



Driving Freedom

NMA Foundation

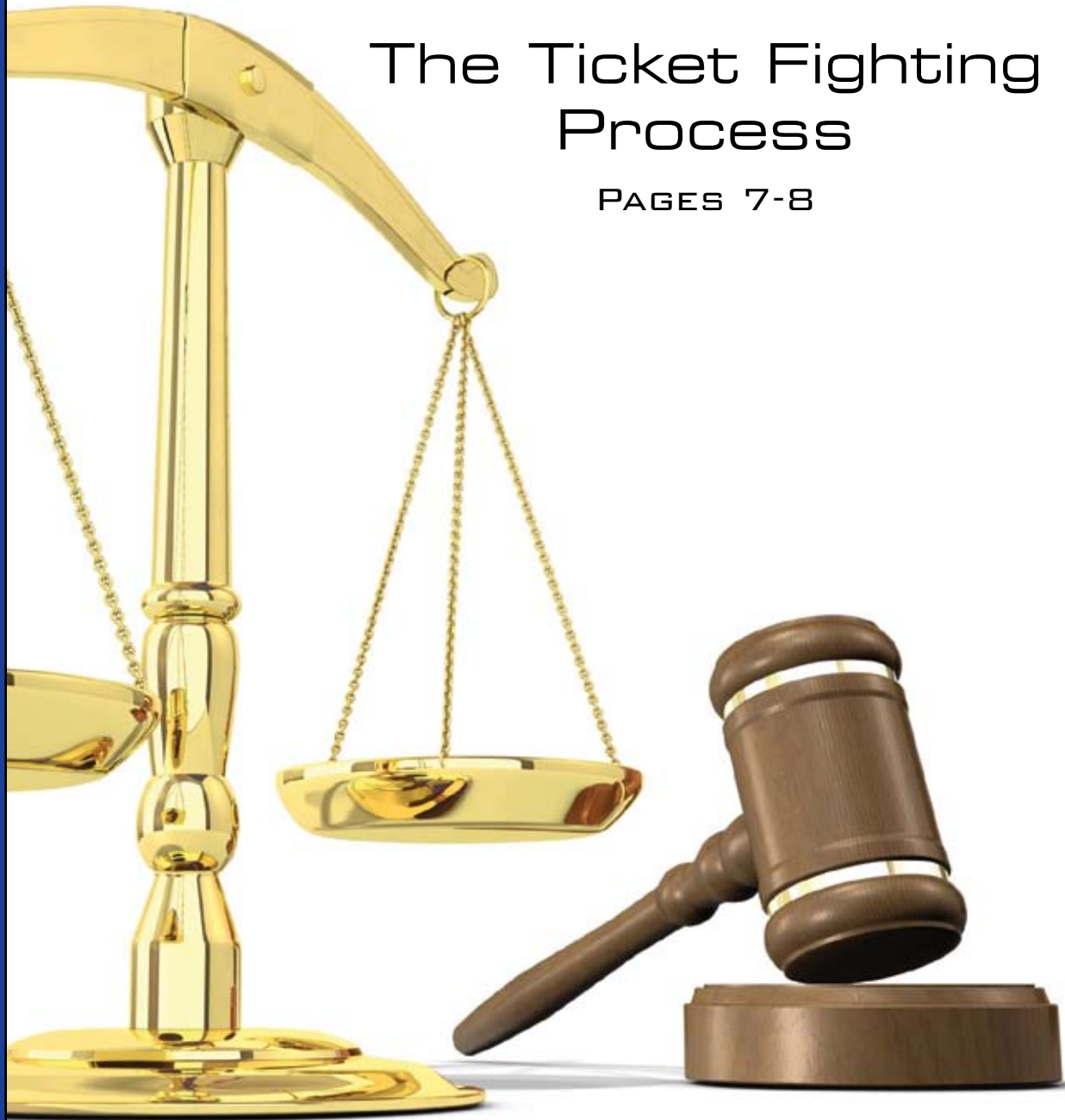
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July/August 2008

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

The Ticket Fighting Process

PAGES 7-8



NMA Foundation

402 W. 2nd St.

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If your NMA membership expiration date is on (or before) 7/1/08, this is your last issue of

