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**COVER**

“The Red Light Camera Game”

**Stigmatized Stereotypes**  
 by James J. Baxter, President, NMA

A common tactic of zealots, demagogues, self-serving commercial interests, and political candidates is to define their opponents in stereotypical terms that convey strong negative impressions. Unfortunately, stigmatizing the opposition can be extremely effective and long lasting. Recent events related to our opposition to ticket cameras brought this message home, loud and clear. However, I'd like to temporarily digress from the ticket camera issue and take a closer look at the tactic of using negative stereotypes to stigmatize the opposition.

Frequently we see motorcyclists portrayed as 300-pound anti-social misfits, hunters and firearm enthusiasts described as "red necks" and "gun nuts," environmentalists and conservationists labeled as "Eco-terrorists," and attorneys described in various reptilian forms. I picked these categories because I have had exposure to all these populations and I know scores of people in each group. None of them fit the stigmatized stereotypes popularized and marketed by their detractors.

The motorcyclists I have encountered and known over a span of 40 years represent a complete cross section of society in just about every way imaginable. The only discernable differences may be that they have a stronger "live and let live" ethic and perhaps they just have a bit more fun than the public at large.

When I inventoried friends and acquaintances who enjoy hunting and firearms, I came up with a state employee who devotes about two-thirds of his free time to coaching youth soccer, the editor of one of the most popular automotive publications in the country, an internationally respected electrical engineer, an extremely successful marketing consultant with several national clients, and a personal friend who spent almost

every weekend for three years helping me build a log cabin—from trees he planted as a boy. I don't see anything too "nutty" about this group, except maybe the fact that they all ride motorcycles.

Conservationists and environmentalists I've encountered professionally and socially cover the gamut from bird watchers to foresters and agency administrators, hikers to canoeists, farmers to fanatical hunters and fishermen. They all put their own time and money into protecting the environment, enhancing wildlife habitat and championing clean air and water. More than a few spend their free time picking up trash along roads and streams, brushing out trails, and monitoring the health of natural features in their neighborhoods. I've never known one to so much as throw a nail on the road, let alone "spike" a tree. However, they don't all ride motorcycles.

Most of the attorneys I have had the occasion to work with have been ethical, competent, and did their best to represent my interests or those of the NMA. I have known many to be generous with their time and expertise. NMA members have received tens of thousands of dollars worth of free legal services that were donated by attorneys who support NMA objectives and goals. I can't speak to their proclivity for riding motorcycles.

I suppose I have to state the obvious; yes, there are thugs that ride motorcycles. There are people who shouldn't be allowed to own a screwdriver, let alone a firearm. Some extremist elements of the environmental movement resemble fanatical cults, and there are lawyers who have the moral compass of a brick. They are not representative of their respective populations and the stereotypes concocted by their detractors are not

*continued on page four*



## NMA Washington Report

### by Robert Talley, NMA Lobbyist

*The NMA's new lobbyist, Robert Talley (of Talley & Associates) has over a decade of experience in D.C. He has a broad understanding of the legislative/regulatory process and the complexity of political interaction, both of which are integral to successfully representing the NMA.*

**W**ithout significant fanfare, the 109th Congress entered in session on January 4th. After only a month of proposals, new federal laws on transportation policy are already starting to emerge.

In February, the House approved legislation tightening immigration and border-security laws, including a provision making it harder for illegal immigrants to obtain driver licenses. The outlook for the proposal becoming law is not very good, as the Senate has already expressed strong reservations about the legislation. Last fall the Senate forced House Republican leaders to strip the provisions out of the intelligence bill, while the White House issued a statement saying it "strongly supports" the legislation.

The federal highway and mass transit reauthorization bill (stuck in neutral during the previous Congress amid fights over its price tag) shifted into drive again this year. In his

February 7 budget proposal, President Bush announced support for a \$284 billion, six-year highway bill, which is \$28 billion more than the administration publicly supported last year. At the same time the President proposed switching the funding for NHTSA—the group that provides grants for "traffic calming" mechanisms like speed traps and red light camera studies—from the main treasury fund to the highway trust fund. That's a cool \$1.1 billion dollars that will not be available to build roads next year!

Next on the list of hot topics is the resurgence of tolls and tolling authority. Ever on the lookout for funds, state highway officials are trolling the halls of Congress seeking greater authority to implement tolls to fund highway projects. They are reportedly interested in using the highway bill to further drive this trend and allow for tolling on existing and new roads to pay not

only for improvements and upgrades, but also for programs like mass transit and the social engineering of what kind of car we drive.

