



Driving Freedom

NMA Foundation

Vol. 18 • Issue 4
July/August 2007

The NMA Foundation is a non-profit group dedicated to finding innovative ways to improve and protect the interests of North American motorists.

Red-Light Cameras Go To Court

PAGE 8



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

Editorial Staff

Managing Editor Aaron Quinn
Staff Writer.....John Holevoet
Staff Writer.....James J. Baxter
Staff Writer.....Robert Talley
Guest Writer..... Kathleen Calongne
Guest Writer..... Joel Kauffman
Guest Writer.....Megan McDonald

Cover

"Red-Light Cameras Go To Court"



Paradigm Shift

by James J. Baxter, President, NMA

In 1999, amongst the 20-year-old savants in the stock market, there was the claim of a “paradigm shift” in the economy. (A somewhat silly phrase and the dictionary doesn’t help much.) Companies no longer needed to make a profit, provide a useful service or product, or otherwise meet the standards that supported businesses over the previous several thousands of years. Instead, all that was necessary to attract many millions of dollars of investment capital was the ability to “attract eyeballs.” As the subsequent crash of the stock market proved, the only paradigm shift was the money that evaporated from investors’ bank accounts.

I only mention this as an example of how most so-called paradigm shifts are temporary figments of the imagination from people who slept through their history classes.

Despite this introductory hurdle, I want to propose another paradigm shift related to a subject a little closer to home; the supply of motor fuels.

In the relatively recent past, the US had two major dysfunctional periods where the supply and distribution of motor fuels were out of sync with demand; 1973, the OPEC embargo, and 1979-80 the conflict with Iran. Neither of these events would have been as long lasting or intense if the government had refrained from “fixing” the problem.

These fuel “shortages” were politically inspired; they were not caused by a physical lack of supply. If left to its own devices, the market, through price signals, profit incentives, and other economic motivations could have responded, fairly

quickly, to the distribution dislocations. Instead we were inflicted with price controls, rationing schemes, CAFE, and an absurd national speed limit. All of the latter served to drag out and exacerbate the inconveniences and costs.

Today, fortunately, the price controls are gone, along with the national speed limit and half-baked rationing regulations. Needless to say, we are now getting price signals that suggest we need to find ways to decrease consumption, and, though poorly measured, this is happening. So where is this paradigm shift I’ve alluded to? It is actually composed of three major changes.

Until recently, the industrialized nations, in particular the United States, dominated the use of the world’s fossil fuels. And, within those nations there were events that dramatically increased the consumption of motor fuels: the adoption of the personal automobile as the primary source of transportation, the large scale dispersal of the population to the suburbs, and the more or less total migration of women to the position of “driver.” In the future, outside of population growth, there will be minimal stimulus for increasing demand in these countries.

Next is the shift from politically inspired shortages to actual physical shortages of fuels. Most of the informed observers of the petroleum industry recognize that it is currently operating at close to maximum capacity. Exploration for new supplies has all but tapped out available

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NMA Washington Report

by Robert Talley, NMA Lobbyist



Developing new standards for fuel efficiency and fuel use continues to be at the forefront of the Congressional agenda. In June, the Senate leadership struck a deal to implement more strict fuel efficiency standards for new cars.

The compromise plan includes a provision to raise CAFE standards for cars and light trucks to 35 miles per gallon by 2020. The current CAFE standard is 27.5 mpg for cars and 22.5 mpg for trucks.

The amendment dropped a mandate that fifty percent of all new cars be flex-fuel by 2012, instead directing the Department of Transportation to develop a plan to make sure that fifty percent of all vehicles sold in the United States by 2015 are alternative fuel vehicles, which includes flex-fuel, hybrids and fuel cells.

However, the Senate plan could run into substantial opposition if it gets to a conference with the House.

House Energy and Commerce Committee Chairman John Dingell (D-Mich.) earlier this week pulled CAFE from his committee's portion of the summer energy package. Yet proponents of a CAFE increase are holding out hope that House Speaker Nancy Pelosi (D-Calif.) will press ahead with a CAFE increase despite Dingell's opposition.

The National Motorists Association continues to fight the abuse of federal highway trust funds. Unfortunately, there are increasing examples of these abuses at the state and local level.

For example, despite a state law recently signed by Texas Gov. Rick Perry restricting photo enforcement, the Texas Department of Transportation (TxDOT) is moving forward on a proposal to deploy photo radar on state highways using federal gas tax funds. TxDOT's vendor will send notices to motorists driving just five

mph over the limit with an accuracy level of +/- two mph, meaning those driving just three mph over the limit could receive a photograph and letter in the mail.

In another example, NHTSA spent over \$30 million of highway trust funds at the end of May through the "Click it or Ticket" program to fund state and local roadblocks. These roadblocks often are used to serve other penalties on drivers who have been pulled over without suspicion and regularly result in significant windfall revenues for local law enforcement agencies.

