promoters never seem to address. If a community has 30 intersections with traffic signals and five of those intersections have non-compliance (and accident) problems and the remaining 25 intersections experience good traffic signal compliance, why are the drivers being blamed for non-compliance? The same drivers are using the same intersections (for all practical purposes) so the only variable is the intersections themselves. Our position is that the flaw lies somewhere within the specific intersection. We have plenty of evidence to support our contention. Unfortunately, the truth doesn't serve the purposes of cash

strapped cities or the contractors that provide ticket cameras. The money is in blaming the drivers, not in correcting the structural flaws that cause the non-compliance problem.

The "flat earth" tactic of choice is to divert attention from real issues by creating or finding a "straw man opponent;" someone who will argue that ticket cameras infringe on personal privacy. This argument is quickly dispatched by camera proponents and thereby the real issues are glossed over and avoided. The result is unethical or ignorant local officials supporting a process where dangerous intersection and traffic signal flaws are left in place to guarantee income from ticket cameras.

If Christopher Columbus were with us today, and working on this problem, he would conclude that excessive red light violations, and the accidents that

result, are caused by improperly installed, poorly maintained, and/or incorrectly operated traffic signals. I just hope it doesn't take ten more years before this message gets through. 🙏

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

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



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## Members, We Need Members

by James J. Baxter, President, NMA

In an earlier column, I mentioned the pending onslaught of "stick it to the motorist" legislation being generated by state governments in an attempt to stem the hemorrhaging budget deficits brought on by the termination of several years of revenue growth. The money is gone, but the bloated expectations, new government programs, and public employee demands remain, up front and center. Elected officials are loath to discontinue newly minted programs, lay off employees, or punt on the promises they made in the last election cycle.

The choices for redemption are few and far between. There's sin taxes, but the tobacco pot can't take much more of a hit. Federal funds and bailouts have appeal and more than one state seems ready to give up sovereignty (whatever they have left?) to garner federal aid. And then there's the "bad people" who should be made to pay for all the pain and expense they have caused society. That would include drug dealers, stockbrokers, corporation CEOs, and motorists.

A few months back, after several anti-driver, anti-auto enthusiast bills were careening through the California Legislature, one of our life members, who is active in the car hobby, called and wanted to know what it would take to jumpstart our thousands of California members to fight this legislative assault on our interests. When I explained that there were not thousands, but rather hundreds of members in his state, he was surprised and appalled. And, when you consider he's living in a state with 40 million people that's supposed to be the cradle of the automotive culture, he has a right to be shocked and appalled.

But, there's nothing gained by

lamenting our current status, we have to focus on "what can be."

By now, most of you have received our "*Member Get A Member*" appeal. It's nothing fancy and certainly not an original concept. Don't let those points undermine the importance of this campaign.

We need members, lots of members, and we need Activists and State Chapter Coordinators who will come from the ranks of new members. I know, what seems the unending assault on drivers, riders, enthusiasts and hobbyists frustrates many of you. This relentless campaign continues because motorists represent a path of least resistance to government revenue, political opportunism, and corporate exploitation (e.g. insurance surcharges for speeding tickets). We're stymied in our efforts to present organized resistance because the vast majority of motorists don't recognize the need, while others balk at joining because of relatively petty differences.

As technology allows government (and private corporations) to do things that were once impossible; The arbitrary laws, onerous regulations, and exploitive schemes we were once able to ignore or avoid, will be enforced with a self-serving vengeance that most of us never imagined. Camera enforcement is just the first and relatively crude technological exploitation of motorists. The "best" is yet to come.

We can't stop these things with a handful of members in each state. Good science and honest research will not stop them. Elegant arguments will not derail these Orwellian campaigns. It will take the sheer power of numbers and political clout to shut down this path of least resistance. The

member, or two members, or ten members you recruit to the NMA are a fundamental and critically important step in this direction. 📧

For every new member you recruit, you will receive **three additional months of NMA Membership for FREE** as well as a chance to win a *Valentine One RADAR Detector*. Fill out the form on page five to enter.