We will undoubtedly see a spirited debate on these and many other issues as the pace of congress quickens. Into this process I will attempt to inject the rationality of the NMA. So begins the work in Washington to promote the interests and objectives of the membership of the NMA. 🐾

**Please note:** We were able to contract with Robert as a direct result of last year's **NMA Legislative Fund Drive**. It's your additional contributions that make it possible for the NMA to have ongoing representation in Washington D.C.

## Indiana: Speeding Its Way To 70 MPH

### by Heidi Katchkey, Editorial Assistant

**S**tate Senator Gregory Server has introduced a measure, Senate Bill 217, which would increase the speed limit by five mph on Indiana's interstate highways. The limit for cars would rise from 65 mph to 70 mph and also 60 mph to 65 mph for trucks.

The new higher speed limits would only apply to rural interstates, such as large portions of I-65 between Indianapolis and Chicago. The limit would not change on interstates that run through "urbanized areas," which are defined as denser communities

with populations greater than 50,000.

Senator Server, the bill's chief sponsor, said that the higher limit would bring the law closer to the actual speeds at which motorists are driving. "We're just trying to be realistic," Server said after the vote. "Our highways and cars are designed for this type of speed. People are driving at this speed now."

On Thursday, February 10, the bill passed the Senate by a vote of 34 to 15. Representative David Wolkins has introduced it to the House, and it's been assigned to the Roads and

Transportation Committee. The measure is expected to pass the House, where it enjoys the support of Speaker Brian Bosma.

The measure looks destined to become law. Governor Mitch Davis, who has not been a vocal proponent of the measure, has stated he would sign the bill if it reaches his desk.

If signed, the measure would take effect July 1, 2005. This change would make Indiana the 30th state since 1995 to boost interstate speed limits to 70 mph or above. 🐾

## Learning Your Lesson

### by John Holevoet, Director of Development

The United States prides itself on treating people equally under the law. So, what happens when a certain group of people receive special treatment?

For years, police officers around the country have avoided ticketing one another. A timely example is Carole Frauenfeld, a sheriff's deputy from Hillsborough County, Florida. Last January, she ran a stop sign and hit another car, injuring its driver. The incident was "investigated," but it was decided that Frauenfeld's actions did not warrant a ticket.

Department spokeswoman Debbie Carter defended the decision not to ticket Frauenfeld. "You don't cite people to punish them," Carter told reporters. "You cite them to teach them something. In this case, the deputy knew what she did was wrong."

Well, that sounds like a good

defense for anyone cited for speeding in Hillsborough County. When a deputy saunters up to your window, inform him or her that "No ticket is necessary... I've learned my lesson: speeding is dangerous." See how far that gets you.

You don't have to limit this excuse to speeding. After all, Frauenfeld got away with causing bodily injury. I wonder how understanding she would be when she hears the following, "In the last ten seconds or so, I've done a lot of thinking. I've come to the conclusion that it's wrong to run over an elderly couple in a crosswalk. That being the case, I'll be on my way."

Frauenfeld's supervisor refused to acknowledge the double standard. He claimed that not issuing tickets to officers in all situations, allows them to cut citizens some slack.

Ideally, if a law is worth having on

the books, it should be fairly enforced. There shouldn't be any privileged classes. The problem is, we have too many senseless laws. They shouldn't be enforced because they shouldn't have ever been written.

Police officers know a 35 mph speed limit on a four-lane, divided highway doesn't make sense, and should only be selectively enforced. What we really need to do is work for common-sense laws and the fair application and enforcement of them.

By unfairly avoiding the "educational opportunities" (i.e. tickets) they force on the public, officers are more or less immune from points on their licenses, excessive fines, and insurance rate increases. At the same time, however, their actions serve to erode the public's trust, which the police need to do their jobs safely and effectively. 📧

## Stereotypes

*continued from page two*

only inaccurate, they are also unfair.

Circling back to the NMA and ticket cameras. These cameras have become the tool of choice for strapped municipal governments. Local officials read articles, attend meetings and are solicited by corporate interests, all extolling the revenue generating capabilities of red light cameras and photo speed enforcement. The only annoying obstacle has been the NMA and the information we have provided to the press, and ethical public officials who question the legitimacy of camera based enforcement. As articles in this edition of the *NMAF NEWS* indicate, we are gaining traction on this issue and elected officials are listening to what we are saying.

We have presented evidence, largely irrefutable, that red light violations are predominantly caused by poor installation, maintenance, and

timing of traffic lights. If traffic lights are properly installed, maintained and timed, red light violations virtually disappear. Red light cameras do nothing more than perpetuate dangerous intersections for the financial benefit of private contractors and unethically managed communities. Our message is starting to resonate with state and local decision-makers.

