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NMAF NEWS (permit # 0716556-KWP) is the official publication of the National Motorists Association Foundation, Inc. NMAF NEWS is published bimonthly by the National Motorists Association Foundation, Inc., 402 W. 2nd St., Waunakee, WI 53597. (608/849-6000) Email: nma@motorists.org Web site: www.motorists.org Nonprofit bulk permit paid Madison, WI. Annual membership in the National Motorists Association includes a subscription to NMAF NEWS.

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COVER

"NMSL 30th Anniversary"

Thank You

by James J. Baxter, President, NMA

This month's cover of the *NMAF NEWS* causes me to reflect on those authors, artists, and inventors who, in the past, toiled in obscurity and died penniless. Then, a hundred years later, their work or creations were "discovered," which made millionaires out of the people who did the discovering. Meanwhile, the creators of this wealth were apt to not even have their graves marked by a headstone.

The woman pictured on the cover is Gail Morrison, a long time NMA activist who for a short time served as NMA's lobbyist in Washington, D.C. The man is former U.S. Senator Lauch Faircloth from North Carolina. This is a tale about those who "toil in obscurity."

The 1994 elections brought forth the "Republican Revolution," the first time Republicans controlled Congress in 20 years. The legislative session beginning in 1995 was marked with optimism that there would be a smaller, more responsive, and less intrusive federal government. Of course now we know better, but back then we were ready to ignore history and the corrosive influence of political power.

For 12 years, we had been thwarted in our efforts to repeal the 55 mph speed limit by the Democratic leadership in Congress. There were plenty of rank-and-file Democrats sympathetic to our goal, but the leadership wasn't. With Republicans now ruling the roost, there was a new game in town. We decided to pull out all the stops and make a serious run at repealing the federal speed limit. Our first task was to establish a lobbying presence in Washington; enter Gail Morrison.

Gail had originally been our Texas State Chapter Coordinator. Over the years, and several moves later, she found herself in South Carolina, unemployed and just coming off a

successful battle with the North Carolina court system. I asked Gail if she would like to work on the repeal legislation, told her we couldn't pay much, and that it was up to her to get to Washington, find a place to live, and to learn the ropes of lobbying Congress. She jumped at the chance, rented a U-haul truck, and headed for D.C. Gail was 60 years old at the time.

Gail was raised as a military "brat," bouncing around the country from base to base. She married early, had six children before the age of 20, and ultimately had nine surviving children when she apparently figured out the cause. Needless to say her early formal education was "limited." However, in the interim she developed a strong sense of individual rights, personal responsibility, and the innate value of simple fairness.

We had also hired a Washington "regular," an ex-staffer turned lobbyist, on a part-time basis. It was intended that he would work with Gail and provide local knowledge of the process and general guidance. Initially, Gail didn't know the difference between the House side and the Senate side of the Capitol. In the end, she could have signed on as a tour guide.

Gail found a basement apartment within a block of the Capitol complex and she plunged headlong into her new role as NMA lobbyist. Meanwhile, we scrambled to find money to support her efforts, as well as her wages. The Owner Operator Independent Truck Driver Association came to the rescue and covered half of Gail's monthly salary for the duration of the campaign.

Gail made friends with congressional staffers and found ways to endear herself to a random collection of Representatives and Senators. While other special interests made political contributions and sponsored lavish fundraisers, Gail baked cookies

continued on page three

Thank You

continued from page two

and took them to congressional staff members. They saw her for what she was, a citizen activist devoted to a cause and they respected her hard work and sense of dedication.

While we had random supporters for our repeal bill, there was no one member of Congress who was committed to making the speed limit repeal their reason for being. We had important support within the House leadership, but Gail couldn't find a serious Senate sponsor for our legislation; enter Senator Faircloth.

Senator Faircloth's staff had done a fairly effective job of resisting Gail's charms, but her relentless persistence wore them down and she was finally able to make her pitch for repealing the 55 mph federal speed limit. Ultimately, Senator Faircloth, a former auto dealer, bought into the idea and made the issue his own. When the Senate sent its version of the highway appropriations bill to the House, it contained Senator Faircloth's language repealing the 55 mph National Maximum Speed Limit. This wasn't the end of the battle, but it was the beginning of the end. In December of 1995, President Clinton signed the legislation containing the repeal language into law.

As a result of Gail's work, two hundred million drivers were freed from one of the worst and most counter-productive laws ever passed. Since the repeal, billions of hours of time have been saved through more reasonable speed limits. Billions of dollars have been saved from fines that weren't levied and insurance surcharges that weren't assessed. Money wasted by governmental agencies to promote, enforce, and prop up this bad law could now be spent on more constructive purposes, or so we hoped. And, the national fatality rate has declined. I'm biased, but repealing the 55 mph NMSL was the most significant legislative event that came out of the "Republican

Revolution," and much of the credit goes to Gail Morrison.

I once remarked to Gail that if every person who benefited from our work was to give us ten cents, we would be independently wealthy and she would never have to work again. Of course, that didn't happen. We could not afford to keep Gail employed in Washington. In fact, we had to scramble to find the money to pay the bills we had incurred to pass the repeal. Gail was forced to leave Washington and resume her pattern of part-time retail jobs and a "just-getting-by" existence.