At the end of the day, the federal government is subsidizing highly profitable activities that result in warrantless searches of citizens and enforcement techniques that clearly violate a citizen's rights. These activities should not be paid for with dollars much needed to fund our ailing infrastructure. ■

New Hampshire Stays Unbelted

A proposed mandatory seatbelt law was voted down, 16-8, in the New Hampshire Senate. This vote was in line with an earlier decision by the Transportation and Interstate Committee, which recommended not passing the bill.

New Hampshire remains the only state that does not mandate the use of seat belts by adults. "You may hear that 49 other states have passed similar legislation," remarked Senator Bob Clegg. "I happen to be proud of the fact that here in New Hampshire, we make our own decisions. If you want to wear a seat belt, you are free to do

so. If you want to risk your life by not wearing one, it is not the government's responsibility to force you to."

Senator Clegg is not convinced that seatbelts provide a flawless remedy to highway deaths. "My son once slid sideways on the ice and ended up with a branch through the door of his car. If he'd been wearing a seatbelt, it would've skewered him. Instead, the branch pushed him to the other side of the car," Clegg said.

Supporters of the bill pointed out that only 64 percent of New Hampshire drivers buckle up, one of the lowest rates in the country, and

the state would receive \$3.7 million in federal highway if the bill had passed. Opponents held firm countering that it was just another example of unreasonable government intrusion. It is also worth noting that New Hampshire's fatality rate is the 18th lowest in the country, which is not excellent, but certainly does not indicate a crisis on the state's roadways.

New Hampshire has rejected similar seat belt bills in the past. This year, the Senate did vote to create a commission to study how to encourage greater voluntary seat belt usage through education. ■

Two Steps Forward, Two Steps Back

When fighting against speed cameras, victories are often coupled with setbacks. In that last few months, Oregon legislators passed a measure that will dramatically expand the use of speed cameras and the Texas Department of Transportation is moving forward with a plan to use speed cameras on highways. At the same time, Texas legislators and Governor Rick Perry passed a series of measures that place more stringent limits on photo enforcement.

The new Oregon law, which was approved by large margins in both the House and Senate, authorizes the use of photo radar in highway work zones, which is a first for the state. The new speed traps will be set up in areas where the speed limit has been lowered because of construction and tickets will only be valid if workers are present. Like a similar program in Illinois, Oregon speed camera tickets will result in points on the recipient's driving record, which increases the cost of auto insurance.

The law also adds Gladstone, Milwaukie and Oregon City to the list of communities that are allowed to operate speed cameras on city streets. In theory this program has a built-in check on its efficacy. However, the biannual safety reports required from communities using cameras are little more than a formality.

The legislative picture in Texas has been much more promising. Governor Rick Perry signed a series of bills that

restrict the way ticket cameras can be used in the Lone Star State. One new law prohibits municipal governments from using speed cameras, and it already shut down the camera programs run by a handful of small suburban communities.

Lawmakers also capped the profits that cities can make from the ticket cameras. Photo enforcement citations cannot be any more than \$75. People will be allowed to wait to pay the tickets until they have to renew their vehicle registration as long as they pay a \$25 penalty per ticket. Finally, cities are required to send half of their ticket revenue to the state trauma fund and are prohibited from using any of the funds collected for anything but public safety programs.

Other new ticket camera laws:

- Require warning signs before photo enforced intersections.
- Prohibit the use of credit agencies to force the payment of these citations.
- Protect out-of-state motorists from being compelled to pay camera tickets.
- Allow Texans to demand jury trials to contest tickets.

Best of all, lawmakers created a new sunset provision for the use of all photo enforcement. The cameras must

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American Dream Coalition Conferences Coming Up Soon

By Kathleen Calongne, NMA Member

Have you considered taking a trip to Houston, TX or San Jose, CA? Not your idea of a dreamy vacation? Well, as someone who cares about mobility rights, you may find more of interest in these cities than meets the eye. Houston, unlike most major cities, is doing something about congestion. This is largely a result of the efforts of the chair of the Governor's Business Council, Michael Stevens, who convinced the governor to direct transportation funding according to a criterion of the greatest number of hours of delay removed from roads per million dollars spent.

I have been an NMA member for

12 years. I am also the assistant director of the American Dream Coalition, an organization that includes people like Sam Staley who coauthored the book, *The Road More Traveled*, that addressed how Houston is building its way out of congestion. At our yearly conferences, over 40 speakers, such as Sam, transportation analysts Wendell Cox and Bob Poole and our director, Randal O'Toole, address issues such as automobility, transit, congestion, housing and land use.

I would like to invite you to attend one of our conferences. The 2007 conference will take place November 10-12 in San Jose, California, one of

the most regulated cities in the country. The 2008 conference will take place on May 16-18 in Houston, one of the nation's least regulated cities. You will leave armed to the teeth with data and facts to counter the often ill-advised transportation plans in your city.