Because our position is so solidly supported from multiple sources, the ticket camera proponents are switching tactics. Now, they are trying to stigmatize the NMA with negative stereotypes. They say "you can't take these people seriously, they support speeding and drunk driving. Just look at their positions on speed limits and BAC standards." The intent is to discredit our evidence on red light cameras and intersection safety by tying our credibility to stigmatized stereotypes of "speeding and drinking and driving."

Just like motorcyclists, gun owners, environmentalists, and lawyers, real life facts and experiences don't support the stereotypes. Two-thirds of the adult population (an estimate) drinks and drives, and 90 percent of all drivers periodically exceed posted speed limits. Yep, we support more reasonable BAC standards and higher speed limits based on sound scientific and engineering criteria. If anyone looks past the hyperbole, they will be hard pressed to find the lunatic fringe our detractors claim us to be. Our challenge is to get the press and public officials to look past that hyperbole and the stigmatized stereotypes, and to seriously consider what we are really saying, not only about red light cameras, but the whole range of NMA positions. When we do that you'll witness the beginning of the next "golden age of driving." 📧

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## Driving Tour Winner Enjoys Ireland's Beauty

Shortly after celebrating the New Year, NMA member Tom Wood and his girlfriend Krissy Archer packed their bags to start off 2005 with an adventure.

As the winners of the **2004 NMA European Driving Tour Sweepstakes**, Tom and Krissy had their choice of three great destinations: Ireland, Germany, or Spain. The tour experts at [www.driveeurope.com](http://www.driveeurope.com) carefully designed each magnificent option to provide Tom and Krissy with an

excellent opportunity to enjoy Europe in a new and exciting way.

After reviewing all of their choices, the couple decided to travel to Ireland. Their eight-day tour began in Dublin, the country's historic capital. This city, known for its laid-back people, friendly pubs, and small-city charm, is the perfect starting point for an ideal Irish vacation.

From Dublin, Tom and Krissy headed out to enjoy the Irish countryside. They drove through

the rolling green hills, stopping along the way to visit ancient historical sites, explored stunning castles, and hiked through gorgeous natural areas. Along the way, they took in the Emerald Isle's scenic beauty from the comfort of their BMW 530, which they drove throughout the tour. Tom described the new "Bimmer" as simply "amazing."

Even a winter storm at the start of their tour, didn't stop the couple from enjoying the experience. Their second night was spent at a lovely, historic hotel that had lost its power because of the weather. Tom said their candlelit stay, "just added to the adventure."

The weather improved, and Tom and Krissy continued their journey around the island, stopping at Ireland's most beloved national park and the Kilkenny, a medieval city known for its impressive citadel. After a week of travel, they circled back to Dublin, where they finished their trip. Both were sad to see it end. Tom described it as "an experience to remember." 🏠



*Tom and Krissy in front of the BMW 530 they enjoyed driving during their tour.*

For more information about this tour or others, visit [www.driveeurope.com](http://www.driveeurope.com).

Think of them the next time you're planning a vacation. It's a great way to thank them for generously donating this tour to the NMA.



*Here is the beautiful Breaffy House Hotel where the couple stayed while visiting the scenic Castlebar.*

# High Court Rules To Allow Canine Searches

by John Holevoet, Director of Development

**R**oy Caballes was only driving six mph over the speed limit when he was pulled over. Dressed in a suit and driving a new Mercury, there was nothing about Caballes that should have made the police suspicious. Normally, a traffic stop like this would have ended with a warning. Luckily, tickets for driving 71 mph in a 65 mph zone are rare, but this wasn't a normal traffic stop.

The state trooper asked Caballes where he was heading. The motorist responded that he was in the process of moving from Chicago to Las Vegas. Then the trooper noticed an air freshener (apparently Glade™ is indicative of a criminal mind). He asked permission to search Caballes' trunk. Caballes refused, but the officer continued to detain him until a drug-sniffing dog arrived. The Alsatian indicated there were drugs in the trunk, and the officers searched it, finding \$250,000 worth of marijuana.

Caballes rightfully protested that the officer had no reason to suspect that he had done anything illegal and therefore, did not have reason to search his car using the police dog. The Illinois Supreme Court agreed, and Caballes' conviction was overturned.

The state was unwilling to let the matter drop, and appealed its case to the United States Supreme Court. *Illinois v. Caballes* is just the most recent of several cases heard by the Court seeking to define the boundaries of Fourth Amendment protections.

Illinois Attorney General Lisa Madigan defended the officers' actions, claiming a "dog sniff" didn't constitute a search and therefore, citizens are not protected from them under the Fourth Amendment. Caballes' attorney, Ralph Meczyk, responded that the use of the dog was clearly accusatory in nature. After all, this was not a coincidental sniff by a dog. The dog was brought in

with the sole purpose of sniffing for drugs in Caballes' car.