### Pay To Drive Sequel

In the March/April 2003 *NMAF NEWS*, we described a new plan to ease congestion. Authorities set an \$8 fee per day for those motorists who wished to drive into central London (a crowded eight-square-mile area). This fee is enforced by 700 cameras that take photos of license plates and then send tickets of \$125 to non-payers. The plan began on February 17, 2003.

After a few months of operation, some motorists have devised a way around the fees simply by obscuring their plates. While others take a more advanced approach by using false license plates from vehicles with similar makes, models, and colors. Officials discovered this method when drivers in Scotland and northern England complained they were receiving tickets when they had never been to London. 📧

# California Camera Problems

**A** camera at the corner of Whittier and Atlantic Boulevards is going to cost Los Angeles County, California at least \$500,000.

The red light camera at this intersection is set to take photos three seconds after the light turns yellow. The problem with this camera stems from the fact that the intersection actually has a 3.5 second yellow light. The camera was installed in August 2000 and for almost three years has been issuing invalid tickets.

The truly remarkable aspect of this is that any photos taken are to be reviewed by the camera company. The company then passes on any tickets they believe to be valid to the police, who in turn, conduct

their own review of the tickets. It is understandable that a few can slip through this system. However, 2,014 over the course of three years is ludicrous. The county will be reimbursing those motorists. The county may also be forced to pay any insurance increases to drivers that may have resulted from tickets as well as the cost of driver school (if the driver had taken this option in court).

West Hollywood is also experiencing camera woes as Los Angeles County Superior Court Commissioner Hugh Bobys has begun to dismiss tickets issued at seven intersections.

In January 2002, a law went into effect that required yellow light times to follow a new standard. The city

failed to enact this new standard until October 2002. There were 19,654 tickets issued at the intersections that failed to comply with the standards set by the California Department of Transportation.

Attorneys for the city are asking the Judge to stop dismissing these tickets. They plan to argue that the violations still took place and are legitimate despite the intersections not complying with state law.

In other camera news, two attorneys in Washington DC filed a suit against the city and its cameras. Thomas Ruffin Jr. and Horace L. Bradshaw Jr. argued the cameras violate due process rights. DC Superior Court dismissed the suit. ☺

## Member Get A Member Form

Copy or cut this form for use in recruiting new NMA Members



**Yes!—Here's my new National Motorists Association member!**

Please give me the **3 Additional Months** of **FREE Membership** and enter my name into the drawing for the **Valentine One RADAR Detector!**

*(Deadline for Valentine One entry is August 20, 2003.)*

### 1 (one) Individual Membership \$35.00

My check is enclosed (payable to NMA)

I prefer to use:  VISA  MasterCard

Account #:

□□□□□□□□□□□□□□□□□□

Exp. Date

□□ / □□

Signature

**X**

#### Recruiting Member Name & Address

*(PLEASE PRINT CLEARLY)*

Member Number \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_

E-Mail Address \_\_\_\_\_

#### New Member Name & Address

*(PLEASE PRINT CLEARLY)*

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_

E-Mail Address \_\_\_\_\_



# Ivan's Bogus Adventure

by Ivan Sever, Massachusetts State Chapter Coordinator

## The Traffic Stop

Recently, I was driving home from work around midnight and was pulled over.

I asked, "What seems to be the problem, officer?" The officer responded, "License and registration and I'll explain it to you."

"Here officer," I answered.

"Your car is not registered," he said.

"How can that be? Registration comes in the mail automatically."

"Wait in the vehicle and I'll straighten that out."

Fifteen minutes passed. Then a tow-truck appeared. The officer said, "Sir, turn off the engine and step out of the vehicle for me. Your registration has been revoked for not being insured."

Startled, I said, "But I don't even have to make the payments - it comes out of my paycheck automatically. How do you know it's not insured? I have a valid policy at home."

He's holding two tickets. "Sir, I'm filing criminal charges against you. You have an uninsured and unregistered motor vehicle, revoked registration and you attached plates unlawfully."

I am speechless. Finally I said, "How do you know all that?"