Driving Freedom

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There are an estimated **50 million tickets** issued each year. This year, that number is expected to climb. In fact, the problem is so severe, the *New York Times* recently published an article entitled, *The Taxman Hits in the Guise of a Traffic Cop*, which



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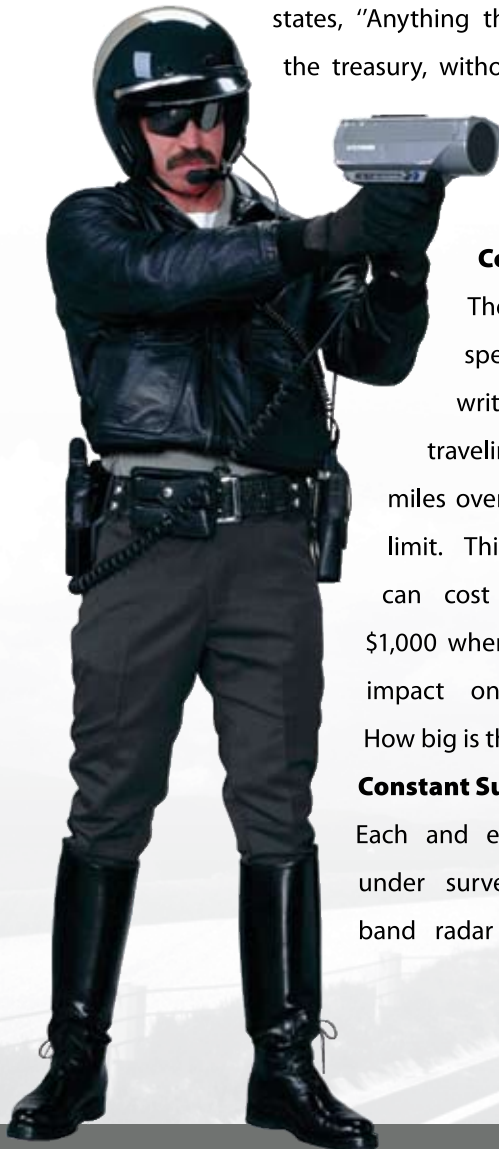
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**Driving
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Editorial Staff

Managing Editor Aaron Quinn

Staff Writer..... James J. Baxter

Staff Writer..... Bonnie Sesolak

Staff Writer..... Robert Talley

Guest Writer..... Tona Monroe-Ball

Cover
"The Ticket Fighting Process"



A New 55

by James J. Baxter, President, NMA

In early June, we sent an e-mail message to our members encouraging them to respond to the editorials and proposals supporting a return to a national 55 MPH speed limit. It is important that these misguided attempts to support maximum federal speed limits be confronted and put to rest.

In order to aid our members in this effort, I felt it was important to provide solid arguments and talking points that support our opposition to reinstating a federal maximum speed limit. The following points address the most common proposals, and reasoning behind them, that advocate a new, lower, federal maximum speed limit:

1) Cars Going Slower Get Better Gas Mileage

On its face, this is a true statement. A car going 55 MPH will generally have better fuel economy than the same vehicle going 70 or 75 MPH. For an individual on an individual trip this might result in a 10 to 20 percent savings in fuel consumption. There is nothing in current law that prevents individuals from driving at slower speeds to achieve these savings, as long as they stay in the right hand lane and let faster traffic pass on the left.

However, posting lower speed limits on high speed highways will have very little effect on overall fuel usage. First, of the 3.8 million miles of streets, roads, and highways only 46,000 miles are Interstates. Of those, there are significant portions already posted at 55 MPH, or even lower.

There are also periods of time when congestion reduces actual speeds to well below even 55 MPH. Then there are construction zones and weather induced speed reductions. In the end, even including all highways posted with higher than 55 MPH speed limits, I would estimate less than two percent of all our streets, roads and highways currently boast speed limits in excess of 55 miles per hour.

True, these highways may carry a quarter of all traffic, but when considering all the instances when this traffic is constrained to lower speeds, applying a mandatory federal limit of 55 MPH will have insignificant influence on national fuel consumption.