Despite this fact, the Court ruled against Caballes. In a 6-2 decision, the Court dealt yet another blow to motorists' privacy and granted police even broader search powers during traffic stops.

Justice John Paul Stevens wrote in the majority opinion that "Any intrusion on respondent's privacy expectations does not rise to the level of a constitutionally cognizable infringement."

Therefore, he and the majority of the justices decided that drug-sniffing dogs could be used to check out motorists even if the officers have no reason to suspect they are carrying narcotics.

Justice Ruth Bader Ginsburg voiced her dismay at the further broadening of police search powers. "Under today's decision, every traffic stop could become an occasion to call in the dogs, to the distress and embarrassment of the law-abiding population," Ginsburg wrote in her dissent, which Justice David Souter joined.

Souter pointed to studies that show drug-sniffing dogs have a failure rate of over fifty percent. He also voiced his concern that this decision could lead to officers canvassing garages and neighborhoods with these unreliable animals. "Police can take a dog to a front door and ring the bell and see what happens," he wrote.

Souter's predictions may come to pass sooner rather than later. Dogs trained to find drugs and bombs are becoming more common in airports, schools, and everywhere else. Terrorism concerns will only accelerate the rate at which man's best friend is allowed to intrude into our private lives, and clearly, we cannot count on the Supreme Court to take a stand against this violation of our rights. 🐾

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# Seeing “Red:” The State

## Virginia To Eliminate Red Light Cameras

**A**fter years of using red light cameras (RLCs) to generate revenue, Virginia is doing what few would have predicted... they are eliminating the devices.

Virginia's RLC program has a sunset clause, which means that if it isn't renewed through legislation, the cameras must be taken down. With a looming deadline, people on both sides

of this issue stepped up their efforts to be heard by policymakers.

Camera proponents failed in the last legislative session to renew the use of the cameras. They claimed they would succeed in the next legislative session.

However, NMA Virginia Activists James Kadison and Mike McGuire have been working on this issue with the legislature for the last five years, and their efforts paid off.

In the latest legislative session, the Militia, Police and Public Safety Committee in the House of Delegates refused to pass any house bills that would have renewed the RLCs.

When the Senate passed five bills to renew the cameras, the same house

committee continued to hold their ground. All legislation failed to pass.

***This means all cameras in Virginia will cease to issue tickets to motorists after July 1, 2005.***

This is great news, not only for the motorists of Virginia, but also for those across the country. The fact that a state, which had used the cameras for a number of years, then later rejected them is a great point to raise in all ongoing and future debates.

Thanks, once again, to NMA Virginia Activists James Kadison and Mike McGuire for their efforts and to all NMA members who took the time to contact their representatives about this issue. 🙏

### New RLC Studies

Two recent studies on red light cameras (RLCs) highlight major problems with the devices.

The first study is entitled *A Detailed Investigation Of Crash Risk Reduction Resulting From Red Light Cameras In Small Urban Areas*. In it, North Carolina A&T State University researchers conclude that RLCs don't reduce crashes. In fact, they showed an increase in all accidents at RLC locations.

The other study, *An Evaluation Of Red Light Camera Enforcement Programs In Virginia*, was conducted by the Virginia Department of Transportation to support the use of RLCs. However, the findings showed an increase in the number of rear-end collisions and an increase in total injury crashes.

Both studies highlight that RLCs don't increase the safety of intersections. If a city really wants safety, proven engineering solutions, like proper yellow light timing, are the key. 🙏

### Texas May Reject Cameras

Texas may soon ban the use of red light cameras and NMA is being asked to help.

Here is some background: In Texas, a red light violation is a Class C misdemeanor and can only be regulated by the state. In 2003, the House (by an overwhelming majority) said that cities could not use cameras to issue criminal citations to red light violators.

Their intent was to ban red light cameras. However, Representative Harper-Brown pushed an amendment in the 2003 transportation bill that gave cities the choice of making transportation issues either civil or criminal.

This opened the door wide open for cities to use cameras as long as the tickets were civil.

Houston hoped to have ten cameras in place by April and to later expand the program to as many as fifty intersections.

That was the plan until Representative Elkins introduced House Bill 259. This bill would repeal the amendment that gave cities the opportunity to use cameras.

Representative Elkins' staff has already asked the NMA for help on a variety of fronts. Not only were we able to provide information that points to the many problems with the cameras, but NMA Texas State Chapter Coordinator Luke Ball was asked to testify on the subject in front of the Urban Affairs Committee.

Our efforts are paying off as the bill appears to be on the fast track to being passed.