On more than one occasion, I have regretted our inability to keep Gail in Washington. I don't believe the .08 BAC (Blood Alcohol Content) blackmail bill would have passed if she had been there. I don't think the National Highway Traffic Safety Administration (NHTSA) would have millions of dollars to spread around to local police departments for speed enforcement binges. And, I don't think cities and states would be getting federal dollars to install red light cameras and photo radar programs. Still, that's water over the dam. We didn't have the money necessary to maintain effective representation in Washington and all drivers have paid the price. But, we aim to change that. (Look for the announcement of our legislative fundraiser in this issue of the *NMAF NEWS*; however, that's another topic.)

A few years back, Gail developed serious health problems. It turns out an old nemesis, polio, had returned. Gail contracted the disease at the age of nineteen. She spent several years regaining the ability to walk and recuperating from the ravages of the illness. The term for Gail's current dilemma is "post-polio syndrome." The prognosis isn't heartening. Gail has great difficulty walking and has come to rely on a portable electric scooter for her mobility. She used to be able to take it in her car, assemble it and take off on her errands. She is no longer

strong enough to carry out the assembly operation. She is no longer able to work, nor, at almost 70 years of age, should she have to. (A lot of people retired at the age she loaded that U-haul truck and headed for D.C!)

I believe that rather than Gail having to wait a hundred years before her accomplishment is recognized, perhaps some payback is due now. Maybe it's time for all those people who are contentedly traveling down the highway at 70, 75, or 80 mph to say "thank you" to Gail, and while they're at it send along their "dime" (and a few extra dimes as well) as a sign of their appreciation. Don't keep this story to yourself, pass it on. 🙏

**You can send support to:
D. Gail Morrison
100 Antioch Pike #BB210
Nashville, TN 37211**

Return Address

We consistently receive mail without a return address. 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. 🙏

Vehicle Donations Take Off For The NMAF

by John Holevoet

In the March/April edition of the *NMAF NEWS*, the National Motorists Association Foundation (NMAF) announced its plan to accept vehicle donations. The practice of donating one's vehicle to a charitable organization has become quite common in recent years because it offers people the opportunity to help a favorite cause, avoid the hassles of selling a car, and receive a substantial tax deduction.

To date, the NMAF has received six car donations; a great start for a program that at the time this article was written, is less than two months old. The first car, a 1977 Chevelle Malibu came in just days after the newsletter was mailed out. A week later, we received another (a 1996 Dodge Neon) from an Ohio member who was in the process of moving to Wisconsin (quite close to our National Office actually). Rounding out March, a long-time member from Georgia donated a 1987 Volvo station wagon. April was also a good month for the new program. On April 9th, we received two donations in one day: a 1986 Toyota Camry from

Massachusetts and a 1993 Geo Metro from Indiana. Most recently, one of our members from New Jersey gave his 1983 BMW 320i to the NMAF.

All total, the foundation expects to make a sizeable profit from all six donations. Our staff wants to say a special "thanks" to everyone who donated. Your gifts to the Foundation are much appreciated and, along with the donations of others, allow us to continue our fight for motorists' rights.

The casual reader might be wondering how this program works; so, I'll explain. Donating is easy to do, just call **608-849-6000** (M-F, 9-5 CST) and answer a few short questions about the vehicle. (It helps if the donor has the license plate and VIN number when he or she calls.) Or, you can donate via email by writing to donate@motorists.org. Almost any type of vehicle can be donated: cars, trucks, vans, or recreational vehicles; we also accept boats and trailers.

Within a few days of contacting us, the donor will hear from the *Car Program LLC*, the NMAF's partner in this program. Their professional staff handles the rest, everything from

arranging for the timely pick up of your vehicle (*even if it is not in working order*) to filling out all the bothersome DMV paperwork. They will then sell the vehicle and the NMA Foundation will receive the lion's share of the profits.

Plus, since the NMAF is a non-profit organization, anyone who decides to donate their vehicle to the Foundation is eligible for a tax deduction equal to the fair market value of the donated vehicle as determined by him or her. *In short, the IRS allows the donor to assess the fair market value of the donated vehicle.* It works out great for both the donor and the NMAF.

The NMA Foundation looks forward to expanding this program in the future. If you want to join those who have already donated a vehicle, you can call **608-849-6000** or email donate@motorists.org to arrange your donation or just to request more information. (Note, you do not have to be an NMA member to donate a vehicle to the NMA Foundation.) ↵

Cars You Love To Hate

Eric Peters is a Washington, DC-based, nationally-syndicated automotive columnist. He has written for *The Wall Street Journal*, *Investors Business Daily*, the *Detroit Free Press*, and *The Washington Times*. Eric has also contributed articles to the NMA Web Site, as well as *NMAF NEWS*.

Eric has now written a book called *Automotive Atrocities: Cars You Love to Hate*. This 128 page hardbound book will bring back memories of those truly awful cars that have "graced" our roads and driveways. A truly distasteful collection of fake

muscle cars, clown-car compacts, faux-"luxury" cars, sales disasters, and other truly ugly and ill-conceived four-wheeled follies are impaled upon Eric's honed wit. Each car is finally given the treatment it truly deserves with period photography and advertisements that somehow convinced otherwise intelligent people to buy these travesties of transportation.