"I ran a check on your plates."

"What did I do for you to run a plate check?"

"You were speeding," he said and added the fifth charge on the bottom of one of the two citations: "There, 80+ in 55, estimated. Good night."

So I started to walk. I had about two miles to go and I was loudly swearing all the way home.

## The Court

Following a very sleepless night, I walked to my sister's house to borrow her car. After a two hour wait, my insurance company finally faxed my corrected certificate of registration.

With that in hand, I went to the court house.

"Are you requesting a hearing?" asked the clerk.

"I am requesting these charged be dropped as the vehicle has been properly registered all along."

"Marge, how long does it take for State Police these days to come to a hearing?"

"Excuse me, but I don't need a hearing..."

"Yes you do!" she scowled me sternly. "In a couple of months you'll get a notice. Next!"

## The Towing Company

"That'll be hundred and five," said Bluto behind the desk. "D'u bring plates?"

"What plates?"

He looked at me coldly: "The reg plates, man! The cops took 'em. Now

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*"So that means I'll be walking this weekend?... Your officer makes a mistake and I'm getting punished?"*

---

get outta here until you get the plates."

## The Police

"Staff Sergeant speaking, this call is being recorded," said the fourth voice after yet another extended wait.

Again I explained my situation.

"The ticketing officer won't be in till Monday," he offered.

"So that means I'll be walking this weekend?" I was getting impatient.

"Your officer makes a mistake and I'm getting punished?" I pressed on.

"Look son, let me make one thing clear to you: The officer did not make a mistake, you got that?"

"Fine. Now, can I have my plates back?"

"No you can't. Monday they are going back to the registry."

"What??"

"Forged plates. You'll need new ones."

## The RMV

I decided to call the new, improved, and friendlier Registry of Motor Vehicles. I wanted to find out if they could give me new plates that day before I drove there. After about 20 minutes on hold listening to repetitious propaganda about seat belts and school zone safety, I decided I'd drive there.

I repeated my story for what seemed like the fiftieth time that day for the lady behind the window. "Sure. I can issue plates for you today, but it'll cost ya. Forty bucks," she said.

I paid her and she brought out a new set of license plates. I could almost see the fresh fingerprints of the prisoners of the state that manufactured these...people like me, who got caught driving uninsured vehicles...

"Oh, no," she interrupted my thoughts. "The network just went down."

"So, can I take my plates anyway?"

"Sure," she smiled. "I'll mail you the registration later."

"I don't want to walk out of here without a valid registration in my hand!"

"Why not? I said I'll mail it to you."

"I just don't want to get stopped again," I explained.

"Let me see if I can give you a temporary one. But you won't need it for sure."

## The Towing Company... Again

"Where's your registration?" was he first thing Bluto said when I walked in. I showed him the temporary one. "What the hell is this?" he boomed.

"That's all they gave me, their computers were down. Can I have my car now?"

"Hundred and fifty cash only. ATM's

*continued on page seven*

# Freedom Won In Massachusetts

by Ivan Sever, Massachusetts State Chapter Coordinator

**J**ust like two years ago (almost to the day), the Massachusetts House of Representatives deadlocked over primary enforcement of the state's seat belt law on May 29, 2003. A day later, the reconsideration of the bill was defeated by a vote of 89 to 59.

The question before the House was an amendment to the current mandatory seat belt law, one that would allow the police to stop any vehicle at any time, just to check for seat belt use.

Unlike many of the proponents of the bill, the National Motorists Association recognized the distinction between seat belt use and primary enforcement of safety belt laws and while we support the choice of seat belt use, we opposed the primary enforcement for the following main reasons:

1. The thousands of motorists who don't buckle up wouldn't suddenly become law-abiding, just because of a primary seat belt law—the 30-year experiment with speed limit ticketing can attest to that.
2. Primary seat belt law wouldn't automatically translate into increased compliance or reduced fatalities. For example, according to federal statistics, Iowa after ten years of having a primary

enforcement seat belt law, still had a fatality rate twice as high as Massachusetts, and nearly half of its fatally injured car occupants were wearing seat belts!