Visit our web site for information on our speakers and conferences at: www.americandreamcoalition.org. Once there, don't miss Randal O'Toole's recent paper, *The Greatest Invention: How Automobiles Made America Great*. Feel free to contact me for more information at this address: kathleen@americandreamcoalition.org. ■

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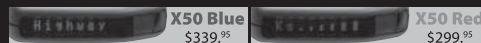
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Another Reason Mobility Matters

By John Holevoet, Director of Development

A review of the recidivism rates for people released from prison should be a humbling, if not depressing, experience for bureaucrats managing the criminal justice system. The ever-increasing trend of using driver's license suspension and revocation as an additional form of punishment makes this picture look even grimmer.

John Pawasarat, a researcher at the University of Wisconsin Milwaukee's Employment and Training Institute has spent years studying barriers to employment. He found that one of the main problems former inmates face in securing a job upon release is their driver's license status.

As a group, recently released former inmates already face a myriad of challenges when searching for a job. The question is, should they also have to deal with license issues, when research clearly indicates that worthwhile employment is key to preventing people from reoffending?

Pawasarat's study found that of the estimated 26,772 adults in Milwaukee County who have done prison time, 62% have driver's license suspension

problems. Most face restrictions on their license because of failure to pay fines or drug offenses, not because they were convicted of serious driving violations.

That was the case for Daunte Henderson, whose sentence for drug possession with intent to deliver included a six-month suspension of his license following his release. Henderson started looking for production, manufacturing, or warehouse jobs, but most of them required a valid driver's license. On top of that, the nature of economic growth in Milwaukee and many other large cities means that most new jobs are in the suburbs, beyond the reach of city buses.

In the interim, Henderson was forced to work temp jobs. For him, speeding up the driver's license recovery process would have been a big help. "I would've gotten a job earlier," he said.

Pawasarat recommends that the state Department of Corrections and the City of Milwaukee take steps to help former prisoners who don't

have serious driving violations get their licenses back quicker and less expensively. He also believes that the department should assess prisoners' license status immediately after they enter prison, so that waiting periods for license reinstatement can be served while inmates are behind bars.

A number of local agencies and non-profits have worked on driver's license recovery projects. A 2004 Milwaukee Municipal Court amnesty program offered drivers the chance to reduce their traffic fines by half; it helped nearly 1,000 drivers recover licenses during four months. However, this is still not enough.

A better approach would be to ensure that driving privileges are never suspended or revoked, except for dangerous driving behavior. Taking away someone's license because of an unpaid fine is counterproductive to the point of being ridiculous. A former inmate having trouble paying fines or readjusting to life outside of prison, doesn't need yet another barrier to their successful reintegration into society. ■

Paradigm Shift

(Continued from page 2)

supplies of manpower and equipment. This is not to say there won't be politically inspired shortages of fuel, but the real gorilla in the room is any sudden imbalance between demand and actual physical supply.

Last is the huge shift of demand from the developed nations to the developing nations. In ten to twenty years the United States will be a second tier consumer of energy and

it's not unreasonable to assume that, at that time, 90 percent of the world's motor fuel consumption will occur outside of the United States.

So, what's the point? The point is the government can pass a fleet of feel-good laws and float them on a sea of political platitudes and they aren't going to have any meaningful effect on the demand for motor fuels. More likely they will hurt domestic businesses, pervert markets, increase costs, and put lower income populations at a disadvantage.

As fuels become more expensive the public will seek more efficient vehicles. With this demand will come an appropriate response from vehicle manufacturers. The same can be said for alternative fuels, better batteries, and new power sources.

To paraphrase that renowned expert on all subjects, Albert Gore, "an inconvenient truth" is that the raging political class in the United States is about to become irrelevant on the world stage of energy policy, the paradigm is shifting. ■

An Ignition Interlock In Every Car?

By Megan McDonald

Should cars be equipped with devices that prevent the driver from starting the engine if he or she has been drinking? Many people, probably imagining a manic, disheveled Mel Gibson being picked up by state troopers, would say, “Yes.”

But that’s an easy scenario (and a cheap one).

Here are a few others:

You meet a date for dinner and drinks and find yourself escorting her home on the bus.

Drinks with friends after work means taking a cab while your car sits in a parking garage.

You don’t drink at all, but the sherry your veal was cooked in leaves you stranded at a restaurant.

These are relatively trivial (if annoying) examples. More seriously, you could be unable to respond to an emergency, like your child’s accident or your wife going into labor, because of the cocktail you had before sitting down to your meal.

What all these instances have in common is their violation of privacy and the loss of a distinction between drinking and driving and *drunk* driving. The devices in the cars, known, as ignition interlocks, are already in use for convicted repeat offenders. But that’s hardly where it ends.

For Mothers Against Drunk Driving (MADD) and other anti-alcohol crusaders, it is just the first step to seeing ignition interlocks in every vehicle in America. For such groups, there is no such thing as responsible drinking and driving. An interlock in every car will erase that concept once and for all.

Chuck Hurley, CEO of MADD, has publicly stated his support for universal interlocks, called it a “vaccine on the car.” He now has the support of the National Highway Traffic Safety Administration (NHTSA). At MADD’s June interlock symposium, a NHTSA administrator expressed the desire to make interlocks as “common and accepted as key fobs.”