This book appeals to anyone who either unwisely decided or was forced against their will to drive an automotive atrocity. The book gives you the last laugh as everyone's

least-favorite cars are skewered in book form.

The book sells for \$19.95 and can be ordered through motorbooks.com or by calling **800-826-6600**. ↵

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

www.motorists.org

www.speedtrap.org

www.roadblock.org

If At First You Don't Succeed... Try Again

Roadside Assistance is back! The **National Motorists Association** has joined with industry leader **DriverShield™** to provide our members with the very best in roadside assistance and automotive/travel discounts. On a regular basis, people contact the NMA to find out if we can offer them roadside assistance services. Many out there are looking for an alternative to AAA; Well, here it is!

Also, for those current members who use AAA service, please consider DriverShield™. For years, AAA has been an ally of the insurance lobby and has supported lower speed limits and revenue generating ticket cameras. Now, you have the opportunity to receive similar services from DriverShield™ for less than you pay AAA! The savings for families are even greater because unlike AAA, DriverShield™ covers everyone in your home, without the hassle of AAA associate memberships.

You can join DriverShield™ today for \$49.95, that's \$20 off the retail price, and an offer only available to NMA members. A comprehensive benefits package has been developed

for NMA members who sign up for DriverShield™, offering roadside assistance, savings on auto maintenance and repairs, free auto advice, automobile buying tips, travel discounts, and more!

Here are 20 great reasons for you to join the DriverShield™ Auto Discounts and Service Program Today:

- 24 Hour Toll-Free Hotline for **Emergency Roadside Assistance**
- 24 Hour Toll-Free Hotline for **Emergency Towing**
- 24 Hour Toll-Free Hotline for a **Locksmith**
- Toll-Free Hotline for **Expert Auto Mechanics' Advice**
- Savings on Collision Repairs
- Discounts of **10 percent or More** on Everyday Automotive Services
- Auto Maintenance Savings at **Thousands of Locations Nationwide**
- Collision/Accident Repair Assistance
- Lifetime Collision Repair Warranty **Coast to Coast**
- **Preferred Rates** on Rental Cars
- Discounts **up to 40 percent** on Glass Replacement
- New and Used Car Buying Service for **Hassle Free** Car Information
- Printed Car Information Reports to Help with Buying Decisions
- New Car Pricing Reports
- Used Car Pricing Reports
- **Savings up to 50 percent** at Thousands of Hotels, Motels, and Resorts
- Dining Discounts up to **25 percent**
- **\$1,000** Trip Interruption Insurance in case of Accidents or Theft of Vehicle
- A DriverShield™ Membership Kit that further explains your benefits
- Finally, **\$20 off the Regular Price** of DriverShield™ Services for all NMA Members.

For more information about DriverShield™ Services or to sign up for service, visit our web site www.motorists.org/drivershield.html or call **608-849-6000**. ☎

D.C. Expands Use Of Photo Radar

Washington's newest photo-radar camera, has been a huge success... at least for revenue generation. The camera, which was placed near the entrance of Gallaudet University, issued more than 20,000 warning tickets to motorists in just its first month of operation.

But that was then and this is now. The camera issued no-fine warnings for only the first thirty days. On March 28th, it began to issue standard tickets via mail to anyone who violated the Florida Avenue's unrealistic 25 mph speed limit. The camera is now well on its way to generating millions of dollars in ticket revenue for the D.C.

government.

For the time being, tickets issued with photo radar in Washington D.C. are not considered point violations and do not yet affect insurance rates, but they still carry hefty fines, as much as \$200. Plus, automated enforcement tickets have made the transition to point violations in other states and the District may not be far behind. This means that this type of ticket will punish responsible motorists for years in the form of higher insurance premiums.

The Florida Avenue camera is the District's first stationary photo radar camera. Prior to its placement, speed

cameras in police cruisers had been placed at various locations throughout the city, and photo radar is also just part of a larger trend of automated enforcement in D.C. The city began using red light cameras in 1999, which have now been placed at 39 intersections throughout Washington, and the first speed cameras followed in 2001. Since the automated traffic-enforcement program began, Washington D.C. has generated more than \$70 million in fines. Plus, a recent decision by the District Council

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Help Us Be Your Voice In Washington D.C.



It has been 30 years since the federal government first passed the 55 mph National Maximum Speed Limit. Yes, it was over three decades ago that our legislators embarked on one of the most ill-conceived plans in history to over-regulate the way you and I drive. The NMA was founded specifically to fight this senseless law, and, as outlined earlier in this issue of the *NMAF NEWS*, our organization was able to repeal this law with the help of many of you, and because of the fine work of Gail Morrison. Now, speed limits are on the rise across the nation, as states are once again able to decide reasonable limits on their own.

The NMA continues its fight for motorists' rights to this day; We are constantly challenging the establishment's views on a number of issues from red light cameras, to overzealous emissions testing, to photo radar. We also continue to make headway in the struggle for rational speed laws,

although more work needs to be done. That is the focus of this year's Legislative Fundraiser.