3. Seat belt use is already mandatory in Massachusetts and with 1300 currently available reasons to stop a vehicle, enforcement agencies have more than enough excuses to check for safety belt compliance.
4. Instead of another way to punish motorists to increase seat belt use, why not reward those who are found to wear seat belts during minor traffic stops? A monetary credit on their insurance, no-points on their record and reduced fines would almost guarantee a 100 percent usage!

Not wearing seat belts can be risky. But so is stress, overeating, skiing, mountain climbing and many other activities we engage in. So why is seat belt use singled out?

In the end, the issue in Massachusetts came down to a choice between money (mostly in the form of federal grants and subsidies) and personal freedom. And freedom won. Much of the thanks goes to Rep. James Fagan (D-Taunton) and NMA Lifetime member Chip Ford.

Proponents of the primary

enforcement vowed to be back in two years—again... We'll be ready. 🙌

## More Seatbelt News

On June 11, 2003, the El Paso County Sheriff's Department of Texas warned the public of a new seatbelt initiative. Rather than handing out tickets, sheriff's deputies are being instructed to arrest any parent or caregiver who fails to buckle up their children. Officials also warned that adults risked having their children sent temporarily to Child Protective Services (CPS) if they couldn't immediately find someone to care for their children.

This was obviously no idle threat. The very next day, sheriff's deputies arrested two women and five men because they failed to buckle up their children. Officials say that all children involved were placed with relatives rather than CPS. There is no word as to whether this is a permanent new policy or if it is part of an enforcement blitz. 🙌

## Bogus Adventure

*continued from page six*

'round the back," he growled.

I found some screws lying on the ground of his yard and I attached my new plates. It was getting dark again, but I was free to go. And so I am \$150 lighter and facing five counts of criminal complaints. But at least I'm free...

### The Moral

Since this incident, I have heard of two other cases like mine. If you recently switched insurance companies, this could happen to you too. In many states, the registry may revoke any registration without a hearing and without notifying the owner. 🙌

**I don't make jokes. I just watch the government and report the facts.**

—Will Rogers

## More Junk Science In The News

by Eric Skrum, Executive Editor

There is more junk science concerning higher speed limits being circulated by the media. The study was released by Thomas Dee, an assistant economics professor at Swarthmore College. Dee claims that raising the speed limit to 70 mph or more increased the *risk* of death for women and the elderly.

His numbers show a ten percent increase for women, a thirteen percent increase for the elderly, and a decrease for men since the repeal of the 55 National Maximum Speed Limit. How did Dee arrive at this conclusion? He based his findings on fatalities per every 100,000 people in the population.

The problem with this is that by basing numbers on population, you are not showing the amount of risk on the road. You don't know how often those licensed drivers are on the road. You can't determine how far they drive. The only thing you can determine is that you have "X" amount of deaths in that population. To claim this illustrates risk exposure is ludicrous. Dee's study is a sham when it claims that 70 mph speed limits increases the *risk of death* for any population on the road.

The most accurate measure of road safety is to utilize the fatality rate per 100 million miles driven. This takes into consideration not only the amount

of drivers on the road, but how often they are driving and how far. In other words, it shows the amount of risk exposure. The fatality rate is currently 1.5 per every 100 million miles driven. We are enjoying the safest roads in our history.

When confronted with this, Dee explained, "people want to know that more people are dying, not necessarily that more people are driving." Which only illustrates his lack of understanding of what constitutes *risk exposure* on the road. And, with the media parroting his findings, it highlights their lack of understanding as well. ☞

## The Latest Highway Money Making Scheme

As more states report they have no money for highway maintenance (let alone for improvements), we are seeing an increase in the number of proposals to create **HOT** lanes from **HOV** lanes. **HOV (High Occupancy Vehicle) lanes** were created to reduce congestion and pollution. The theory was that if you designated one lane on the highway for the use of vehicles with two occupants or more, you could force people to carpool because they would want to use the "fast lane." More people carpooling would mean fewer vehicles on the road.

