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COVER

"Horsepower"

Photo by Steve Carrellas

Tickets And Taxes

by James J. Baxter, President, NMA

A recent news article described a survey of speeding tickets issued by various states. The numbers were largely those generated by state police and did not include tickets issued by other units of government. The one number that jumped out and grabbed my attention was "400,000," the approximate number of speeding tickets issued by Washington, D.C.

With half a million residents, D.C. issued almost one speeding ticket for every person in its jurisdiction, this being the product of its aggressive use of photo radar. California, with 35 million residents, issued just under a million speeding tickets. One need not be a mathematician to discern some imbalance in this comparison!

Even D.C. city politicians are having some difficulty justifying a system that rapes the motoring public to this degree. One glimmer of light is the public admission that D.C. speed limits are absurdly low on major thoroughfares. In an attempt to preserve the photo radar cash-cow program, D.C. officials are looking to head off a major assault by modestly raising a few speed limits and thereby venting potential pressure that might develop in opposition to photo radar enforcement.

Obviously, they can't go too far and set legitimate speed limits throughout the city. This would end the revenue stream. More likely there will be token five-mile per hour speed limit increases on roadways with prevailing traffic speeds that are 15 or 20 mph above posted limits.

Setting aside the political gyrations in D.C. I do marvel at this whole surreal scenario. Here we have a dysfunctional city operated more or less as a fiefdom of arguably the most powerful government on the planet and it's running a transparent shakedown scheme under the guise of "safety." Relatively bright opinion leaders and media functionaries seem "challenged"

and unable to grasp the fact that this farce (photo radar) is simply a discriminatory tax that has absolutely no connection to safety.

Add the fact that this is taking place in a region of the country with supposedly some of the most powerful, sophisticated, influential, and savvy people in the world and it causes considerable concern about the future of the human race. Just how bad does it have to get before the victims of this system start spitting nails and demanding change?

We are seeing growing interest around the country in employing photo enforcement, especially in cities with financial problems. With examples like D.C., where tens of millions of dollars are being raked in, it's not hard to understand the temptation. Amazingly, some of the wannabes are not heeding the trail blazed by Washington and other East Coast cities. Instead of small fines and no points on your record, the Johnny-come-latelys are assessing huge fines, points, and escalating both with successive tickets. Hopefully, the result will be far more citizen resistance.

So, what can you do? If a nearby city, or the one you live in, proposes or installs ticket cameras, write a letter to the local paper stating your intention to take your business elsewhere, with copies going to the chamber of commerce and selected businesses. Support and vote for local candidates that oppose ticket cameras. Ask your state legislative representatives to introduce and support legislation outlawing the use of ticket cameras. Attend city or village meetings when ticket cameras are being discussed and voice your opposition. And, fight any ticket camera citation you receive to the best of your ability.

Photo enforcement is simply a more sophisticated speed trap, just another way to rip off travelers through traffic law enforcement. Let's not go quietly into the night. ☹



NMA Washington Report

by Robert Talley, NMA Lobbyist

The Transportation Bill, which would fund our nation's highways through 2009, is coming to a head this month, and NMA is fighting to protect your rights from further federal intrusion.

Prior to this legislation passing the Senate, I worked with representatives opposed to a requirement that would make certain states pass primary seatbelt laws in order to receive highway funding. Specifically, Senator George Allen (R-VA) wanted to provide an alternative to this heavy-handed stipulation. A diverse group of organizations worked with legislators from Maine and New Hampshire to secure support for this initiative. Unfortunately, despite being good public policy, the Allen Amendment didn't receive enough votes to become part of the bill.

The Transportation bill is now in Conference Committee, a legislative process that provides the House and

Senate an opportunity to work out differences between their two bills. In this case, the major fights are over funding discrepancies. The Conference process doesn't allow for much disclosure—it is in this environment that backroom deals most often prevail. As a result, predicting the outcome of a conference can be challenging.

In conference, I'm seeking to remove references from the legislation that would authorize federal financing for red-light cameras and automated speed enforcement. It is our hope that we can stop federal highway dollars earmarked for the highway safety program from being spent on automated-enforcement technologies. Currently, however, it's not clear how our proposal will be received.

I am also working to limit any expansion of HOT (High Occupancy Toll) lanes or toll roads. Sadly, it appears that tolls are here

to stay, and more are probably on the way. A fallback position is to restrict tolls, so that they could only be used to fund new lanes or roadways. Under this plan, toll revenues would be dedicated strictly to highway improvements, and tolls would have to be removed when the debt for construction or repair is paid off. Along those lines, we're supporting a proposal originally offered by Senator Wayne Allard (R-CO) that would provide some protections against abuse of the toll system.

Until the White House, the House, and the Senate can come to an agreement on the final funding level for the overall bill, the horse trading on provisions within the bills will not begin in earnest. Now and through that time, I will continue to promote the positions that are important to NMA members. 🐾

We Love Horsepower!

by Eric Skrum, Managing Editor

On the cover of this month's issue of *NMAF NEWS*, you will notice a lovely lady on a horse. If you look closely, you will see an NMA logo on the saddle blanket.