Here’s how it would work.

Interlock devices have a .02% Blood-Alcohol-Concentration (BAC) swing in accuracy. The federal limit is set as .08%, but at present 22 states have set the level at which one is “presumed to be intoxicated” at .05% or below. Since the devices must be set at least .02% below the limit, this amounts to de facto zero tolerance in nearly half the country. A mere glass of beer or wine would ensure a cab ride home.

Moreover, with interlocks in place, the debate over BAC limits would be moot. Technology – not democracy – would decide.

Auto manufacturers are already on board. General Motors, Ford, and Volkswagen are already developing interlock technology for the general public. And recently the Japanese Automobile Manufacturers Association – which represents Toyota, Honda, Nissan, and Mitsubishi, among others – announced it would advance the use of interlocks.

The final moving piece is public opinion. Here things look even darker. Two-thirds of Americans support putting interlocks in every car. Worse, more than half of all Americans actually endorse passing a law requiring auto manufacturers to equip all new vehicles with interlocks.

Chuck Hurley and NHTSA have admitted that further public support is the key to promoting universal interlocks. Right now, interlocks sound like a good idea to the public because they don’t understand the implications. It is crucial that the hospitality industry begin waging a battle to warn the public of the freedoms they have to lose if anti-alcohol forces attain their goal. ■

Megan McDonald is Executive Director of the American Beverage Institute. The ABI is an association of restaurants committed to the responsible serving of adult beverages.

Speed Cameras

(Continued from page 4)

be removed on September 1, 2009, unless the Governor and a majority of the state House of Representatives and Senate agree on their usefulness. For that to happen, more than 100 members would have to have a

change of heart on this issue.

Despite the clear intent of the legislature to put an end to this form of ticketing, the Texas Department of Transportation (TxDOT) is moving forward with a plan to install speed cameras on highways. TxDOT Chairman Ric Williamson waited until the legislature adjourned to

discuss the plan publicly. Senate Transportation Committee Chairman John Carona, sponsor of one of the new camera limitation laws, was livid and has accused TxDOT of having an “arrogant” attitude toward the legislature. New legislation next session will hopefully put an end to TxDOT’s plans. ■

Red-Light Cameras On Trial

Albuquerque,
New Mexico:

Will The
Cameras
Survive The
Latest Legal
Challenge?

Albuquerque's controversial ticket camera program has been in operation for over two years now and during that time the police have handed out 118,000 tickets to drivers.

But all the revenue from those tickets could be going back into drivers' pockets if a new class-action lawsuit succeeds.

Recently, five people sued against the program and asked to be certified as representing all drivers cited under the program. Their request was approved by State District Judge Valeria Huling.

The lawsuit alleges the camera program conflicts with state traffic law

and sets up an illegitimate, quasi-legal hearing process for people who challenge their tickets.

A district judge ruled in January that the camera program is allowed under the city's home-rule powers.

But former city attorney Rick Sandoval said the system is not fair. "What the city's done, by creating their own little court system, they now keep all of those fees," Sandoval said.

Albuquerque's ticket camera program has been under scrutiny by the state legislature and narrowly avoided being shut down. Gov. Bill Richardson vetoed the ban in exchange for reduced fines. ■

Legal Troubles For South Dakota Cameras

A class-action lawsuit has been filed against the city of Sioux Falls and Redflex Traffic Systems, the ticket camera manufacturer.

Sioux Falls resident I.L. Wiedermann is fighting the ticket cameras on behalf of himself and 20,000 vehicle owners who also have received \$86 tickets since May 2004.

Circuit Judge Kathleen Caldwell listened to lawyers for the city and Redflex who, respectively, wanted the case significantly limited or thrown out altogether.

Bill Garry, representing the city, said that when the thousands who paid their fines did so, they waived their right to contest their tickets.

Richard Casey, a Redflex lawyer, said Wiedermann's claims involve the city, not Redflex, so the company should be removed as a defendant.

Wiedermann is accusing the city of failing to enact an ordinance prohibiting a right turn on red, altering the timing of stoplights, illegally imposing civil penalties, and denying due process. Similar arguments were successful in the Minnesota Supreme Court earlier this year. ■

Ohio Ticket Cameras Challenged

A Perrysburg, Ohio man has filed a class-action lawsuit against the city of Northwood, its police department, and the company that installed and maintains the red-light and speed cameras in Northwood.

David A. Czech, on behalf of himself and more than 20,000 others who have been caught by the cameras and issued tickets, claims Northwood and Redflex Traffic Systems Inc. are using an unconstitutional ordinance to extort money from them.

In his complaint, he alleges the ordinance does not "provide due process at any stage of such enforcement."

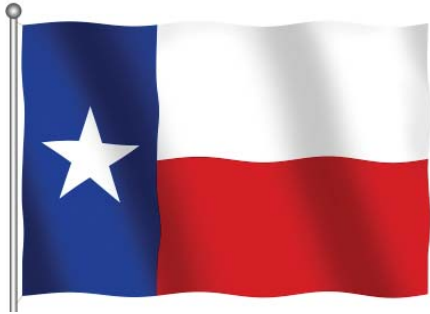
Mr. Czech is seeking a judgment in excess of \$3 million, which he says is the amount of damages and attorneys' fees the plaintiffs have incurred.