This conclusion is reinforced by the National Academy of Sciences Transportation Research Board which estimated that in 1984, raising the 55 MPH federal limit to 65 MPH would increase national fuel consumption by less than two tenths of one percent.

2) "Speeders" Burn More Than Their Share Of Fuel

First, let's put to rest that drivers traveling at speeds of 70 to 80 MPH on good highways are "speeders" in the pejorative sense. They are doing nothing that is unacceptably dangerous or anti-social.

Further, is it rational to label the driver of a small sedan who averages 30 MPG at 75 MPH (instead of 35 MPG at 55 MPH) as "wasteful" while lauding the driver of a large SUV or RV who is achieving 14 MPG at 55 MPH (instead of 11 MPG at 75)?

(Continued on Page 5)

From The National Motorists Association Blog

<http://www.motorists.org/blog/>

We've switched to a blog format for the news section on the NMA website and we encourage you to check it out. The blog will keep you up-to-date on the latest motorist news in an entertaining, easy-to-read format. We generally post new articles to the blog three days a week and you can comment on ongoing stories. You can even subscribe online to get blog updates in your email inbox! Just type www.motorists.org/blog/ into your Internet browser to get started.

Why The Insurance Industry Loves Red-Light Cameras

The insurance industry has been the leading advocate for red-light cameras since they were first introduced in the United States and it's worth examining why they push so hard for their installation.

The Insurance Institute for Highway Safety (IIHS), which is wholly funded by the insurance industry, is often quoted by media as an unbiased source despite the fact they benefit financially from the installation of the cameras.

Richard Retting is a senior transportation engineer for IIHS. He has even been called the "father of the red-light camera movement" in the United States. He's also the author of nearly every red-light camera study that suggests that installing the cameras has a positive impact on traffic safety. However, as reporter Matt Labash pointed out in his 2002 series on red-light cameras, Retting and IIHS have a vested interest in seeing red-light cameras go mainstream:

Retting is a near ubiquitous presence in the debate. Statistics floated by his Institute are unblinkingly regurgitated by journalists, even if no one notices, for instance, that they have variously put the number of annual red-light-running fatalities at 750, 800, or 850 depending on which day you catch them.

[...]

Taking Retting's word on the safety benefits of camera enforcement, say the critics, is a bit like trusting the Tobacco Institute that smoking increases lung capacity.

[...]

While most states don't yet assess driver's license points for automated infractions, plenty are toying with the idea, and a few, like California and Arizona, actually do. The insurance industry, then, has a financial stake in seeing as many photo tickets issued as possible, since speeding

and red-light infractions allow insurance companies to bleed their customers with higher premiums for the next three to five years.

As Labash mentions above, cities in the state of California report ticket camera violations to insurance companies. This is an important point, especially when you consider that a recent report from the LA Times showed that 80 percent of red-light camera tickets in Los Angeles were right turn on red violations, which have never been linked to increased accidents.

Obviously, this is an insurance company's dream. They're able to charge higher premiums without exposing themselves to increased risk of insurance claims.

Ultimately though, the red-light cameras are only the foot in the door that will allow speed cameras to become mainstream. Because the majority of speed limits in the United States are underposted, it's likely that the majority of drivers will exceed the speed limit at some point. Once the speed cameras are installed, the discretion of an officer is removed from the equation and a huge increase in the number of speeding tickets becomes inevitable.

It's already happening in Arizona where speed camera tickets are being used to balance the state budget.

With each ticket leading to increased insurance premium, drivers are being hit hard financially. Meanwhile, insurance industry profits skyrocket.

There's no conspiracy theory necessary to understand why the insurance industry loves ticket cameras. It's logical for them to support them.

But it's also logical for everyone to take their pro-camera research with a grain of salt. ■



NMA Washington Report

by Robert Talley, NMA Lobbyist



As the summer progresses and the reality that elections are closing in fast sinks in, Congress seems intent on falling into its traditional pattern of making headlines on political issues while ignoring its constitutional responsibilities.

Historically, the NMA has worked to use the appropriations process to direct funding from programs that seem intent on buying support from law enforcement to programs that will make roads safer and better through engineering design and construction.