The photo is of Martha Carrellas competing at the *Somerset Hills Handicapped Riding Center's 21st Annual Horse Show*. She and her husband Steve (the NMA's very own New Jersey State Chapter Coordinator) decided they wanted to help the horse show by sponsoring one of the horse teams.

They also decided to kill two birds with one stone by using the National Motorists Association's name as the sponsor. Not only did the horse show receive a nice donation, but the NMA also received some nice publicity.

So why report this in the newsletter? The Carrellas' actions highlight a great way that NMA members can promote our organization. Just because the occasion isn't motorist-related, it doesn't mean that you can't promote the NMA. Personally, I support a local

theater group by purchasing ad space for the NMA in their programs.

What does theater have to do with the NMA? Not a whole lot, but my advertising money helps the theater group and the ad helps get the NMA's name more exposure than it had before.

This can be applied to many other situations. If you would like to help a local group while using the NMA's name, please contact us at 608-849-6000. 🐾

Yellow Means Go

Traffic engineers in Beaverton, Oregon have been testing the use of blinking yellow left-turn arrows to facilitate the flow of traffic at intersections and reduce the congestion that can occur in the dedicated turn lanes.

This is how it works: Motorists will still have the green (protected left-turn) arrow while the oncoming traffic stops at a red light. And, they will still have the red arrow to signify that they cannot turn left. The blinking yellow light comes into play when it's safe for the driver to exercise discretion

and initiate left turns.

In 2002, Beaverton was among cities invited to test the left-turn technology in a Federal Highway Administration study. Testing for the system has been so successful that yellow blinking lights will begin to be used across the nation in the next few years.

There's only one small problem. Most drivers aren't aware of these lights and what they should do when encountering them. One of the initial responses to the lights was a noticeable delay in traffic.

Other motorists thought they had

the right-of-way because of the flashing yellow light. Two accidents were reported as having occurred due to this confusion.

However, this problem is easy enough to address. An educational effort funded by the Federal Highway Administration would be a great start. It would be one of those rare instances when federal money was actually spent on educating the public in regard to a bona fide safety program, rather than the usual anti-motorist propaganda we see in public service announcements and most media coverage. 🙏

Parking For Free

Our story begins with Chuck Pascal, an attorney who decided to fight the \$5 parking ticket he received in Butler, Pennsylvania. During his preparations, Pascal found a state law that requires all parking meters to be certified every three years. Cities and counties that did not want to or were unable to conduct the necessary testing and certification themselves were supposed to rely on the state's Weights and Measures Division for assistance.

Only Philadelphia and Pittsburgh certify their own meters. Meanwhile, the understaffed Weights and Measures Division is unable to handle all the other necessary certifications. This means that most cities, including Butler, have simply ignored the certification requirement.

Pascal won his case after Butler Police Chief Timothy Fennell admitted that the town's meters were not certified. Pascal was vindicated, but he also succeeded in forcing other municipalities to have their meters tested.

City and town officials are now

begging state regulators to come and test their parking meters. The process calls for every meter head to be pulled off and brought to a central testing location, where workers drop a coin into each of them and check their accuracy against a clock for two hours. By law, meters cannot shortchange motorists, nor can they give more than nine minutes extra time for every two hours paid.

Several cities, such as Harrisburg, Wilkes-Barre, and Scranton, have already had their meters certified, but dozens of others remain in parking meter purgatory. Butler and several other communities across the state have stopped issuing parking tickets until their meters can be certified, although not everyone has been as sensible.

Some municipalities were unwilling to give up the thousands of dollars in revenue they make from parking violations, and continued writing tickets even though their meters had not been certified. To make matters worse, hundreds of parking meters have been found to be seriously

inaccurate since the rush to have them certified began.

In the Borough of Bellefonte alone, 200 meters failed to be certified. Bellefonte is now scrambling to replace those meters at a cost of \$30,000.

Since the Weights and Measures Division is still not adequately staffed, it will likely take several months for all parking meters throughout the state to be certified. In the meantime, municipalities will lose thousands of dollars worth of parking fines, and you may get away with parking for free. 🙏

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NMA Foundation Lends Support To ACLU Challenge by John Holevoet, Director of Development

The American Civil Liberties Union (ACLU) of New Mexico is taking the city of Albuquerque to court over two new ordinances that allow the city's police to seize the vehicles of motorists suspected of drinking and driving, or any vehicle that has received two red-light-camera tickets.

Mayor Martin Chavez and the Albuquerque city council have used the city's "public nuisance" ordinance to justify permanently seizing the car of anyone *accused* of a DWI. Similarly, someone who receives a second red-light-camera ticket would lose his or her vehicle for 30 days, even if the owner was not driving the car.