However, without many people choosing to car pool, HOV lanes have proven to be a failure. Congestion and traffic jams became the result due to the vast majority of traffic being relegated to a few lanes.

Now legislators are considering switching HOV lanes to **HOT (High Occupancy Toll) lanes**. The common thought is that single occupants,

truckers, and delivery companies like UPS will be willing to pay money to use the HOV lanes for a faster commute to work. This money will then be used to pay for our roads.

Washington State Representative Fred Jarrett wants to take this a step further. He believes the state could use *eBay* to help set prices for HOT lanes. He believes that drivers could bid on the use of HOT lanes in the state. Highest bidders would receive a color decal they could place in their vehicle to show they have paid for their lane use.

"If we use the eBay bid process," Jarrett said, "we'll find people are willing to pay a significant amount of money to get through a congested corridor. The people themselves would set the 'significant amount' instead of the state picking a price."

In many states, there is a fund that is generated by a tax on gas that is supposed to be utilized in maintaining and improving the highway system. It would normally have enough

funds to do this, but many agencies see this fund as a source of money they can pillage for their own non-transportation needs. Rather than double-taxing motorists by having them pay tolls and other users fees (gas taxes, registration fees, excise taxes, etc.), these users fees need to be used for highway purposes only. Raising more money isn't the solution; Better management of incoming funds is. ☞

*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)

# Emission Inspections Fail The Test

**R**ecent tests have shown that inspection/maintenance (I/M) vehicle emissions testing programs are not all they're cracked up to be.

The theory behind I/M emissions-test programs is that as vehicles become older, those parts that control emissions function less efficiently and pollution will increase. Controlling the deterioration of emission control devices was the primary reason used by the *Environmental Protection Agency (EPA)* to justify the initiation

of mandatory vehicle inspections in the mid-1980s.

However, recent tests funded by the EPA and the *Coordinating Research Council (CRC)* have shown there is no difference in the emission system deterioration rate of vehicles in cities that have the I/M emissions-test programs and those that do not.

To further highlight the ineffectiveness of these programs, the EPA's latest estimates indicate that in urban areas, vehicle technology improvements are doing the most in hydro-

carbon reduction (95 percent). Only five percent of the reduction can be attributed to I/M programs.

These programs represent a huge cost of time and money for the motorist, with little or no positive results in emission reduction. With so many citizens, cities, and states experiencing economic troubles, now is the time to recognize these programs as the waste of resources they are, and eliminate them as soon as possible. 🐾

## Citizens' Band In 2003

by Casey Raskob, III, New York Activist

**W**hile still mired in the "Convoy" mentality of the seventies, CB radio is still a very valuable tool in the expert driver's arsenal.

Things have changed since the boom and bust of CB radio. Gone are the packed channels and the competition for space. Teenagers now "Instant Message" rather than get home from school and turn on the radio. There are no "clubs" or "channelmasters." Indeed, often what little there is on the band is actually outside the legal CB frequencies.

So why have a CB? Simple. The only people still using them daily are those who started, the truckers. They are an invaluable source of first hand information for a serious driver, noise and low humor notwithstanding.

If you realize that most chatter will be on channel 19 and only on roads where trucks are allowed, the CB will be very useful. Downsides are the occasional foul language, and the noises of the old-style AM still used. If you can put up with less than digital quality, the information is often quite useful.

The best part is that this is very cheap and very easy to do. Full legal power 40 channel radios in very small sizes (forget the huge chrome boxes of the 70's) are available new, usually under \$50. A magnet mount Radio Shack antenna is \$20, and you don't even need to hard wire the device. A cigarette lighter plug is enough for a regular CB. Used CB radios (be sure no one tried to "modify" it) are in the \$25 range.

A trivial investment will yield great assistance to the motorist. Just remember to turn it off in major cities and on roads where trucks are not permitted, and you will keep the signal-to-noise ratio high. 🐾

## Highway Trivia

Ever wonder how many miles of highway were posted at 65 mph in 1993? Now you can find it at a glance. *The Federal Highway Administration (FHWA)* has a site that lists the number of highway miles and their posted speed limits by year. For example, there were 32,567 highway miles were posted at 65 mph in 1993.