He also is asking the court to declare the ordinance unconstitutional and issue an injunction prohibiting Northwood from continuing the practice.

Toledo is the only other city in northwest Ohio that has red-light cameras, which have been controversial across the state. A ban on the cameras was vetoed by former Gov. Bob Taft in January. ■

Ticket Cameras In Lubbock: A Texas-Sized Mess

By Aaron Quinn, Communications Director



The road to photo enforcement in Lubbock, Texas has been a bumpy one. It all started in late 2006 when city officials put together a plan to have a ticket camera program operational sometime within the next year.

While the list of things to do included drafting an ordinance and setting up fines, it did not include exploring engineering solutions which is recommended by the Federal Highway Administration before implementing a camera program. In fact, the city's traffic engineering department specifically stated that they would *not* look into engineering improvements.

It was clear from the beginning that money was the motivating factor in the installation of ticket cameras in Lubbock. The city report even highlighted the fact that it hoped to gain over two million dollars in profit from the program for the first year.

Yellow Light Times Shortened

After signing a contract with American Traffic System (ATS), the city thought they were ready to start collecting revenue from citizens, but their greed forced a delay.

The length of time that a light remains yellow is a key factor in the number of red-light violations that will occur at an intersection. Studies have shown that increasing the yellow light time by as little as 1.5 seconds, can reduce violations by over 90 percent.

Unfortunately, this didn't seem to matter to the city of Lubbock.

A local television station, KCBD, did some research and discovered that the city had shortened the yellow light duration at eight of the twelve intersections where cameras were to be installed in hopes of increasing the number of ticket camera violations.

Federal regulations require the yellow light time to be no less than 3.0 seconds, but at one intersection the yellow light duration was clocked at 2.9 seconds, which meant that it was an illegal configuration.



A city traffic engineer admitted that the yellow light times should have been longer and due to the bad press that came rolling in as a result, the city council voted to delay the installation of the cameras.

Hiring Freeze

The delay in the ticket camera installation had a predictable effect on the city's budget. The city determined that correctly-timed traffic lights would not generate the expected amount of revenue.

So, one week after the camera

delay was announced, the city implemented a freeze on all new hiring for government departments.

Safety Is Not Profitable

Despite the timing issues, the city decided to go ahead with the cameras. The city initially planned to install cameras at the fourteen locations with highest number of accidents.

However, in a report given to the city by ATS, the camera manufacturer, it was determined that the "most dangerous" intersections in Lubbock would not be profitable enough to sustain a ticket camera program.

Instead of scrapping the program, the city asked the company to look at safer intersections to see if it could find intersections that would be more profitable.

An Unhappy Ending

On June 1st, 2007 the city turned on the red-light cameras and began issuing warnings to drivers who triggered a violation. Two weeks later, the cameras began issuing real citations.

Shortly after the program went into effect, Texas Governor Rick Perry signed several bills into law that restricted the use of red-light cameras in the state. One such restriction stated that cities would be required to send half the revenue collected from the ticket cameras to the state.

Faced with these new restrictions, the city council decided to have a vote in late June to decide whether or not to continue with the ticket camera program.

The city council voted 5-2 to keep the cameras, but Lubbock's history suggests the story probably isn't over yet. ■

Global Warming Fears — Scientific or Manic?

By Joel M. Kauffman, NMA Automotive Chemist

The recent decision of the U. S. Supreme Court to have the Environmental Protection Agency regulate carbon dioxide (CO₂) emissions by humans as pollution is not supported by scientific findings that CO₂ is an essential fertilizer for plants, and is not the cause of “global warming.” With the prospect of more laws or decrees that will limit driving freedoms and increase expense, it is time to examine the actual science, so we can respond intelligently.

The hypothesis for the past 20 years starts with the fact that humans have been emitting more and more carbon dioxide, not just by breathing, but by burning more fuels. The CO₂ supposedly absorbs infrared radiation from the surface of the Earth, heating up and somehow making the surface temperatures on the Earth warmer.

The “Warmers” contend that runaway heating will cause floods, sea-level increases, storms and droughts, and, to avoid all that, we must stop emitting CO₂ or find a way to sequester it. Warmers ignore the much more major infrared absorber water vapor, or even after mentioning it, leave it

out of tables showing how much each “greenhouse gas” supposedly changes temperatures. Warmers claim that climate modeling correctly predicted the warming of the last 20 years, and claim that the 1990s were the hottest period the Earth has seen in the past 1000 years, or as some say, that 2006 was.

The temperature graph used by Warmers (often called the “hockey stick” because of its shape) shows a gradual fall in temperatures from 1000 AD to about 1850, then a huge leap until the present. Warmers claim that changes in solar output have negligible effects, and that volcanic eruptions explain certain long cooling periods, which may be true of the really big eruptions.