Peter Simonson, ACLU-New

Mexico's executive director, correctly states that these new repressive laws turn traditional due process on its head. "The City has created a system whereby everyone who is accused of these crimes is automatically considered guilty," Simonson said. "That's not fair and it's not constitutional. People deserve their day in court."

Mayor Chavez claims he expected legal challenges to the laws, but in recent press interviews, he seemed furious that the ACLU would challenge his perceived dictatorial power. "I've had it. I'm sick of it," Chavez said. "On my watch, we are going to have these laws."

For the time being, Chavez will have to wait. District Court Judge

Theresa Baca issued a temporary injunction against the enforcement of the laws. Meanwhile, ACLU-New Mexico and the city are preparing their cases for a mid-August trial date.

The ACLU's complaint asserts that the law misapplies the nuisance abatement law, violates the motorists' privacy, disregards due process, and ignores a person's right to confront their accuser(s). "The city is declaring vehicles a public nuisances in order to leap-frog normal trial procedures and go right to the punishment phase," ACLU attorney George Bach said.

To NMA members, the numerous problems with these oppressive measures are self-evident. Concerns about due process and privacy are only made worse because these laws are based on questionable enforcement technology like ticket cameras and Breathalyzers.

The NMA and NMA Foundation both have long-standing positions against harsher, yet still ineffective, DUI laws and the use of unsafe, money-grubbing ticket cameras. For that reason, the NMA Foundation's Grant Review Board decided to issue a Legal Aid Grant to the ACLU-New Mexico to aid in their defense of motorists' rights in Albuquerque.

"Motorists are often the first to be targeted by laws threatening personal liberty and undermining due process rights," said James Baxter, NMA President. "It's our hope that this grant will encourage the ACLU in New Mexico and beyond to more strenuously defend motorists' rights." 🐾

Oklahoma Victory

In May, the National Motorists Association was approached by Gary Huddleston, a professional lobbyist from Oklahoma.

It had come to his attention that Oklahoma motorists were about to lose a valuable protection that had been in place since 1974. This state law *prohibited* the Department of Public Safety from *assessing points to your driving record* if you got a speeding ticket in a speed trap on an interstate or a U.S. highway. This meant that every time a motorist got a speeding ticket, their insurance company couldn't raise their rates!

One of the many provisions of HB 1502 would remove this protection. The problem was that Huddleston had learned of HB 1502 too late. It was already in front of Governor Henry.

That's when Huddleston contacted the NMA. He wanted help in getting this bill off the governor's desk.

Members of the NMA contacted

the governor and NMA's Communications Director, Eric Skrum did numerous media interviews on the topic as well.

The Department of Public Safety (DPS) applied all possible pressure to the governor for his signature due to the other elements in the bill. The fact that the Oklahoma Legislature was in the last two weeks of its session added even more urgency to their efforts. Despite our efforts, the bill was signed.

This didn't stop us. Due to the pressure and attention the NMA brought to this issue, Huddleston was able to extract an agreement that the DPS would use one of their trailer bills (HB 1993) to reinsert the language that was repealed by HB 1502.

HB 1993 did go in front of Governor Henry and was signed into law. This is one that the NMA and its members can put in the victory column.

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Safety Stop Or Big Brother?

by Eric Skrum, Managing Editor

It has come to light that the Washington D.C. police have been using safety roadblocks as information gathering tools.

Since 2002, when the police stop motorists at "traffic safety check-points," they record the name, address, physical description, and birth date of the driver. This may seem normal. After all, this information is readily available on a person's driver's license. However, the police take the extra step of recording the driver's telephone number, the time and specific location of this stop, and all the previously mentioned information on *each and every* person in the car.

This information is subsequently entered into a database that is linked to a computer that includes arrest records and mug shots of criminals.

This database is then used by the police in crime investigations. If an incident occurred in an area around the time that you were there, the police can track this. You potentially become a witness to the incident or even a suspect.

If that wasn't disturbing enough, this problem is exacerbated by the fact that many of the roadblocks are occurring in areas where crime, not traffic safety, is the main concern. This demonstrates that the true reason for the roadblocks is to gather information on the movement of citizens, rather than to issue tickets for not wearing a seatbelt or having an expired sticker.

When this point was brought up, D.C. police Chief Charles H. Ramsey said, "Residents in crime-plagued neighborhoods often complain at community meetings about traffic, speeding, phony tags, all those kind of things. They're asking for traffic enforcement, too."

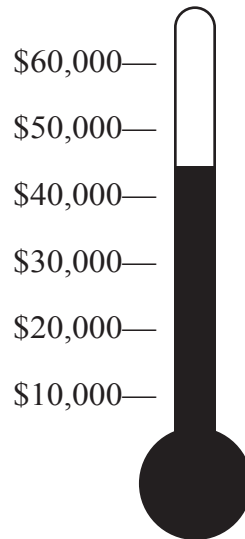
Somehow, I don't think this is really the case. So where is the benefit to the police in having these checkpoints? D.C. homicide Detective Paul Regan

provided the answer when he said that the collection of such data has been "a great intelligence tool."