This year, the annual appropriations process is a mess. Members of Congress have all but conceded that there simply will be no bills passed appropriating funds for any of the government operations until after the November elections and more likely until after the start of the new year when the new Congress is seated. Because the government fiscal year ends in

September, this puts many federal agencies in a bind.

In the interim, the discussion in Congress is about the price at the pump and the politics of energy. As motoring enthusiasts, each and every one of you is painfully aware of what has happened to the price of oil in the last 18 months. Congress has gotten an earful, not just from angry drivers but also from businesses and farmers that rely on reasonable energy costs to make their products.

The problem is that we have to be realistic about what Congress can do to assuage short-term price problems. The answer is really very little.

Allegations of price gouging seem to surface every time there is a spike in gasoline prices, but there has been little evidence to support this as a major factor. There have been accusations that speculation in the futures markets is

accounting for a substantial portion of the recent run-up in costs and it is possible Congress could act to limit the role of speculators in the domestic futures market. Increased domestic supply is likely to be on the table as well, though this is highly controversial.

In the interim, major Wall Street analysts are calling for oil prices to increase even further over the course of the summer and have reset expectations for long-term oil prices even higher. Predictions of a national average of \$5/gallon gasoline are increasing at the same time that US demand is falling in conjunction with fewer vehicle miles traveled.

In the end, a combination of conservation, development of resources, efficiency improvements, and transparency in the markets will help mitigate increased energy costs, but not in the short-term. ■

Study Shows That Teen Cellphone Bans Are Ineffective

The Insurance Institute for Highway Safety (IIHS) recently completed a study of cellphone use among young drivers in North Carolina and found that teens often ignore cellphone bans.

The study is the first to examine what teenagers and their parents think of such restrictions.

Researchers concluded that the ban hadn't reduced teen driver cellphone use five months after it took effect. In fact, teen cell phone use while driving actually increased.

Observed cellphone use by teen drivers leaving school in the afternoon

rose slightly, from 11 percent one to two months before the law to 12 percent five months after it took effect on December 1, 2006.

Cellphone use remained steady at about 13 percent at comparison sites in South Carolina, which doesn't restrict teen drivers' phone use.

The IIHS report admits that data tying hand-held or hands-free phone use to crashes is scarce, but instead of recommending the laws be dropped, IIHS is pushing for more strict laws.

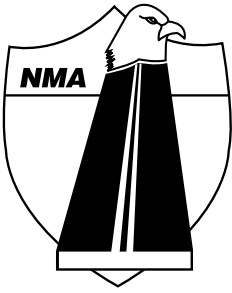
Anne McCartt, the IIHS senior vice president of research, said that absent

some better way to enforce them, "cell phone bans for teenage drivers aren't effective, based on what we saw in North Carolina. Passage of a law is just a first step. The restrictions need to be well-publicized and enforcement should be highly visible."

In other words, IIHS is essentially saying, "Publicity and enforcement are ineffective. We need more publicity and enforcement."

Yessir, that's the kind of logic we've come to expect from the insurance industry. Unfortunately, they never seem to disappoint. ■

New NMA Membership Benefit: Free MotorWatch Access



The National Motorists Association has partnered with MotorWatch to give our members another valuable membership benefit. Starting July 1st, all members will get free access to MotorWatch's vast library of driver resources.

MotorWatch is an indefatigable protector of the American public's right to have safe, defect-free motor vehicles. It was established as a 501c-3 non-profit educational organization for the purpose of providing motorists with life-saving information.

The backbone of MotorWatch is their Technical Committee, which is composed of over fifty of the most knowledgeable automotive experts in the world.

MotorWatch provides motorists with as much information as possible about their motor vehicles, including motor vehicle safety recalls, safety investigations, and emission related failures. The organization serves all motor vehicle operators, from motor scooters to recreational vehicle

owners and Class-8 tractor trailers.

MotorWatch frequently publishes information including NHTSA motor vehicle recalls (re-written for easier understanding), NHTSA motor vehicle safety investigations, listings of new and developing motor vehicle pattern failures, motor vehicle maintenance and care information for consumers and technicians, and information dispelling myths concerning automobiles.