So, the first fact that must be settled is what temperatures actually were before there were thermometers, and how thermometer readings are biased. The 1999 hockey stick graph by Michael E. Mann showing temperatures for the previous 1000 years was based mostly on tree-ring measurements, but selected data were left out, the effect of more CO₂ and rain on tree growth was ignored, and there

was computerized manipulation of the graph to achieve a desired result.

Two Canadians, Chris Essex & Ross McKittrick, asked for raw data from Mann, which was provided incompletely and grudgingly, and they were able to reproduce Mann’s graph partially from the output of a random number generator. They informed the Editor of Nature, where Mann had published, who demanded a “correction of error,” which appeared in the July 1, 2004 issue.

Thus, the most scientifically reliable temperatures are shown in Fig. 1, in which the current warm period was preceded by the “little ice age” from 1450-1850, and this was preceded by the “medieval warm period” from 900-1400 AD, which was warmer than now, despite much lower CO₂ concentrations. This was a composite of several temperature measurements and proxies, and the medieval warm period was found worldwide in more than 70 separate published studies (Soon & Baliunas, 2003). ■

This is Part One of a two-part series. Part Two will appear in our next issue.

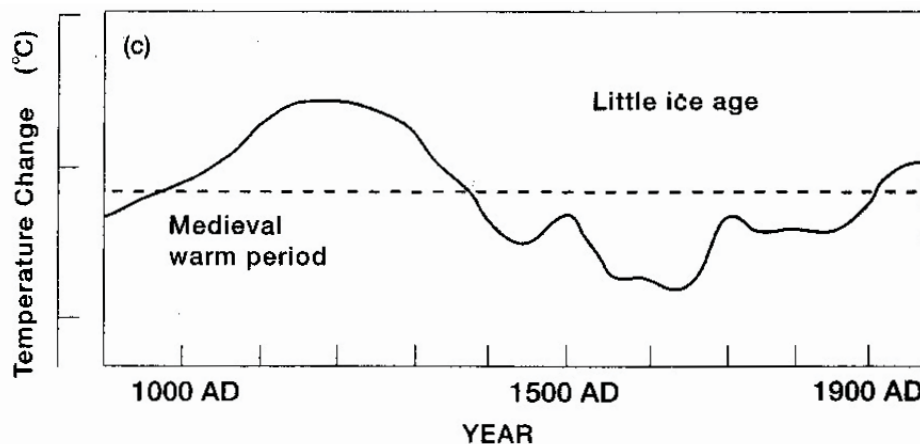


Figure 1. The Last 1,000 Years of Earth Temperatures from Tree Rings, Ice Cores, and Thermometers.

(Figure 22 in the IPCC’s *Climate Change*, 1995.)



News From Around The Country

Arizona

State lawmakers won't be repealing a new requirement for ignition interlocks on the vehicles of all those convicted of drunken driving. A bill that would have partially repealed the month-old law died recently when a compromise could not be worked out between supporters and foes before the Legislature disbanded for the year.

California

Car owners who spray their license plates with translucent glosses to avoid being ticketed by traffic enforcement cameras may soon find themselves breaking a California law under new legislation pending committee hearings in the state Legislature. Assembly Bill 801 aims to ban the use of sprays and reflective covers that are applied to automobile license plates.

Delaware

In an obvious attempt to make fighting traffic tickets more difficult for motorists, there is a bill, HB158, being considered by the Delaware Legislature that would remove jury trials as an option for defendants in certain traffic citation cases.

Illinois

Illinois lawmakers have twice sent measures to Gov. Rod Blagojevich to increase the speed limit on large trucks. Both times the governor has vetoed the proposals. But this has done little to discourage three-quarters of the state's lawmakers. They recently sent the governor yet another bill that would allow the state to boost the truck speed limit from 55 miles per hour to 65 mph. It awaits his action.

Indiana

The Indiana Department of Transportation (INDOT) will soon be the direct beneficiary of speeding ticket revenue under a bill signed by Governor Mitch Daniels (R). The measure gives INDOT the power to decrease speed limits "without conducting an engineering study and investigation" in highway work zones. The law also boosts the fines significantly. The first offense runs \$300, the second \$500 and the third \$1000. Anyone contesting the fine in court faces an additional \$70 fee if found guilty.

Missouri

The city of Springfield, Missouri prepared for the installation of a red light camera system by slashing the yellow warning time by one second at 105 state-owned intersection signals across the city.

New Hampshire

The Granite State is the latest to join a growing group of states that have passed legislation denouncing REAL ID. More than two dozen states are considering some type of legislation that calls for official nonconformance with federal mandates contained in the law. The hope is that if enough states refuse to participate, the federal government will be forced to change the law or abandon the measure all together.

New Mexico

Under a new state law, the City of Albuquerque has begun installing rumble strips to warn motorists that they're approaching an intersection with a red-light camera.

New York

Mayor Michael R. Bloomberg announced a plan to reduce traffic by charging people who drive into the busiest parts of Manhattan. If the measure is approved by the Legislature, New York will become the first city in the United States to impose a broad system of congestion pricing.