Is gathering information a good

justification for stopping motorists? For now, that seems to be the case in our nation's capitol. ☞

2005 Legislative Fund Update



A heart-felt "thank you" goes out to every single person who contributed to this year's NMA Fundraiser. We're well on our way to reaching our goal of \$60,000, and there's still time for you to help us make this goal a reality.

Your donation will keep our new lobbyist hard at work for us in Washington D.C., while also aiding the NMA in its legislative efforts at the state and local level.

2005 has been a year of many successes for the NMA, and with your help even greater progress is ahead of us. Please, take a few moments to complete and return the donation form. ☞

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As more and more states look for solutions to their budgetary woes, tolls are on the rise across the nation. In the past two years, more than a third of all toll roads increased the amount motorists are charged to use them. An unprecedented increase, with several toll authorities raising rates for the first time in over a decade.

This year, the Pennsylvania Turnpike, which links Philadelphia to Pittsburgh, raised its tolls by 44 percent. In January, the Illinois Tollway raised charges 56 percent. Authorities in New York, California, Maryland, and Virginia have approved more modest increases in tolls.

This means motorists, who are already facing record gas prices, must also pay more than ever in tolls. Even more frustrating is that the toll increases are sometimes used for projects other than for roads, such as light rail or canal maintenance. For example, Virginia recently raised tolls on the Dulles Toll Road to fund an expansion of the

regional subway system.

Not all motorists have passively gone along with the increase in tolls. In Northern Virginia, more than 1,600 people have signed up with www.notollincrease.com, which urges motorists to boycott the Dulles Toll Road.

In Illinois, which nearly tripled tolls for some truckers, officials saw a 7.7 percent drop in the number of trucks using the toll roads in January compared with a year earlier. The result—many local roads in the already crowded Chicago suburbs have become clogged with trucks avoiding the tolls.

Despite popular opposition, cash-strapped governments are more than happy to listen to toll proponents offering them a solution to shortfalls in state funding. The NMA is working to send a message to all elected officials: the public opposes tolls and those who support them will find themselves without the public's support. 🗨️

History Repeats Itself

Tolls on I-95 in Connecticut may sound familiar, particularly if you drove that road back in the 1980s. Even if you do remember the tollbooths on I-95 (the last one was dismantled about 20 years ago), they probably seem like a distant memory.

The Transportation Strategy Board is trying to change all that. They want money to conduct a study on reviving tolls. They argue that tolls would help the state pay for new infrastructure improvements. Apparently, asking the state to be fiscally responsible and to spend its transportation funds more wisely is out of the question. Tolls are the "only" solution.

Board members have also failed to take into account federal rules that prohibit states from receiving certain federal highway funds if they revive tolls on roads where tolls had been repealed or never charged. If tolls return to I-95 in Connecticut, they would have to compensate for the lost federal funds before any additional revenue could be realized.

Governor Rell did not include money in her proposed budget for the toll study, but that didn't stop strategy board members from seeking out legislative support. Fortunately, tolls face strong opposition from several key legislators.

Beyond the strategy board's desire for more money, they also make the incredible claim that tolls will help reduce congestion. Anyone who has ever sat in a traffic jam caused by a tollbooth knows this claim is totally ridiculous. But board members insist that by using EZPass, an automated

payment device, congestion would be reduced.

However, even in areas where that technology is in use, slowdowns are commonplace. Additionally, those motorists without auto-payment devices would have to wait in line for a face-to-face transaction with a tollbooth attendant.

Proponents of tolls also favor auto-payment systems because they make paying tolls more palatable. In testimony before the strategy board, Walter Kristlibas of the New Jersey Turnpike Authority claimed that motorists who use EZPass "...don't mind paying the toll and they love every second of it." Comments like this make it pretty obvious that bureaucrats like Kristlibas have never actually discussed tolls with the motorists who get stuck paying them.

Strategy board members have said that they will not make an "official" decision concerning tolls until, and unless, a study is undertaken on their feasibility. Luckily, that may never happen given several legislators' opposition to tolls.

State Representative Antonio Guerrero, co-chairman of the legislature's transportation committee, said that the idea of reinstating tolls is impractical because of the sheer traffic volume along the I-95 corridor. Others are worried about the many safety issues associated with tolls. After all, the move to dismantle tollbooths on I-95 came following a devastating crash involving a truck and several cars lined up to pay a toll. Seven people were killed in the accident. 🗨️

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Tolls Go Hi-Tech

Move over EZPass, there's a new kid in town. Officials in London, England have recently unveiled plans to charge motorists up to 80p (\$1.46) per mile to drive on city roads. The new tolls will be assessed through the use of a satellite tracking system that will monitor a vehicle's movement.

London has a head start on most cities when it comes to invasive tolling technology. Testing of a separate system of electronic tags is already underway. Tags have been installed in 110 test vehicles that transmit to roadside beacons, which then deduct toll charges from a pre-established account. This scheme is expected to be in wide use by 2009.