As the oldest and largest motorists' rights group in all of North America, we have the knowledge and know-how to make real headway. We want to be your voice at the Capitol, but we need your help. The sorry excuse for a transportation bill that politicians just approved in D.C. is a perfect example of why we need to hire a full-time lobbyist to work on your behalf. This law only continues a pattern of the government spending our gas tax dollars, which are meant to support highway construction and maintenance, on anything and everything but highways.

Plus, here is an important word of caution; hidden among hundreds of amendments to the final bill was a section calling for *"a study to examine the effects of increased speed limits!"* Over 30 years after the NMSL was instituted and seven years after it was

finally repealed, it looks like we might once again be faced with the prospect of the government getting into the "speed limit business." In order to fight such a threat to our rights and the NMA's past progress, we need to have a person working for you (and me) in Washington.

It would cost approximately \$60,000 a year to obtain a professional lobbyist to fight for us in D.C. We don't have the resources we need to hire a capable representative. But with your help, we will.

Please consider a gift of \$25, \$50, even \$100, or more. Maybe a sustained monthly donation (they start at only \$10) would be more convenient for you. For every increment of \$35 you donate today, you'll be automatically entered to win a terrific European Driving Tour courtesy of www.driveeurope.com (see the next page for details). 📧

Yes! I support your efforts defending my rights as a Motorist. I want the NMA to represent me in Washington DC.

To help, I am pleased to make the following contribution:

- \$5,000
 \$1,000
 \$500
 \$250
 \$100
 \$50
 \$35*
 Other _____

**Please Make Checks Payable to:
National Motorists Association**

I prefer to use my credit card

-OR-

I would like to make the following monthly donation* to the legislative fund using my credit card or automatic bank withdrawal, and I have completed the form below:

- \$500
 \$250
 \$100
 \$50
 \$35
 \$25
 \$10
 Other _____

I would like to give the above amount for the following duration:

- 3 months
 6 months
 9 months
 1 year
 Until further notice

* You will automatically be entered to win a fantastic European Driving Tour for every increment of \$35 you donate. The more you donate, the greater the chance you'll win!

Your Information

Name _____ Member No. _____

Address _____

City _____ State _____ Zip _____

Credit Card Information

Card Type: Visa MasterCard

Card Number _____ Exp. Date _____

Name On Card _____

Signature of Card Holder _____

Your Chance To Drive European Style

When you donate to the NMA Legislative Fund today, you'll be automatically entered to win one of the following three European Driving Tours provided courtesy of www.driveeurope.com. In fact, for each increment of \$35 you give, you'll receive one entry. That's right, the more you give, the greater your chance of winning!



Your Three European Driving Tour Choices

Romantik Road Special

Spend seven days traveling through Germany and drive on the World Famous Autobahn

- ❖ Visit the charming town of Rothenburg ob der Tauber—a community frozen in time—Germany's perfect gem of a 16th-century village.
- ❖ Admire the many fine buildings that pepper the Augsburg, including those in its distinctive Fuggerei district.
- ❖ Tour Castle Neuschwanstein, which looks as if it has been ripped from the pages of a fairy tale.
- ❖ Experience the beauty of the German Alps as you drive through the foothills bordering this majestic mountain range.
- ❖ Finish your trip in beautifully-restored Munich, home to world-class shopping and entertainment.

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Enjoy eight days in sunny southern Spain with its rich cultural legacy

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- ❖ Travel to Córdoba, which was once the capital of Muslim Spain and Europe's cultural and intellectual center.
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- ❖ Wander the bustling streets of Cádiz, sunny Spain's largest cosmopolitan port.
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Ireland at Its Best

Take your time exploring the beautiful Irish countryside during this eight-day tour.

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- ❖ See the Neolithic monuments at Newgrange, these ruins are over 1,000 years older than Stonehenge.
- ❖ Take a relaxing cruise on the River Shannon, Ireland's longest and most-famous river.
- ❖ Drive through Connemara, one of the most outstanding areas of natural beauty in Ireland.
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402 W. Second Street
Waunakee, WI 53597.

Maine Governor Disputes Black Box Data

On a cold and icy Maine day, Governor John Baldacci was traveling on I-295, near Bowdoinham, in his state-owned Chevrolet Suburban. State Police Detective James Trask was behind the wheel when the SUV hit a patch of ice while in the process of passing a slower-moving car. Both the Suburban and the car spun off the interstate. The governor's vehicle skidded 204 feet, turned 180 degrees, hit several trees, and eventually came to rest on its side. Both Trask and Baldacci suffered mild concussions, and the governor also had a broken rib. The driver of the other car escaped without any serious injuries.

The real story here is not the accident itself, but rather the investigation that followed. The governor's Suburban, like most other GM-produced vehicles, was equipped with a "Sensing and Diagnostic Module," a data recorder commonly referred to as a "black box." These devices record both pre- and post-accident data in the event the airbag is deployed, such as speed, brake status, and whether or not the driver or passenger was wearing a seatbelt. Law enforcement, insurance adjusters, and car rental agencies are increasingly using this type of data against the motorists.