For those who are interested, you can find these charts on the FHWA web site at <http://www.fhwa.dot.gov/ohim/hiq/hiqapr02.htm> 🐾

## Mowing Impaired

In Berlin, Germany, a gardener was arrested for driving his lawn mower while drunk. After he finished mowing the lawn for a client, Police used a Breathalyzer on the gardener because they detected the smell of alcohol on his breath. The court has fined him \$460 and has banned him from driving all vehicles (including his mower, which has a maximum speed of 4 mph) for three months.

The gardener will appeal this decision. Defense lawyer Stefan Deppe said, "The mower does not pose the remotest danger to the public and common sense should have been applied." 🐾



## News From Around The Country

At the time of printing, the following legislative information was correct. To track the progress of these bills or for contact information for your legislators, you can visit the *Speak Out!* section of the NMA web site at [www.motorists.org/speakout/state.html](http://www.motorists.org/speakout/state.html)

You can also find NMA positions on any of these topics as well as talking points that you can use when contacting your legislators on these issues at [www.motorists.org/issues/index.html](http://www.motorists.org/issues/index.html).

### Alabama

SB 8 would create split speed limits by lowering the speed that commercial trucks could travel from 70 mph to 65 mph.

### Florida

Fort Meyers police had an undercover police officer at a McDonalds restaurant looking at the inside of vehicles as they passed through the drive-through. The officer would then radio to other officers to pull over and ticket any drivers who may be violating any laws.

### Illinois

HB 1186 has passed both the House and the Senate. This bill will eliminate the split speed limits in Illinois.

### Indiana

An Indiana University law student has filed a lawsuit challenging the constitutionality of enforcement of the state's seatbelt law because they exempt pickup trucks.

### Maine

A bill that would have banned the use of hand-held cell phones failed. Representatives voted 116-19 to shelve the bill.

### Maryland

Governor Robert L. Ehrlich, Jr. vetoed the photo radar bill that would

have expanded the use of photo radar in that state.

### Michigan

SB 509 would attach a surtax to the fee for a driver's license in proportion to the license points on each driver's record. The seventh point would be taxed \$100, and the 8th through 12th points \$50 each. Also, serious offenses such as drunk driving will be surtaxed \$500 or \$1,000. About 350,000 drivers are said to have seven or more points, which would yield \$70 million per year for the state. The taxes would be credited to the State General Fund.

### Nevada

SB220 died on the Senate floor. This bill would have allowed the use of photo enforcement.

### New Hampshire

Officials have stated that the police will begin to crack down on those who don't use their signal lights. Drivers are supposed to signal at least 100 feet before turning right or left, and on the highway, signals should come 500 feet before the turn. Drivers will have to pay a fine of \$43.20 and will lose three safe driver points.

### New York

The New York State Department of Transportation, the New York State Police, and the New York Thruway have started a campaign called Operation Hard Hat. Officers will be disguised as construction workers as they measure the speed of vehicles in construction zones. They will radio ahead to other officers to pull over motorists to issue speeding tickets.

New York City is attempting to alleviate its budget problems by issuing tickets for anything. Some of the more bizarre examples are a man ticketed for sitting on a milk crate and a pregnant woman who was sitting on a subway staircase. Police blame this on quotas while the mayor denies the

existence of the quotas.

### Ohio

HB 186 would eliminate split speed limits and raise the limit that commercial trucks can travel at.

### Tennessee

A bill to allow motorcycles to run red lights if they exercise "due care" has passed the State Senate. Many newer bikes don't have enough metal to trip magnetic sensors at lighted intersections. This bill was passed to address this situation.

### Texas

Harris County toll booths may be more expensive to use. The county's public infrastructure director has asked commissioners to increase tolls by 25 to 50 percent.

### Virginia

Governor Mark R. Warner signed SB 1093 into law. This creates "Highway Safety Corridors" on certain highways in Virginia, with increased fines for speeding and other moving violations within such corridors.