The satellite toll system won't be up and running until 2015. Mayor Ken Livingstone hopes that the system will give the city the tool it has long sought to control freedom of movement. The satellite tracking devices would charge different per-mile fees depending on where a motorist decided to travel and when.

At peak times, the rate from the outskirts of London to

the North and South Circulars would be 16p (\$0.29) per mile. Drivers travelling from the North Circular to the boundary of the current charging zone would be charged 48p (\$0.87). Inside the zone, the toll would rise to 80p (\$1.46) per mile. That would only be the beginning; the tolls could also be customized for type of vehicle, different times of day, localized traffic, and even special events.

London's proposed hi-tech tolling is certainly more elaborate than auto-payment devices like EZPass already in use in the United States. Satellite tolling, however, is not completely unlike EZPass. For example, many states already use EZPass-like devices to charge graduated tolls to discourage travel in certain areas at certain times.

Also, both devices share a common purpose—to make tolls less obvious. Bureaucrats hope that if you don't have to physically reach for your \$2.00 in quarters, you won't mind paying to "maintain" the roads you've most likely already paid to build.

New Tolls Planned For the Capital Region

An article mentioning the numerous pro-toll provisions in the current transportation bill appeared in the May/June issue of the *NMAF NEWS*. It appears the folks on Capitol Hill aren't the only ones who have been doing a lot of thinking about tolls, particularly HOT lanes. (HOT—High-Occupancy Toll—lanes are toll lanes that are only free for vehicles containing a certain number of people.)

Virginia transportation officials recently signed a deal with two private firms to build two HOT lanes paralleling the Capital Beltway. The lanes will be separated from the rest of traffic. Officials plan to keep them from clogging with traffic like the rest of perennial gridlocked Beltway by increasing the toll amount motorists would have to pay as the amount of traffic rises.

State Transportation Commissioner

Philip Shucet has praised the new lanes for adding much-needed "new capacity," but he ignores the fact that this "new capacity" will be strictly limited, and will most likely cause more traffic problems than it solves. He also fails to mention that every HOT lane eliminates a corridor for a regular lane, which usually is already purchased with motorist tax dollars.

The new lanes will be in the middle of the current Beltway and will have a limited number of access points where motorists can merge back into regular traffic. This is sure to cause further slow downs at each of these so-called "access points." Furthermore, the speed differentials associated with separated HOT or HOV (regular carpool) lanes have been shown to result in a high number of accidents.

Another concern is enforcement, which is normally a problem for carpool

lanes. The private investors behind the new lanes plan to use an extensive video monitoring system to catch anyone who "wrongfully" avoids toll. After all, they'll be eager to recoup the over \$900 million they must invest to build the additional lanes.

The lanes represent the first phase of an extensive network of toll lanes planned across the region. Virginia officials are considering additional HOT lanes on parts of Interstates 95 and 395, and Maryland officials are exploring express toll lanes on the Beltway, I-270, the Baltimore Beltway, and I-95 north of Baltimore.

Outside of the capital region, HOT lanes are already in use in California and Texas, and similar lanes are scheduled to open in Minneapolis and Denver this year. 📍

Ticket Camera Trifecta

by John Holevoet, Director of Development

As we reported in the past, 2005 has seen a flurry of legislative activity relating to ticket cameras, everything from bills banning the use of photo enforcement to bills funding photo radar. The NMA has played a prominent role in standing against the spread of ticket cameras and is pleased to announce three new victories on this front.

Nevada

A bill that would have authorized a two-year "trial" program of both red light cameras and photo radar was defeated. The efforts of NMA Activist Chad Dornsife were essential in derailing the legislation. After a watered-down version of the original bill passed the Senate, there was real concern that cameras would start cropping up across the state, but the chairman of the assembly committee that was supposed to review the measure didn't even grant it a hearing.

Through it all, Chad was busy talking to legislators, handling media interviews, and getting the word out about photo enforcement's many faults. Nevada motorists owe him a debt of gratitude for his hard work on this matter.

Alabama

Two bills, HB 428 and SB 200, would have introduced red light cameras to the Cotton State. The twin bills would have allowed municipalities to issue a ticket of up to \$250 to the owner of a vehicle whose license plate was photographed going through a red light.

Concerns over motorist privacy played heavily into the

debate over the bills. "I'm not too much for government spies up on telephone poles or wherever to catch people running lights," said Senator Tommy Ed Roberts. "That would just be a revenue raiser." African-American legislators also joined in opposition to the measures fearing the cameras could be used to commit racial profiling.

Connecticut

HB 5744 would have permitted both red light cameras and photo radar, but it languished in the last days of the state's legislative session. The defeat of this bill was particularly important because it had expanded from an authorization of red light cameras into legislation that would have done even more harm to Connecticut motorists.