However, in the case of the accident involving Baldacci's Suburban, law enforcement did not clamor to lay blame on the driver of the vehicle. In

fact, the exact opposite is happening; the State Police, along with the governor's office, both disputed data collected by the Suburban's "black box." Of course, a cynic might say that this is only because the driver in this case, Trask, was one of their own. Regardless, the case has drawn into question the reliability of automobile data recorders.

The "black box" recorded that the SUV was traveling at 71 mph about five seconds before its airbags deployed. Trask told investigators that his speedometer showed 55 mph before he began passing the car. A State Police accident reconstruction also differed from the data recorder's information, estimating the SUV's speed at somewhere between 55 and 65 mph. All estimates still place the Suburban's speed over that stretch of interstate's speed limit, which had been reduced to 45 mph because of wintry conditions.

State officials claim the Suburban's wheels spinning on the ice could have caused the higher speed that was recorded. General Motors stated, however, that the governor's SUV came complete with on-demand four-wheel-drive in order to reduce wheel spin, which makes the official explanation of the vehicle's speed put forth by the State Police more difficult to believe. In any event, Trask has not been charged with speeding in relation to the incident, and he continues to serve as the governor's driver.

The Suburban's speed is not the only point of contention in regard to the accident. Questions also arose as to whether or not Governor Baldacci was wearing his seatbelt when the SUV skidded off the road. The onboard recorder indicated the governor was not buckled in, but a spokesperson for the governor disputes the data and maintains that Baldacci was definitely wearing his seat belt when his SUV crashed. Trask, the driver of the vehicle, supports

Baldacci's claims and told the press that he remembers unbuckling the injured governor's belt. Furthermore, medical staff who treated the governor at a nearby hospital has stated that the governor's injuries were consistent with being belted during an accident.

Maine's Public Safety Commissioner, Michael Cantara, concurred. In regard to the governor's accident he wrote, "the clear and convincing physical evidence and the interviews of the involved parties were sufficient to satisfy the questions raised by the conflicting data and it is the State Police conclusion that Governor Baldacci had his seat belt buckled." So, it would appear, the data recorder was wrong not once, but twice.

The reality of what happened on I-295 on that evening back in February will never be fully known. The incident, however, does raise serious questions about the credibility of the data collected by "black boxes." This revelation comes at a time when data recording technology in automobiles is becoming increasingly common, and has been key in the recent convictions of motorists involved in accidents both in the United States and Canada.

Data recorders were initially included in vehicles with the promise that they would increase safety, although precisely how these devices do that is unclear. What is clear is that "black boxes" are in fact making driving much more hazardous, as law enforcement agencies continue to use the data collected by these devices to convict people for offenses ranging from reckless driving to vehicular manslaughter. The question of Trooper Trask's speed and Governor Baldacci's seat belt goes directly to the root of whether or not these data recorders are even being trustworthy. One would hope that at least the Maine State Police will hesitate to take the information provided by a "black box" as full-proof evidence from now on. 🐾



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Paying To Be "Bad" In Michigan

The Michigan legislature had to backtrack on part of 2003's "bad-driver penalty" act, which applied a tax to driving-record points and imposed irreducible surcharges on fines for various traffic offenses. Most of these were serious offenses like drunk driving or vehicular manslaughter, but there was an inexplicable \$300 surcharge on being convicted for failure to show proof of insurance. Thousands of drivers who were insured, but couldn't find the little receipt when asked for it by police had their fines waived when they produced evidence for courts, but were outraged when they received \$300 bills from the state.

The resulting protest, fueled by confused judges and a crusading *Detroit Free Press* columnist, caused the act's sponsors to repeal the \$300 mandatory fine. Despite warnings from NMA and the Mackinac Center for

Public Policy before the bill's passage, the sponsor said he never intended the bill to work as it did. Victims of the short-lived law will receive \$2.4 million in refunds.

The repeal law increased the surcharge for actually being uninsured from \$300 to \$400 (or \$1,000, depending on which chapter of law the ticket is written) on top of the usual fines and costs. The equivalent surcharge for drunk driving is \$2,000, but this hasn't generated any outrage from convicted offenders or the courts yet.

Two more rounds of fallout are coming from Public Act 165. In 2005, drivers will begin accumulating over six new driving-record points under the new law and 29,000 drivers a month will be billed \$100 to \$300 a year depending on their total. Many of those will be genuinely bad drivers, but others will be high-mileage victims

of ticket-happy jurisdictions, many of whom will not quietly accept the state's assertion that they've been "bad."

After a few years, it will dawn on the state government that large numbers of drivers have accumulated multiple unpaid surcharges for driving with revoked licenses. At that point, Michigan will have to live with tens of thousands of unlicensed (but still driving) motorists. The state will have to either jail them or grant an amnesty which will sorely offend drivers who paid the surcharges. None of these solutions is pretty, but the legislature and administration are still blissfully unaware of the slowly-growing crisis. Despite the bitter experiences New Jersey and Wisconsin had with heavy surcharges or the criminalization of unlicensed driving, other states are also considering "bad-driver penalties" to balance their budgets. 🐾

Machine-Readable License Plates—How Soon?