# Of Photo Enforcement



## No Shame!

**F**or years, city leaders have falsely claimed that their decisions to use ticket cameras are motivated by safety, not money. While recent research disputes the safety value of cameras, civic leaders are also beginning to simply forgo the pretext of safety altogether. For the first time ever, officials are telling the truth about these cameras... they want them because of the money!

Despite previous assurances that cameras are used for safety, not profit, D.C. Mayor Anthony Williams is singing a different tune now. In a letter to D.C. Council Chairperson Linda Cropp regarding a pending contract with a camera vendor, the mayor wrote, "There is an urgent need for the approval of this contract to ensure the continued processing of District tickets and the collection of District revenues." He made absolutely no mention of safety.

Sharon Gang, a spokeswoman for Williams said, "The mayor has always felt that with the red-light cameras and the other equipment we use to catch people who are speeding, safety is our foremost goal." She did admit that the mayor probably should have included "an extra sentence about public safety" in his letter. Apparently, an extra insincere sentence would have reframed this issue and made safety central again.

The mayor's oversight didn't matter much. The district's council, which shares the mayors' concerns for "safety and money," approved the proposed \$14.6 million contract. At the same time, the Metropolitan Police Department has added four new fixed-location speed cameras.

This brings the total number of locations monitored by speed cameras to 75. Since 2001, these cameras have

generated more than \$63 million in fines. The city's older redlight-camera program has also done well. It's raked in more than \$28 million since 1999.

Washington D.C. is not alone in looking to profit from ticket cameras. Cleveland Mayor Jane Campbell recently proposed red light cameras to help plug the huge gap in that city's budget. The mayor's plan calls for the installation of cameras at some of the city's busiest, not necessarily most dangerous, intersections. This would insure maximum profitability.

Campbell expects Cleveland to pocket an additional \$6 million in fines from motorists in just a few months. The mayor has moved quickly on her idea, already introducing ticket camera legislation, proposed ordinance 176-05. The issue of ticket cameras hasn't come up for a vote because the council is bogged down with budget hearings.

The mayor was later forced to discuss safety after she was criticized for ignoring it in her initial public statements. She, too, must give an obligatory nod to safety to quiet down critics, but it's clear that she is driven by money, not safety.

The recent statements by both Williams and Campbell mark a disturbing change. Previously, civic leaders had to at least pretend to be worried about public safety before they could install ticket cameras. Now, they are just coming out and saying the devices are only for raising cash.

For years, the NMA has questioned the motives behind these cameras. Finally, our claims are being confirmed. Surprisingly, it's the very people whose integrity we had challenged who are now acknowledging we were right. It seems they have no shame and few people seem to care. 🐾

### Camera News Around The Country

Here are a few other camera-related developments:

#### Alabama

Two bills that would allow red light cameras are making their way through the legislature: SB 200 and HB 428.

#### District of Columbia

It's more difficult to challenge a RLC ticket by showing that someone else was driving. Now, car owners must provide that person's drivers license information.

#### Illinois

Chicago is moving forward with a plan to use existing red light cameras as photo radar units.

#### Indiana

SB 570 would establish a "pilot" program for ticket cameras in several Indiana cities. The measure will soon go to the full Senate for a vote.

#### New Hampshire

HB 679 would permit red light cameras. The Transportation Committee chairman sponsored this measure.

#### Ohio

Representative Raussen has introduced HB 56, which would prohibit most uses of photo enforcement by police agencies.

#### Utah

HB 219 would have removed current restrictions on photo enforcement. Fortunately, the bill has stalled indefinitely in a House committee.



## Seeing "Red:" Continued

### Think Of The Children!

That's exactly what Superior Court Judge Lindsay Davis was doing. His recent ruling in a lawsuit between the Guilford County Schools and the city of High Point, North Carolina has sent shock waves through communities using ticket cameras in the state.

The ruling stemmed from a lawsuit filed by Henry Shavitz, who received a camera ticket that he refused to pay. Instead, Shavitz sued the city and the company that installed the cameras, arguing that the state constitution requires civil penalties, like those collected by the cameras, be used for public schools.

Initially, a federal judge ruled in favor of High Point, but the local school district appealed. The case was remanded back to Guilford Superior Court, where Judge Davis heard it. He agreed with Shavitz that the city was in violation of the state constitution and that the schools should receive the "clear proceeds" from red light camera tickets.

This decision could mean a windfall for the North Carolina school districts. It could also bring an end to all of the state's red light camera programs.

Currently, High Point charges \$50 for each red light camera ticket. Of that money, \$35 goes to the camera contractor and the city uses the remaining \$15 to pay for the program and help fund other programs.

If the school system is awarded all the proceeds from each ticket, High Point and other communities may be forced to end it rather than find another way to pay for it. High Point has appealed the decision. They know the future of these devices is on the line.