First of all, it was amended to allow for photo radar. Then it was altered to enable municipalities to bypass a previous state law, and keep the majority of ticket camera fines—making the abuse of this technology by cash-strapped local governments inevitable. Fortunately, the letters and emails that numerous NMA members sent in opposition to this bill were successful. Connecticut remains free of photo enforcement!

The recent successes in Nevada, Alabama, and Connecticut join a list of NMA photo enforcement victories, which include wins in Virginia, Indiana, New Hampshire, and Utah. With popular opinion now turning against the cameras, these states are only the beginning. 📧

NY State Of Mind

by Casey Raskob III, Esq.,
New York Activist

New York has figured out yet another way to be paid for the same traffic ticket. The first is the fine. The second is the surcharge (\$55 dollars), and Driver Responsibility Assessments (DRAs) are the third way.

In New York, bills associated with DRAs have gone out for the first time. Any motorist, who received six or more points on his/her license after November 18th, 2004 will now have to pay the state at least \$100 per year for three years. The annual fine can rise as high as \$225 for those with more than six points.

To make this even worse, just one typical New York speeding ticket can be classified as a six-point violation. That means the average ticket, including the standard fine and surcharge, is now going to cost you \$500. Most drivers who get a ticket, but have clean records, will be able to get a reduction in points. However, if you live in New York City, these new fines will disproportionately affect you. The Department of Motor Vehicles runs the Traffic Violations Bureau in New York City and they don't allow any reduction in points.

The DRA assessments were slipped into the Budget via a finance committee addendum, and were part of the huge budget upon which voting is automatic—almost Soviet style. There was no real chance to nip this in the bud, as it ran silently through the halls of the legislature.

In addition to the increase in money coming from the pocket of motorists, this legislation has other negative ramifications. Failure to pay the ticket and/or DRA will result in a suspension of your license. Because many people move without properly informing the Department of Motor Vehicles, they will miss the DRA notices. Some motorists will also mistake the notice for a record of a ticket they already paid, and will discard it. Still others won't have the money to pay the DRA.

These assessments won't make motorists more responsible, but they certainly will make the state a lot more revenue. 📧

Staties, Town Cops Clash On Patrol Tactics

by Debra Glidden, Reporter, The Daily Item

Reprinted with permission from *The Daily Item*. This appeared in the May 24, 2005 issue.

NAHANT, MASS.—Nahant Police and State Police have drawn battle lines along the causeway.

The town and the state police have joint jurisdiction on the causeway and Nahant Rotary, but apparently a sharp difference on traffic enforcement strategy.

Town Police Lt. Thomas Hutton said after the department received at least 20 complaints from town residents who were ticketed by state police for speeding on the causeway, Nahant officers moved to warn its residents to slow down.

The department stationed marked cruisers with lights flashing at two spots along the causeway during rush hour Friday evening, as state police were clocking vehicles, and officers were waving at vehicles to warn motorists to slow down.

That move did not sit well with state police.

According to one civilian eyewitness, State Police Sgt. Paul Barbieri "ordered" Nahant cruisers off the causeway twice Friday evening.

"Nahant police politely declined to be moved," the witness said.

Hutton said the department was being "proactive" and ensuring that motorists were driving safely.

State Police Sgt. Richard Donovan called the situation "ridiculous."

"If Nahant officers were warning vehicles to slow down when state police were using radar for traffic enforcement they were interfering with state police operations," Donovan said.

Donovan said the state and local police have joint jurisdiction on the causeway, but State Police Public Information Officer Sharon Costine said state police are the primary authority.

"The bottom line is it is part of our patrol area. It is our roadway and is not

in the town of Nahant," Costine said. "Apparently Nahant has an issue with us being there."

According to several town residents, including a 90-year-old great-grandmother, the state police have been aggressively targeting Nahant residents.

The speed limit at each end of the causeway is 35 mph and the posted speed limit is 45 mph on the rest of the road that connects the peninsula town with Lynn.

According to police, some residents have been ticketed for going 40 mph in the 35 mph zone.

"According to the people who called us, the tickets were issued by state police where the speed limit drops from 45-miles to 35-miles," Hutton said.

Hutton said the two departments have historically had a "good working relationship."

"This problem started a couple of weeks ago when town officials said they intend to bill the state for services the town provides to the causeway and the Nahant Beach Reservation. The

state turned it into a p-----contest," Hutton said.

Donovan said allegations the state police are targeting Nahant residents is "nonsense."

"We use radar and when someone is speeding they are stopped and they are given a ticket or warning as appropriate. We are looking at the radar gun, not at Nahant (parking) stickers," Donovan said.

Donovan said the state police have dedicated patrols on the causeway, Lynn Shore Drive and on the Lynnway on weekends, and has stepped up traffic enforcement.

"We had a lot of complaints from Nahant police about speeding on the causeway and in the (Nahant Beach Reservation) parking lot," Donovan said.

Police Chief William F. Waters said that is "an absolute lie."