Colorado, Illinois, and Kentucky are considering bills to outlaw license-plate covers that make plates less readable by cameras or optical character-recognition systems. Many other states have had such laws for years. In the case of Colorado and Illinois, the new laws are to make it easier to pursue violators of automated tollbooths. In other states, the laws make it easier to ticket drivers with photo-radar or red-light cameras.

The spread of these programs makes us wonder why there has been no movement in the United States toward machine-readable license plates. Plates with transponders built in would eliminate many of the expenses of automated enforcement. Photo-radar would be enormously cheaper if optical character readers or human photo interpreters weren't

involved, so the idea must have occurred to the promoters of automated tickets. Perhaps it's an indicator of the revulsion that people would feel if their car contained a device that let the government (or anyone else) monitor and record their travels.

Other societies haven't exhibited any such revulsion. Great Britain is now distributing its first-ever government-issue license plates. The familiar British "number plate," which was bought at auto-parts stores, is no more. The new plates will contain transponders useful for enforcing London's entry fee, and readable by Britain's thousands of speed cameras and police surveillance cameras. Other British Commonwealth nations may soon adopt similar technology.

In this country, public outrage over

surveillance can be trumped by "homeland security" concerns, so we suspect that it's only a matter of time before police agencies begin telling us and Congress how much safer we'll be when every car can report in to the police at any point during its travels. 🐾

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The Saga Of The Circles

by Ted Loewenberg, NMA Member

Ted is a long-time member of the NMA, and he wrote the following article on his efforts in San Francisco to keep traffic circles out of his neighborhood.

It took over a year from the first community meetings for the Department of Parking and Traffic (DPT) to get the message, but they did finally hear the neighbors: *No circles on Page and Waller Streets.* A plebiscite of residents near the target intersections revealed that most people thought placement of traffic circles in tiny streets is a bad idea.

Initially, eleven sites were targeted for permanent circles along Page Street: nine in the Upper Haight and Waller Street and two in the Lower Haight. Then the promises started flowing. The circles would be landscaped, and enhance the value of local properties. Cars would be polluting less. Traffic would be calmer. And, bicyclists would not have to stop at each stop sign along the route.

The questions about this project also grew in the public mind. *Who would maintain the landscaping in the circles? A volunteer neighbor. What was the 85th percentile of Page Street traffic? In most places, less than the posted speed limit. How would claims of 90 percent improvement in accident reduction be achieved on a street that hasn't seen an accident in years? It will be safer. Will fire trucks and other*

emergency vehicles be slowed in their response to urgencies on Page Street? If the fire department says "no" to the circles, the project will stop. Where will the money come from to pay for this project? A grant from the Bay Area Air Quality Management Board, of \$150K. No public money will be used on these circles. And, many other questions too numerous to catalog.

In subsequent meetings, other discussions about a test period and a voting methodology were described. It all seemed not very well thoughtout, with more unanswered questions than comprehensive answers. The most obvious point was that DPT and the San Francisco Bicycle Coalition seemed to be in cahoots to push this project so bicyclists wouldn't have to obey the California Vehicle Code and come to a complete stop at intersections with "STOP" signs.

The trial circles went in and then were not removed after 30 days of "testing." The test circles became collection points for trash, furniture, real-estate signs, and more, for the eight months they were in place. More importantly, Haight residents complained of a severe decrease in pedestrian safety at the circles as cars felt they had no obligation to stop or show due regard for those afoot. Drivers complained of near misses and some, accidents. Everyone complained about trucks and even cars short-

cutting the circles on a left turn. The disabled users of Page Street were most vulnerable as visibility at the intersections combined with even 15 mph traffic was downright dangerous. In response to neighborhood insistence, the San Francisco Fire Department tested the circles at least twice with several pieces of equipment to show that *any* size circles on Page Street posed severe problems to response times. In short, there did not seem to be any gain toward the stated objectives of the project. Even bicyclists complained that the test intersections had, in fact, become greater hazards.

Before it was over, DPT had been caught in a number of misrepresentations and falsehoods in their efforts to continue the project. They even said that after the grant money ran out, they would use funds from the general fund (generated by sales taxes) to pay for the project. Supervisor Gonzalez, who favored the circles, tried to negotiate away public safety in favor of bicyclists. Local residents were not willing to yield on compromises in fire department response times. More details about this whole sordid story can be found on the web at www.dangeronpage.com.

At last, in March 2004, the neighborhood was finally given a chance to vote on the merits of the traffic circle project. On April 6th, the results of the voting were announced. **Not one circle was approved at any of the eleven intersections.** The people won. That victory came as the result of a lot of effort by a great many people. (Thanks to the NMA for providing education over the years on how to fight this battle and win.) While this all should have taken just a few months to resolve, it did not. Thankfully, the will of the majority of residents along Page and Waller Streets showed that common sense is still common. 🙌

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News From Around The Country

At the time of printing, the legislative information is 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

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.

California

Pleasanton traffic engineers have created a traffic signal that can determine if a vehicle is exceeding the speed limit. If the signal detects that oncoming traffic is speeding, the light will immediately turn from green to yellow to red. (This ought to please the local body shop operators!)