At least one community's red light cameras have already been affected. The city of Greenville has decided to delay issuing motorists tickets until it can fully review the impact of the Superior Court's decision. The city had only recently installed cameras and begun issuing "warning" tickets. The 30-day "grace period" was supposed to end, but instead, it has been extended.

Greenville City Attorney, Dave Holec, said that Davis' ruling, coupled with a state statute that defines "clear proceeds" as total penalties minus administrative costs of ten percent or less, would call into question the feasibility of any ticket-camera program.

Responding to complaints from money-motivated city leaders and camera vendors, State Senator David Hoyle recently introduced a bill (SB35) that would allow cities to cap "clear proceeds" at only \$15. This means that the city and vendors could still pocket \$35 from each red light camera ticket. Hoyle's bill may help some cities keep their cameras up, but others, including Greenville, would still not be able to pay for the program unless their current contracts with camera vendors are changed.

The future of red light cameras is at stake throughout North Carolina. The public will have to wait to see what both the courts and legislature decide on this hot-button issue. 🐾

### NMA Works For OH Ban

It was a good day. An eager, well-informed member of the Ohio Legislature had just gotten off the phone with NMA Headquarters. Representative James Raussen, was interested in proposing legislation that would strictly regulate the use of red light cameras in his state.

Currently, Dayton and Toledo are the only major Ohio cities with ticket cameras in place, but Columbus and Cleveland are both moving towards installing these devices. Raussen also watched as civic leaders in Cincinnati, which neighbors his district, included a measure authorizing ticket cameras in the city's budget.

Armed with new research showing the negative impact of red light cameras and plenty of background information from the NMA, Representative Raussen crafted his proposal. He announced the new legislation, HB 56, at a press conference that also featured comments by the NMA's Communications Director Eric Skrum. The bill would allow red light cameras to be used only if a police officer is also present to witness the violation.

Representative Raussen believes that bill is necessary to prevent communities from making the mistake of rushing to install these devices. "Everyone's catching camera fever, and I don't think we've had enough debate on this to go that route yet," he said. Citing studies that show camera have not reduced accidents, he wants to curb their use.

The measure does face staunch opposition from both camera manufacturers and civic leaders who claim to support the cameras for public safety reasons. Raussen said he's not sure whether cities are interested in the cameras to improve safety or to improve their bottom lines. "Somebody has to speak up for the public here," he told the press.

The bill has attracted much of attention both from the press and Raussen's fellow legislators. Already 25 of his colleagues, both Republicans and Democrats, have signed on to the measure as co-sponsors. This is the most co-sponsors any bill in the legislature currently has. 🐾

## News From Around The Country

**A**t 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](http://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](http://www.motorists.org/issues/index.html).

### Florida

HB 3 and SB 216 would change the state's secondary seat belt law into a primary enforcement law. This would allow police to stop and ticket a driver simply because he/she wasn't wearing a seat belt.

### Georgia

The State Transportation Board has yet to vote on the proposal to turn Georgia Highway 316 into a toll road. If approved, the 39-mile trip will cost drivers \$4.70 one-way. Officials claim tolls are needed to pay for the widening of the road; However, Georgia already has one of the highest gas taxes in the country.

### Hawaii

Governor Lingle proposed drastically increasing the penalties for speeding. For example, motorists who are ticketed for driving 25 mph over the speed limit, or more than 80 mph, would face a fine of \$1,000, a 30-day license suspension, mandatory attendance in a driver-retraining course, and 36 hours of community service or jail time of two to five days. That is only the first offense, the more offenses the stiffer the penalties.

### Idaho

SB 1082 would raise the statutory and maximum allowable speed limit on non-interstate state highways from 65 to 75 mph. Currently five other

states have speeds higher than 65 mph on undivided highways and only Texas has a limit of 75 mph.

### Iowa

Governor Vilsack hopes to further exploit motorists by increasing the fines for speeding between 50 and 70 percent. If his proposal is approved, motorists would also have to pay increased surcharges and court costs. Iowa would add State Patrol officers with the increased revenue.

### New Hampshire

Some New Hampshire legislators are trying to pass HB 750 that would require adults to wear their seatbelts. New Hampshire is the only state that doesn't have a seat belt law for adults, yet it has one of the lowest traffic fatality rates in the nation. The bill is currently before the Transportation Committee. The committee's chairperson has said he is against this bill because it imposes on citizen's Fourth Amendment rights.

### New Jersey

The New Jersey Turnpike Authority agreed to eliminate its 15 percent EZ-pass discount for peak travel times (rush hours and weekends). Under the plan, the discount during off-peak hours on the Turnpike will remain in effect. Drivers who enter the Turnpike between 7 and 9 a.m. and between 4:30 and 6:30 p.m. are covered by the peak period toll rates. Governor Codey supports the plan to drop the discount and will sign off on it.