"The Nahant police has never complained to the state about speeding cars on the causeway," Waters said. 🐾

NMA Sponsors A Car Enthusiasts Event by Ivan Sever, Massachusetts State Chapter Coordinator

On June 18, 2005, thirteen teams of MINI Cooper enthusiasts gathered on a soggy Saturday morning at the base of Mount Washington, New Hampshire. They drove from as far away as Michigan and Virginia to be part of the Third Annual MINIs on Top event—a weekend gathering of owners of the revised models of these popular cars from the sixties.

Since BMW started importing the new MINI Coopers in 2001, the popularity of these vehicles has grown exponentially. Likewise, MINIs on Top has grown too. Seventy-three cars participated in the original 2003 event. This grew

to 160 cars the following year. The latest event attracted 227 vehicles and 437 owners with their families.

For the first time, the weekend included a Photo Scavenger Hunt. Teams were required to identify eleven clues and photograph them in the shortest possible time.

The National Motorists Association generously donated prizes for the top three finishers of the contest. In addition, all three teams received a one-year membership in the NMA.

Thanks to the donation, there are now more NMA enthusiasts among MINI Cooper owners. 🐾

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 that you can use when contacting your legislators on these issues at www.motorists.org/issues/index.html.

Colorado

The Colorado Department of Transportation raised the speed limit on U.S. 50 west of Pueblo Boulevard to 65 mph. The DOT increased the speed limit because they found the 85th percentile speed to be 67 mph during a study conducted last August.

Connecticut

Under a new law, Connecticut drivers soon will be required to buy hands-free devices if they want to continue to talk on their cell phones while driving.

Florida

The "Road Rage Reduction Act" introduced by Senator Mike Bennett would have made it illegal to hold up traffic in the left lane. Police would have been able to issue tickets and points on a motorist's license for violating the proposed law. Unfortunately, the bill was vetoed by Governor Jeb Bush.

Illinois

Beginning July 8, Chicago will prohibit motorists from using cell phones without a hands-free device. Motorists found using cell phones while driving will face a \$50 fine. If the violation happens "at the time of a traffic accident," the fine will quadruple to \$200.

Emergency gates are being put up around Chicago's interstates to prevent

traffic from going downtown in the event of a "terrorist attack." These gates are an enormous waste of money that will be used in the future to control traffic in the name of defending America.

Iowa

In the near future, red light cameras will be installed in Council Bluffs. Redflex, the ticket camera company, will be paid on a sliding scale, depending on the number of citations issued.

Maryland

The State Patrol began a controversial program using night vision goggles to catch motorists not wearing seat belts. Governor Ehrlich ordered state police to discontinue this practice shortly after it started. This only highlights the irrational and intrusive techniques used to enforce primary seat belt laws.

Massachusetts

Newton police officers are once again allowed to use their discretion in writing tickets. An appeals court recently ruled that the city could not require police to issue tickets instead of warnings. This decision comes after a lengthy court battle between police officers and the city.

Minnesota

Minneapolis' *Stop on Red* program began June 7 with sixteen cameras installed in twelve different intersections in the city. Motorists will receive warning tickets until July 6 and after that, \$130 citations will be mailed to the vehicle's owner.

New Mexico

The city's red light camera began on May 5th. By May 27th, the city had issued 750 citations at \$100 per ticket. On a second offense, the fine becomes \$250 and the vehicle may be impounded for 30 days.

Ohio

HB 56, which would strictly limit the use of red light cameras, has passed the House and has been sent to the Senate Transportation Committee for review. The NMA has worked closely with the bill's sponsor, and will continue to watch its progress.

South Carolina

South Carolina's legislature voted in favor of a primary seatbelt law. Governor Sanford failed to take any action on the bill so it will automatically become law in less than six months.

Texas

The Texas Senate has voted against a bill that would have closed the loophole allowing red light cameras. The NMA had worked hard to get this bill passed.

The Texas Legislature passed HB 87, which allows cities to lower city speed limits from 30 mph to 25 mph without conducting an engineering study on streets less than 35 feet wide where on-street parking is allowed.

Governor Perry signed HB 2257, which raises the daytime car speed limit to 80 mph on I-10 and I-20. It also allows a 75 mph daytime speed limit for cars in counties with fewer than fifteen people per square mile, rather than the current requirement of less than ten people per square mile. ↩

For interested NMA members:
Gail Morrison has moved.
Her new address is:
2251 S Fort Apache Rd
#1045
Las Vegas, NV 89117



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 NMA member-authored articles are those of the author and do not necessarily reflect NMA Foundation policies or objectives. To submit, you can email us at nma@motorists.org or mail to our NMA Foundation Office.

I am asking all NMA members in Chester, Bucks, Montgomery, Delaware, and Philadelphia Counties for help in stopping the red light camera program that has started in Philadelphia. It is called a "pilot project," but it is the camel's nose under the tent. As time goes by, our elected officials are counting on the probability that the public will "get used to" the cameras and that people will lose interest and stop fighting them.