### Wisconsin

Representative Hines has drafted a bill that would make hit-and-run homicide a class D felony rather than the current class H felony it is. The current maximum penalty is three years in prison followed by three years of extended supervision in the community. Under this new bill, it would become a maximum of 15 years in prison followed by up to 10 years of extended supervision.

Milwaukee County Sheriff David A. Clarke Jr. is trying to establish a "gun crime task force" that would do "consent searches" of stopped vehicles for guns in the city of Milwaukee. Sixteen deputies (working as pairs from 6 p.m. to 2 a.m. and wearing special black uniforms) would be involved in this effort. ☺

## 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.

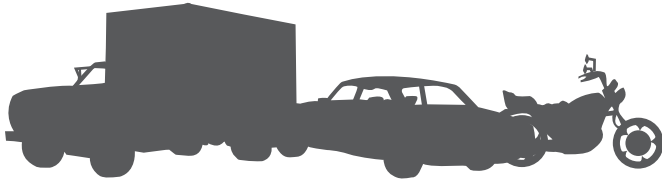
A telephone number would be very helpful, but is not required. Feel free to list preferred contact times if you do provide a telephone number.

***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: Mr. Campbell is referring to the situation he described in the March/ April 2003 issue of the NMAF NEWS where he recounted his experience with an officer that assumed Mr. Campbell was drunk. In reality, Mr. Campbell was suffering from a sudden diabetic insulin reaction.*

I want to update you with my situation. I have attempted to pursue action against the officer who arrested me or the city, to no avail. The city of Virginia Beach has adopted a "You can't sue the king" policy (I thought we fought a war about that sort of thing.) which higher courts have upheld and no attorney will bother trying. The individual officer and possibly the senior police officer could be sued, but again the results are doubtful. The officer doesn't have any money and again the "can't sue the king" policy comes into play.

I would urge you to warn all NMA members to stay away from Virginia Beach, particularly if they have any kind of condition that might cause them to pass out, faint, or even become disoriented. And God help you if you actually take a drink! The city has adopted an extremely rigid view in these types of cases and has made it clear they will push it to the limit. It's interesting as this area is considered to be a tourist area and the city encourages alcohol consumption for its own profit.

In an interesting turn of events,

the officer who arrested me has been suspended for writing tickets and then promising a woman to not file them in return for sex. I will be following his case with interest.

Please thank all those who may have expressed care or concern for me.

**James R. Campbell**  
**Virginia Beach, VA**

Thanks for the article on "black boxes". This has been a concern of mine since I bought my C5 Corvette, one of the first vehicles to "feature" such a device. I found the list of who can get access to this device bone chilling. Glad to see you plan to do more research. One thing that would be helpful to members would be information on what new and late model used vehicles do and do not contain black boxes (including motorcycles). If anything could touch the vette for the money, I would have purchased a different car in order to ensure privacy. I also have an '01 Chrysler 300m. Before reading your article, I assumed that there was no data recording technology aboard. Now I am not so sure. Equally important, when I replace the aging '93 Concord, I want to know what my "black-box-free" options are.

**Steve Doner**  
**Wheaton, IL**

The EDR article was weak on data and semi-hysterical in tone. It

sounded like something MADD or something anti-gun weenies would put out.

I drive a '94 Twin turbo Z, and am intimately familiar with its electrical system. There is no EDR in there.

I am aware that this is a rising threat, but the article would have been more useful if it mentioned which years they started being installed, how to determine if you have one, legalities of trashing them etc.

**Harvey Lewis**  
**Greenwood, AR**

*Editor's Note: We're working on it.*

Regarding the article, "It Sees All" in the May/June issue: I went to the web site and it appears that, at least to date, these EDRs had been placed in some school buses and "motor coaches" for testing. And as of January 2003 are being placed in all new "school buses and motor coaches." The only mention regarding placement in private vehicles was as an issue "requiring further study." It's not here yet, but you can bet they'll do it if we let them. I don't see how they can claim it's a safety device. It can only gather data, and that sounds like surveillance. Would you allow the government to put a 24/7 tap on your phone to "protect" you against

*continued on page thirteen*

## Members Write

*continued from page twelve*

harassing phone calls before you've gotten one?