### North Carolina

Representative LaRoque has sponsored a measure, HB 12, which would strengthen lane courtesy throughout the state. The bill would make it illegal to travel in the leftmost lane of a highway with four or more lanes at less than typical speeds. It's been referred to the House Judiciary II Committee.

### North Dakota

The North Dakota House has passed HB 1299 allowing a higher speed limit on paved county roads. The speed limit would be 60 mph on unmarked country roads. The bill has been passed on to the Senate Transportation Committee for review.

### South Dakota

Speed limits on divided four-lane highways in rural areas may be increased from 65 to 70 mph now that Senate Bill 208 has been signed into law by Governor Rounds.

### Washington

A new law establishes standards for the use of breath tests results in DUI cases. Now, test results that meet several basic criteria can be admitted as evidence, making it more difficult to challenge test results in court. Prominent DUI attorney Linda Callahan is contesting the measure.

### Wisconsin

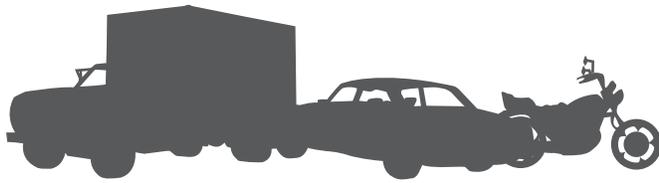
AB 15 and SB 15 would require drivers to fill up their vehicles with gasoline containing approximately ten percent ethanol. The assembly bill was referred to the Agriculture Committee. Meanwhile, the senate bill has gone before the Natural Resources & Transportation Committees. 🐾

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

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

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

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



## 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](mailto:nma@motorists.org) or mail to our NMA Foundation Office.

This is in reference to John Holevoet's article on the use of tasers (January/February).

"Arrested on charges of misuse of a car horn." Those words simply do not belong in the same sentence. Absent the very real horror of sudden involuntary criminality syndrome, that line would do any comedian proud.

I have to wonder how many vehicles drove by that scene with their sound systems cranked up loud enough to induce seismic activity or how many cars in that neighborhood have over-sensitive alarms that blast incessantly.

John's article focused on the police's somewhat overzealous desire to violently subdue small children and old ladies, but it also points to a much more frightening trend.

The United States is well on its way to becoming a totalitarian police state with government and law enforcement gaining ever more control over the minutia of our lives.

The more stories I see about small children being abused at the hands of police and school authorities, the more incidents reported of elderly and disabled people being tasered or pepper sprayed, the more I mourn for America.

We live in a society where it is perfectly okay for corporate executives to pillage at will, where the press has become a propaganda arm of the government, where freedom is delivered at gunpoint, and where elections are decided by

judges not voters. But honk a horn, and go to jail. George Orwell's predictions make Nostradamus look like an amateur.

Those who would trade freedom for security deserve neither. It's time to take our country back.

**Steve Trunk**  
*San Diego, CA*

I beat a ticket today thanks to the tips from the *National Motorists Association!* Almost eleven months ago to the day, I was accused of speeding. The officer didn't lock his radar, and he wrote down my license plate wrong. I went to the initial hearing and they were practically begging me to plead "guilty" and "get it over with" since going to court might be "a lot worse."

When I was assigned a court date, I submitted a request for discovery. A week before my trial, I got a letter that only had a copy of the ticket and the officer's name. Not included were his training records, a manual for the radar unit, or copies of the radar logbook pages. I went to trial expecting to ask for dismissal or at least a continuance since I didn't get my discovery request granted.

My case never even went that far. After an initial roll call, they called out my name and said that I was free to go. I don't know if the officer didn't show up, or if they knew that I had a case. I was there for all of ten minutes.

I learned to never, ever plead

"guilty." Make the system work for you! Even if it doesn't work, at least you have the satisfaction of knowing that they spent more time, effort and money than a fine.

*Always plead "not guilty!"*

**Jay Meinen**  
*Magnolia, TX*

Your lead article, *National ID: Why Not?* (January/February) was one of the most insightful and powerful pieces I've read in a long time. You showed in a very forceful way, the consequences of casually relinquishing our rights with very little thought. It should be required reading in high school civics classes. Congratulations, and please, keep up the good work!

**Jake Bender**  
*Reading PA*

I just received the latest issue of *NMAF NEWS*, and read with interest Robert Cox's letter in support of a National ID. Mr. Cox is rightly concerned that existing forms of ID such as green cards, social security cards, and driver's licenses can be easily forged or purchased on the black market.