Colorado

The Governor of Colorado signed HB04-1076, which limits the left lane to passing when the speed limit is at least 65 mph. The law takes effect on July 1.

Illinois

SB2374, sponsored by Senator Shadid would eliminate the split speed limit. Currently, vehicles over 8,000 pounds must travel 55 mph in a 65 mph speed zone. (Source: OOIDA)

Indiana

An Indiana Court of Appeals ruled that police who stop drivers for seat belt violations cannot legally ask to search their cars if they see no evidence of other crimes.

Georgia

Two police officers in Poterdale have been fired because they had a ticket-writing contest between them. They wrote about 150 tickets in

January 2004 for anything that they could think of.

Louisiana

HB546, sponsored by Representative Crowe, would create slower speed limits for trucks only. The trucks would be restricted to 65 mph on interstate highways and 60 mph on divided multilane highways. (Source: OOIDA)

Maine

Summer tourists who use Maine's highways would bear the brunt of a new toll plan under consideration by the Maine Turnpike Authority. Under one of four toll schemes under consideration, the turnpike would charge higher tolls during July and August.

Beginning May 1st, Portland will use police officers, instead of prosecutors, to try cases in traffic court.

Michigan

Ann Arbor Police Chief Daniel Oates admitted he made a bad judgement call when he ordered a police officer to use the patrol car's lights and sirens to get him to Detroit Metro Airport in time for a flight. Under Michigan laws, operating emergency lights at any time other than responding to an emergency is a misdemeanor.

Minnesota

SF2550/ HF2892 would allow police to stop motorists if they aren't wearing their seat belts. It would also increase the fine to as high as \$300.

New Mexico

Governor Bill Richardson has stated he will veto the bill that would require an ignition interlock device on every vehicle.

New York

Governor Pataki has proposed

awarding three points against your driver's license for not wearing a seatbelt.

Assemblyman Ortiz (Brooklyn) has proposed legislation that would require every car to have an ignition interlock device (car breathalyzers).

Due to a new law, the speed limit will rise from 55 mph to 65 mph on 134 more miles of highway in the state.

Oregon

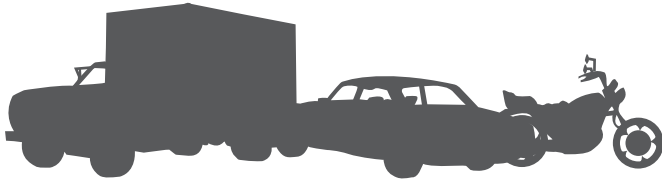
A state law allowing police to use photo radar to catch drivers was unanimously upheld March 4, 2004, by the Oregon State Supreme Court. The court rejected a Portland attorney's challenge to the law's presumption that the registered owner is the driver of a speeding vehicle. The Supreme Court took the position that traffic violations are considered civil offenses and do not need to be proven "beyond a reasonable doubt," but need proof by just a "preponderance of the evidence."

Wisconsin

The Assembly rejected a bill that would have allowed police to pull drivers over for failure to wear a seat belt. Assembly lawmakers voted 58-41 to refer AB90 back to committee, effectively killing the measure. (Source: OOIDA) 🐾

This spring is the 30th anniversary of the start of the **55 mph National Maximum Speed Limit**. The NMA was instrumental in the repeal of this law. But we could not have done it without our members.

Thank you to all our members for your support!



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 or mail to our NMAF Office.

The Liberty Haven Foundation, chartered to promote the exercise and appreciation of individual human rights and liberties, is pleased to be able to honor the NMA Foundation with one of its 2004 grants in the amount of \$250.

For many years, we have been impressed with NMA's successful resistance to government and industry groups that are determined to equate safety and desirability in the minds of the public with regulation and restriction. NMA's efforts to make such groups accountable to the principles of logic, the methods of science, and the rule of law have been an inspiration to all freedom activists.

Furthermore, the NMA Foundation's education outreach to make the motoring public aware of their (remaining) rights and privileges is in our opinion the most effective long-term way to slow and reverse further encroachment upon those rights.

For all of the above reasons, we feel that the NMA Foundation's efforts exemplify the type of private-sector activity that works to preserve and promote our increasingly threatened personal liberty. Thank you for your continuing efforts.

C.D. Tavares
Managing Director
Liberty Haven Foundation

Concerning the article, "Rental Car Realities," I have heard things

in the past, but mistakenly assumed they were isolated cases by small-time operators. I suppose the big boys will get in on the circus now and try to fee us to death.

In the past, I always went with the "don't ask, don't tell" thing as far as out of state travel went. Any crazy policy should be clearly posted, and you should have to sign a document related only to that. For example, in Alaska, they have it posted that you pay for smashed, cracked, or nicked windshields. I do know that Enterprise asks if you will be out of state. I never heard of them attaching a fee, though. The paper you get does say which states they agree to let you operate their car in, though.

Pretty soon, you'll need a college degree to sort this out. Many members likely rent cars, so I think a new article would be appreciated.

Also, I LOVE Mr. Baxter's articles so please disregard the comments from the mailbag in the latest magazine. His "no holds barred" approach is wonderful. I wish all people would be so eloquent and tell the truth as he does. Thanks.