**Jon Colin Kellner, DDS**  
New City, NY

I agree that there are problems which are well discussed in Jeanne Pruett's article. But I think the problem is that because there is inconsistent or total lack of prosecution of DWI cases in many areas, people think that the laws need to be "stiffened."

We have had multiple cases in the past year in our county where drivers who were drunk (using the 0.15 percent or better BAC in the article) killed other people after having been prosecuted previously for DWI without that having had any deterrent effect. Killing with an automobile is nearly never prosecuted as a murder of any degree. It is rare that anyone loses a driver's license for more than a few months. And, drivers who drive without a valid license are rarely punished with any degree of severity despite the fact that they may well present a greater danger to the population than those who steal.

Somehow, removing and enforcing the removal of a driver's license is "depriving someone of the means to make a living" but it doesn't matter that that person did the same or worse to someone else! So the mothers and friends of children killed and other survivors try to get the awareness of the public. And the only thing the public will pay attention to is bad statistics.

I think it would be more helpful to help MADD and SADD and others to lobby to get the truly dangerous driver off the road. It needs to be socially unacceptable to be drunk and behind the wheel. And let's revise the definition of drunk, if

that need be. Help these groups to put together truthful statistics. And focus on other problems, too. Driving while tired can be at least as deadly as driving drunk, but it's not against the law!

**Beth Oscanyan**  
Purcellville, VA

*Editor's Note: You live in an unusual area! Most jurisdictions don't even bother determining fault if alcohol is present in one of the drivers. Alcohol presence equals guilt, no other evidence is necessary. Repeat offenders generally lose their license for six months to a year. If an accident or fatality is involved, it can be for a much longer period of time.*

*It would seem that with 1.5 million DUI related arrests each year that enforcement isn't being neglected. Misdirected perhaps, but not neglected. Clearly, if someone's careless, impaired behavior harms others, there should be substantial penalties (better yet, compensation to the harmed parties). However, when the cause of arrest is a burned out license plate bulb, its hare to accept the rationale for onerous penalties.*

*We have attempted to make MADD aware of the factual errors in their arguments and campaigns. The response has usually been dead silence. When silence is not an option, they resort to emotional tirades and denials.*

*Solving the true "drunk driving" problem is a difficult, complicated task. Expanding the target population many fold by including people who drink responsibly and subsequently drive does not contribute to that solution.*

I applaud NMA's work to maintain our right to drive without undue harassment by revenueurs in black & white cars. But I would like to draw attention to a threat to our

right to drive that is even greater.

During the last decade, the US population grew by 33 million, the equivalent of four New Jerseys. That growth is projected to boost the population of the United States from the current 290 million to 450 million (US Census Bureau figure) in 2050. Yet, according to the Texas Transportation Institute, in some parts of the country there is simply not enough open space to accommodate the resulting increase in traffic, while the political will to build new roads is lacking all over. Thus, ever increasing gridlock is inevitable.

But we could decide instead that 290 million Americans (up from 150 million when Ike was President) is enough, and that we don't want to be nearly half a billion in 2050. Since 70 percent of our population growth is due to mass immigration, a good first step would be to set limits. To liberals, limiting immigration flouts political correctness. Conservatives want the cheap immigrant labor, and Karl Rove wants the Hispanic vote. Unfortunately, neither political party is interested.

We must also address native fertility, which alone would add 50 million people by mid-century.

I in no way mean to suggest that the NMA should take on these issues. It is important for the NMA to maintain its focus. (I recently renewed for the next 3 years.) But I would recommend that members of NMA check out the website of the Federation for American Immigration Reform ([www.fairus.org](http://www.fairus.org)) as well as groups like Planned Parenthood and NARAL Pro-Choice America to see what you can do to help stop the US population explosion before it slows your driving down to a crawl.

**David Holzman**  
Lexington MA 🐾





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