Unfortunately, he doesn't seem to realize that it is those forms that will be used to acquire the National ID in the first place. It doesn't matter if the cards themselves are unable to be forged and unalterable,

*continued on page thirteen*

## Members Write

continued from page twelve

if false information can be placed on them when they are first issued. Moreover, because there will necessarily be a human element involved in the process, there will always be the opportunity to use bribery and blackmail to acquire a National ID card.

In short, it is impossible to secure the process.

Moreover, if it comes down to it, terrorists will simply enter the country under tourist or student visas and wreak their havoc with no need for our own ID card.

The potential downside of national ID cards is huge; the upside is effectively nonexistent.

**Paul Schmidt**  
Plymouth, MA

I am a life member of the NMA and am delighted with the great job you folks perform on behalf of us benighted motorists.

Your article in the January/February issue (*RadarGate*) struck a chord. My son got a speeding ticket in Erie, Pennsylvania. If GHS stands for Genesis handheld, then it was with the type of unit described in the article. Given the inconvenience and difficulty of fighting the ticket (he lives in a different state), he pleaded guilty and paid the fine.

Keep up the good work.

**Lew Golovin**  
Parsippany, NJ 🐾

Have a friend join the  
NMA and you'll get an  
extra three months  
of membership

**FREE!**

## What Really, Really Happens...

by Ivan Sever, Massachusetts State Chapter Coordinator

**T**wo years ago I wrote a little piece for the *NMAF NEWS*, titled *What Really Happens During The Test*.

In 1999, under the threat of loss of federal dollars, "improved" car inspections were introduced in Massachusetts and the fees were doubled. A year later, the percentage of rejected cars remained virtually the same. However, in 2003, the *Boston Globe* revealed that the U.S. Environmental Protection Agency had launched an investigation into the state's auto emissions program after allegations surfaced that state officials had known for two years that the new test never accurately measured two key tailpipe gases.

All that really didn't matter anymore, since by now the state was phasing in yet another test, the "On-Board-Diagnostics Check." Instead of running the car on a dynamometer, for which most stations had just finished paying, they now hook up the car to a display. Unless your "check engine" light is on, you're good to go.

So, when two years ago the "check engine" light came on in my mother's Ford Contour the day after it passed its emissions "test," I took her car back.

"As of today, I guess my mother is a polluter," I said to the mechanic.

"Not necessarily," he replied. "The problem could be electrical or mechanical—you just can't tell from a light. To find out what's wrong, you could be spending a lot of money right now, or you could simply wait for two years."

"But won't it have to pass next year's inspection?" I asked.

"That one will just be a 'safety check.' You know, Do the blinkers, that

people don't use, still work?"

I decided to tape over the stubborn light, and during the next two years, my mother raked up another 5000 miles on her Contour.

Then the time came to deal with the "check engine" light again. "Your car got rejected," said a mechanic after I paid him the required \$29. "Your 'check engine' is on."

"I know. Can you fix that?" I asked.

"Sure. It must be the vacuum valve. That'll be \$44," said the state-certified emission repair technician.

Driving away, the light came back on... "Hmm," he said and scratched his head. "I don't have the diagnostic tools. You better take it to a dealer."

At the dealership, the service advisor knew right away the engine's entire wiring harness just had to be replaced. "The good news is, it'll be at no charge to you."

"So what's the bad news?"

"It will take a week..."

A week passed. I walked into the service area and saw immediately the light was still on. The mechanic was on the 'Hot Line' with Ford Motor Company. "Well, nobody really knows," he finally reported to me.

"So how is this car going to pass the inspection?" I asked.

"Well, you don't really have to. If you spend over \$300 on repairs, you'll be exempt."

"And is the car really polluting?" I asked.

"Probably not... but nobody knows," repeated the mechanic.

I paid him the \$300 and called DMV for exemption.

Now my mother's car is good to go for another two years—and another 5000 miles. 🐾

Don't Get *Fleeced* At Your Next Traffic Stop!

Fight that ticket by renting the *NMAF Legal Defense Kit™*

Call 800/882-2785 to rent this kit.

## The Experts' Corner

**D**o you have a question that only an expert can answer? If so, look no further. We have many NMA members with special fields of expertise. This feature was created to assist members with answers to both practical and technical questions.

This sharing of knowledge is another benefit of belonging to the NMA. Please indicate that you are an NMA member when calling a listed "Expert."

Can you help? Please contact us with your field of expertise and provide us with a contact address.

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

***PLEASE NOTE: This is not intended for listing of commercial business services.***

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

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

• **Motorist Marketplace** •



**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.

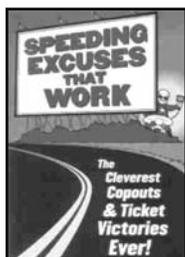
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**Joyriding**

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.

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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

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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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