Jim Sikorski Jr
Wapwallopen, PA

I drive a burgundy Chevy Silverado that is equipped with working Daytime Running Lights. The problem is, people pull out in front of me as though I were not even on the road. Plus, I was rear-

ended three times in four days last summer; once at a stoplight by a motorcyclist, who wound up in the bed of the truck. When I asked him why he was following so closely, he groaned, "I didn't know you were going to stop." THIS HAPPENED AT A RED LIGHT!

Last January, I was driving along at 45 mph on slushy roads, when a small pickup pulled out about 150 feet ahead of me. I signaled and went to pass him. He drifted left, forcing me toward the ditch. As I came around him, I heard a loud "crack." It turned out to be our side-view mirrors making contact. After I had cleared his truck, I pulled over to the right shoulder, again using my turn signal, and brought my truck to a stop. He then slammed into my rear bumper with enough force to deploy the driver's side airbag. Now, his insurance company, Geico, has denied my claim. They say this "accident" was partially my fault, as this 19-year-old says that I "locked up my brakes in order to force a collision."

These are just two examples. I'm beginning to believe that these people can't see me on the road. Every day, people follow me so closely that I can't see their headlights in my rear-view mirror. This is extremely annoying, but I don't know what to do about it. I just pull over and let them tailgate the car ahead of mine, but this doesn't always work. One time a

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Members Write

continued from page twelve

driver behind me was right on my bumper, so I accelerated to 65 mph. He stayed right with me. I sped up to 75, and then to 80 mph, but he wouldn't back off. I finally decided to let him pass, so I slowed down and eventually pulled over. Finally, he went ahead of me, and drove the rest of the trip at 50 mph!

I know I'm not the only person who is uncomfortable with this type of behavior. I've actually reached the point where I dread having to go anywhere, and I used to enjoy driving.

I apologize for the lengthy diatribe, but I needed to vent, and this seemed an appropriate forum.

**Jim Grimes
Kimmel, IN**

Here is my two cents worth regarding Mr. Mauz's piece on primary seatbelt laws: I find it interesting and less than amusing that the government finds it

necessary to protect us from ourselves. All I want it to do is protect me from "other" people. Obviously, no one can be 100 percent secure under any circumstances. There is no question that we should, nevertheless, aim high rather than low. All of these "protect against ourselves" laws are counterproductive.

If someone chooses not to wear a seatbelt, that is his or her right. Even if we are both (God forbid) in the same accident, his bouncing around inside (or being projected out) of his own car has no bearing on the severity of my injuries.

Clearly, I would be sympathetic, but I should not have to worry about them bankrupting me because of his choices. Where it becomes a problem is when I have to pay for his unmitigated injuries. This can happen in several ways, e.g. He is uninsured and the hospital has to pick up the enormous tab, which it then passes on to me in the various ways we all are familiar with. Or even if I am at fault and his failure

to mitigate damages costs me far more than I would normally be responsible for, had he been responsible enough to protect himself.

My solution is this: leave us alone. Let us be free to belt or not. Only when that failure to belt causes excessive damages in an accident should any penalties come into play. I would suggest that the unbelted person then should be required to take full responsibility for the excess damages he failed to mitigate.

Consider this: If a tree breaks my window and then it rains causing massive water damage because I failed to mitigate the damage by not covering the window, my insurance company will not compensate me for the water damage, only the broken window. In the same way, the unbelted should be held responsible for their choices as it impacts themselves and others.

**Dave Moyssiadis
Kissimmee, Florida** 🐾

Photo Radar

continued from page five

would increase the current fleet of specially equipped photo radar cruisers from six to twelve. This move is expected to generate an additional \$7.2 million in annual revenue for Washington.

The financial success of these enforcement efforts is self-evident. But, what about their safety benefits? After all, isn't that the reason for these drastic measures—to ensure public safety? Or, so Police Chief Charles Ramsey would have us believe, and he has continually harped on the familiar mantra of "it isn't about revenue making, it's about saving lives." Too bad, other city officials are failing to present a united front. For example,

D.C. Mayor Anthony Williams has openly admitted, "the cameras are about safety and *revenue*." With the District facing a projected budget deficit of \$323 million, is it any surprise that automated enforcement is on the rise?

Not everyone is thrilled with the cash cow that red light cameras and photo radar have become. D.C. Council member Phil Mendelson has expressed concern that the city is becoming dependent on the revenue generated from tickets and warns against using ticket revenue to balance the District's out-of-control budget. Mendelson proposed legislation that would direct revenue from automated traffic enforcement to the Highway Trust Fund for road repairs and

highway improvements, not the city's general fund. He views this as one small step to increase the city's accountability on the issue of safety.

As for the stationary camera on Florida Avenue, it has already had one successful month of shaking down D.C. motorists, but has it improved public safety? Pauline Robinson, an elderly resident who lives in the area with her daughter and four-year-old grandson, was initially a proponent of the speed camera. She had hoped it would reduce the number of accidents, but she reluctantly admits that the speeding drivers "don't care" and that she hasn't noticed any real difference in speed or number of accidents since the camera was installed. 🐾

The Experts' Corner

Do 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.

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

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