Ohio

House Bill 154, currently under consideration, would eliminate Mayoral courts if passed into law. One of the worst elements of the Ohio court system, Mayoral courts operate primarily to generate revenue for the city or village. They are key components of any major speed trap enterprise operating in the state.

Oregon

Oregon state lawmakers have sent a measure to the governor that will dramatically expand the use of speed cameras in the state. The bill authorizes the use of photo radar on freeways. It passed in the House with a 47-8 vote and the Senate with a 21-9 vote.

Texas

Police in Houston, Texas hope to generate \$1.4 million in revenue by enforcing a law that the state legislature has revoked. Houston police issued \$931,000 in tickets this year to motorists for the crime of using a frame on their license plate. Of this amount, \$231,000 was raised after Gov. Rick Perry (R) signed a law overturning an Appeals Court interpretation of state law that gave police authority to issue the citations. ■

As of this printing, this information is current. For more information on this and other motorist news, visit www.motorists.org



Members Write

In Jan. of this year, I was cited for doing 100 mph in a 70 MPH zone of interstate. I had my cruise control on 70MPH, my wife and son with me and it was a clear day. Needless to say, my wife and I were stunned.

I was faced with a situation that basically put our word against the Highway Patrolman's and his radar gun. Since that event, I have read a great deal on the subject and of course, joined the NMA, but was unable to correct the basic problem stated in my opening sentence until a discovery made last week.

In an effort to produce data to support my position in any future event, I purchased a GPS tracking unit from a company called VehiclePath. This device allows me to document not only my location but the SPEED of the vehicle on a minute by minute basis. It downloads that data which is then recorded and accessible via the internet under your account file.

The hardware will cost you around \$300, plus a small monthly fee depending on the plan you select. I know this isn't for everybody but for me it is yet another way I'm fighting back at a system that has abused its power against this motorist.

*R. LeBell
Eagle Pass, TX*

Regarding your last issue on lane courtesy: In Oregon they are after speeders, not someone sitting in the center lane. Those center-lane drivers are the ones that get into the most accidents because they never turn on their signals when they change lanes. Here in Oregon, they have the speed limit set so low in most places, they are

looking for you to have an accident.

And the traffic lights could use improvement as well. In Vietnam, they have timers on the lights so you can tell how much time is left before the light turns red. That system is very good because you can decide to either slow down and stop or accelerate to cross in time.

Drivers might want to avoid Portland, Oregon now. They have a new law requiring that drivers give three feet of clearance at all times to bicyclists or face a \$300 fine. They have all these laws for the bicyclists, but they never pay road tax, gas tax, or any other tax to help build their bike trails. They recently took some of the road money and built a \$2.5 million bridges so they can ride over the river now. Thanks for all of your hard work.

*Robert Spaulding
Oregon*

I recently received your solicitation letter touting your success regarding the speed limit law.

Congratulations.

But with such success, why don't you address a more unfair and unreasonable law: DUI/DWI laws?

I was stopped in Wisconsin for "speeding" (while I was on cruise control at the speed limit) and was immediately told to take a breathalyzer. I had drunk a few beers, but was not swerving, doing any property damage, or endangering anyone.

And I wasn't stopped for these. I was stopped for speeding, but never ticketed for speeding. I was ticketed for being DUI/DWI.

It cost me thousands of dollars in FINES to Wisconsin and in legal fees for a charge based on a bogus law. To repeat: I was not drunk, not intoxicated, endangered no one, wasn't speeding (actually, traffic was passing me) OR ticketed for speeding.

I was simply an out-of-state driver pulled over arbitrarily and fined excessively to line the coffers of the State of Wisconsin and a Wisconsin lawyer.

And after looking into this, I found I'm not alone.

Why don't you push for repeal of the absolutely unjust DUI/DWI laws for a simple enforcement of the RECKLESS DRIVING?

DUI or DWI is a liability to no one (except the driver's finances) unless you are also driving recklessly. Repeal of such laws IS a liability to the income of the state and their lawyers.

This is as unjust as the speed limit laws.

Why don't you take *this* on?

*Mike Wywias
Bedford, Texas*

Editor's Note:

As indicated by the numerous articles in our newsletter and the extensive collection of materials on our website, the NMA has been quite outspoken in its opposition to the excesses, misguided legislation, Draconian penalties, and arbitrary standards that characterize DUI enforcement and adjudication in this country.

Your letters are welcomed and should not exceed 300 words. They may be edited for length or clarity. Full-length articles will also be considered for publication and should not exceed 600 words. Submissions may be emailed to nma@motorists.org or mailed to us.

Motorist Marketplace

NMA Foundation Legal Defense Kit

Represent yourself in traffic court and win! In addition to covering court procedures and strategy, this ten-pound kit includes technical information on speed enforcement devices. It also contains state-specific information on Discovery and Public Records Laws (this is how you get information from the police on your case!). Remember, this resource is being constantly updated and improved.