In contacting Representatives and Senators in Harrisburg, I find that they all shrug their shoulders at the injuries and deaths the cameras will cause, and tell me that the "leadership" wants the cameras, so what can you do? Meaning, they will do nothing to stop the cameras unless there is a loud public outcry.

I need volunteers to attend news conferences, ground breakings, etc. of the new camera sites, so the local media will pick up the story. That's the only way we can shame the politicians into facing the facts about red light cameras, and get the "pilot program" canceled. Contact me at tom_mccarey@yahoo.com or 610-687-7607. All members all over Pennsylvania are welcome.

Tom McCarey
Berwyn, PA

Editor's note: Tom has been working long and hard on this project by himself. His efforts have enabled him to capture the attention of the media and politicians. He is starting to make some headway. With the help of a few more hands, I

have no doubt this "pilot project" can be shut down.

As a proud member of the NMA I received one of your most recent alerts where you had a sample letter included that we should send to our Governor.

I took action and sent a letter through my Governor's website (Governor Warner of Virginia). I received a nice letter in return informing me that Virginia has not extended the red light photo enforcement pilot program and as a result will expire on July 1st, 2005.

Hopefully this shows other members that even little actions can have a large effect.

Alessandro Bucelli
McLean, VA

Just a note to say that I sent a letter to our local paper about June being "Lane Courtesy Month." After it was published in the paper, I was very pleasantly surprised at how much positive feedback about the letter I received from folks. Several individuals came up to me at work to voice their support and to say, in effect, Amen!

One coworker said that the next day, he was riding to lunch with a friend who was obviously hogging the left lane for no apparent reason, and he scolded him about it. The driver behind them was getting steamed and finally passed them on the right. The coworker later forwarded his friend the letter from

the paper as a reminder to keep right unless passing.

I think lane courtesy and its enforcement (when possible) is a worthy priority for our NMA to promote. Thank you for your efforts on this important topic.

Terry Lilly
Barboursville, VA

I wanted you to know how valuable the **Legal Defense Kit™** (LDK) has been to me. Every part of the kit was worth the rental fee. The information in the LDK gave me the insights to make the right choice about my defense, and then, the confidence to take it into court.

In court, I was able to plead Not Guilty to a charge of Reckless Driving (possible 12 months jail, \$2500 fine, loss of license, and loss of job). Instead, I walked out with a speeding verdict and a \$200 fine.

Without the LDK, I would never have had the confidence to challenge the system. I would have followed the line of least resistance, and plead "guilty" to a charge that would have deprived me of my license and my job.

Whether or not you decide to hire an attorney, the LDK is indispensable. It helps you to deliver your defense on your own, or to push your attorney into areas beyond their comfort zones, to win your case.

William Cather
Charlotte, NC

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

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

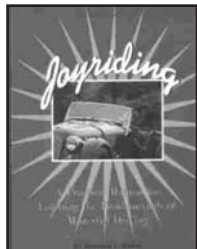
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Beat Your Ticket

State and local governments are increasingly relying on traffic ticket revenue for daily operations. This book gives responsible motorists the means to protect their rights by addressing many types of tickets: speeding, reckless driving, defective equipment and more. Author David Brown practices law in Monterey, California. This is the latest in a series of books where he is looking out for the driver.

Member Price: \$21.95
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Joyriding

Described as a "Manual for learning the fundamentals of masterful driving," this book is based on the premise that driving is just about the greatest thing a human being can do. Driving is a skill to be honed and refined into a fine art. And yes, driving is a responsibility with consequences. The author extols the virtues of driving well. He acknowledges the importance of "safety," but correctly points out that safety is a byproduct of being a good and skilled driver.

Member Price: \$29.95
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Speeding Excuses That Work

This book is a 157-page combination of personal war stories, humor, and ticket avoidance tactics. The book maintains a stream of wit and is an easy read. There's good advice scattered throughout the book, advice that goes beyond talking your way out of a ticket. These topics include avoiding tickets in the first place, safety tips for women involved in traffic stops, and debunking popular myths about traffic tickets.

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Ohio Traffic Tickets Are For The Birds

This book is an extremely detailed manual on how to fight traffic tickets in Ohio (although there are some parts of the book that would apply in other states). Not only does it cover speeding tickets, but it also gives advice on other types of tickets (i.e. tickets based on traffic signs, "right-of-way" tickets, etc). This book includes helpful checklists, statutes, and forms that you will use in preparing your case. If you want to be prepared to fight a traffic ticket of any sort, this book is a great start.

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State Chapter Coordinators and Activists

NATIONAL MOTORISTS ASSOCIATION NEWS



dedicated volunteers who monitor, publicize, and lobby critical motorists' issues, for you, within your state. They can also provide insights on how to best fight a traffic ticket in your state.

As an NMA member, the State Chapter Coordinators and Activists are available to you online at <http://www.motorists.org/join/membersonly/sccact.html>



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