Call 800-882-2785 to order the Kit and tailor it specifically to your ticket!

\$155 Refundable Security Deposit \$10 S&H Rental Fee: \$30/month



NMA Patch

The patches are three inches in diameter. They have a white background, a color NMA Logo, and the NMA web site is embroidered on the patch in black lettering. They can be easily sewn to just about anything. Hats, jackets, or shirts are just a few of the options.

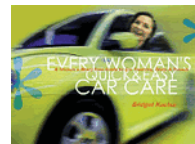
Non-Member Price: N/A **Member Price: \$2.50**



Guerrilla Ticket Fighter

Now, while you're driving, you can learn how to fight traffic tickets and win. **Guerrilla Ticket Fighter** will tell you how to defend yourself against traffic tickets using strategies that have proven successful for other motorists, just like you. Available on CD or audiocassette.

Non-Member Price: \$19.95 **Member Price: \$15.00**



Every Woman's Car Care

Many motorists don't have useful knowledge about the vehicles they drive. This book can help. While it was written by and for women, this book is an asset for anyone. Its 262 pages cover everything from how to read gauges to "jump starting" and trouble shooting.

Non-Member Price: \$19.95 **Member Price: \$14.95**



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.

Non-Member Price: \$29.95 **Member Price: \$21.95**



Legal Research

Many laws and statutes that you need to prepare your case are state specific, which means that you will have to do the research. This book gives you the basic understanding of how to conduct legal research. The book explains everything in easy-to-understand terms.

Non-Member Price: \$44.95 **Member Price: \$34.95**

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\$50.01 to \$75.00	\$8.00
\$75.01 to \$100.00	\$9.00
Over \$100	\$10.00

Your best defense against radar

(choose one): **Situation Awareness?**
 Situation Ignorance?



Mike Valentine: Electronics Engineer and Co-Inventor of the original Escort® detector.

Situation Awareness.

Fighter pilots just say "SA." When you peel off the military jargon, SA turns out to be man's oldest survival technique: *know what's going on around you.*

For combat pilots, SA is a two-step process. First, know all the threats — where they are and how many. Second: identify each one, friend or foe? A jet warrior will never be surprised by a bogey closing on his six if he has SA.

The Shrug Factor

When a beeper gives two beeps and then goes quiet, most drivers shrug: "It's probably nothing," they say. Wrong! Two beeps is exactly the warning when instant-on ambushes somebody ahead. You could be next. Every beep may not be radar, but it's a threat until you know otherwise.

V1 has antennas facing both forward and behind, for radar and for laser. It scans all around your car. This patented SA system reports to you through locating arrows and the Bogey Counter. With V1, you won't shrug.

Situation Awareness:
V1 says 2 radars ahead.

SA on the Road

The Valentine One Radar Locator is born of my personal passion for SA. I want to know the threats, both radar and laser. *All of them. As far away as possible.*

When Valentine One finds radar or laser, a red arrow points toward the source. Ahead? Behind? Off to the side? V1 tells you instantly. Other detectors? They all go "beep" and leave you guessing, just like they did in the Seventies. Situation Ignorance, in other words.

Arrows and the Bogey Counter

V1's advanced computer analysis tracks each signal separately. And the arrows point toward each one. A digital display called the Bogey Counter tells "how many." V1 won't keep you ignorant. Example: you see one radar, but there's another ahead. V1 tells you about each one. The beepers just go "beep."

**"Live with the Arrows,
 you'll wonder how you ever managed
 without them." — Car and Driver**

Situation Ignorance:
 Other detectors
 always say "BEEP!"

Situation Awareness:
V1 says 2 radars, ahead and behind.

Situation Ignorance

Our patents prevent our competitors from matching V1's SA. So they try to distract you with technology. "Intelligence" is the latest claim for a GPS scheme aimed at reducing your Shrug Factor by reducing beeps. But GPS doesn't find new threats, **just false alarms you already know about.**

I guarantee V1 to be free of bells, whistles, and distracting gizmos. It's an instrument of Situation Awareness, pure and simple.

What others say about V1

"The Valentine One radar detector provides the best, most comprehensive, most useful, and least annoying alerts."

PC Magazine, April, 2006

"Awesome...the patented arrows are a huge advantage."

MPH, April, 2006

"The controls and interface are a marvel of logical design."

Wired, March, 2006

"This is the only unit that can track radar and laser in 360 degrees, and it can detect multiple threats, helping drivers to better identify false signals."

Popular Science, April, 2006

"The only radar detector that works at all is the Valentine One. It shows if the signal is forward, rear, or side, as well as the number of signals."

Best Life, February, 2007, quoting Alex Roy, four-time trophy winner of the Gumball Rally

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Valentine Research, Inc. Phone 513-984-8900
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Please call toll-free **1-800-331-3030**
 or visit **www.valentine1.com**

Valentine One Radar Locator with Laser Detection - \$399

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Concealed Display Module - \$39

For covert operation: remotes all visual warnings to a location of your choosing (1" x 2" x 1.5")

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"...a solid long-term investment." — Car and Driver