In addition to all this, the MotorWatch Technical Committee is available to answer questions about maintenance and safe operation of your motor vehicles.

NMA members will also have access to an electronic version of the MotorWatch newsletter and all other MotorWatch resources through the "Members-Only" section on www.motorists.org. This process will not require a separate registration with MotorWatch and it will not require NMA members to login. One click and you'll be in.

We hope you enjoy this new membership benefit. If you have any questions about your MotorWatch access, simply contact the NMA's national office. ■

A New 55

(Continued from page 2)

I'm not throwing stones at any group of vehicle owners, but it is equally inappropriate to assign derogatory labels to drivers based on how fast they choose to drive (within reason).

In the rush to condemn, it is forgotten that those who consume more fuel also contribute more to the maintenance, upkeep, and improvement of the highway system. They are not "getting a free ride" and second guessing another driver's trade-offs between time, speed, and costs is a useless exercise.

3) The Government Needs To Do Something

Yes and no. The government needs to address those regulations, practices, and policies that waste fuel resources. The political philosophy

needs to switch to accommodating motorists, expediting traffic flow, maximizing travel choices, and applying user fees to get the most benefit for the dollar spent. Practical actions like synchronizing traffic lights in urban areas, removing unnecessary stop signs, and *raising* speed limits on main thoroughfares in urban and suburban areas could save many millions of barrels of oil on an ongoing basis.

The federal and many state governments need to do a 180 degree turn on their promotion of toll roads. Tolls drive traffic to secondary roads less able to handle large trucks and heavy traffic. Local and state officials respond by plugging up and constricting traffic flow on secondary roads to drive traffic to the toll roads. Needed improvements on secondary roads are deliberately postponed or ignored, again to drive traffic to the

toll roads. Eliminate the tolls and traffic will naturally gravitate to the main corridors, while the secondary roads can be maintained and managed to efficiently carry local traffic. Again, one of the prime benefits will be substantial fuel savings.

What we don't need the government to do is establish low arbitrary speed limits (that won't be complied with), rationing schemes, more ethanol fiascos, or new taxes on oil companies that will obviously be passed right back to the consumer.

Ultimately, we'll get a handle on this situation by transitioning to more efficient vehicles that operate on a variety of fuels, as well as changes in travel patterns, work and home relationships, and implementing technologies that we haven't even imagined. Our greatest challenge may well be keeping the government from "solving the problem." ■

Study Shows Benefits Of Improved Youth Driver Training

By Bonnie Sesolak, NMA Development Director

For years, accident avoidance training has been viewed by many official bodies as of little value in highway safety and has been largely ignored as a measure for reducing accidents.

However, a recent study completed by Summit Point Automotive Research Center highlights its potential to decrease the number of accidents, along with their severity, among our nation's young drivers. The study concentrated on the benefits of Highway accident avoidance training and was conducted between 2000 and 2006.

The group studied 11th and 12th grade students from local high schools who voluntarily enrolled in accident avoidance courses. This age group was selected based on data confirming that the most dangerous period for young drivers is the first five years of licensed operation. Four hundred and sixty-nine drivers along with seven years of data are detailed in the report.

Current driver's education programs are designed to teach beginners how to drive. These programs get drivers on the road and provide basic skills training.

However, any additional training or techniques that drivers may need to avoid accidents on the road must be learned along the way. Accident avoidance training operates on the premise that it's better for drivers to learn how to react to these situations before they happen.

The exercises are conducted on very realistic highway-type road courses. The course focuses on repetitive exercises in highway emergency scenarios such as off-road recovery, swerve to avoid, surprise braking, and skid control. The majority of the training is conducted in the school cars, combined with classroom instruction.

With seven years of data compiled, the study reached these conclusions:

"The results show definitively that: 1) realistic highway accident avoidance training produces real benefits; and 2) the compelling uniformity of results always points in the direction of the value of training.

Currently, the average age of students when they receive training is just less than 17 years and four months, which is about 14 months past the usual age for becoming licensed drivers.

Given the clearly superior performance [see chart below] of AA-trained drivers, there should be a reduction in accidents and injuries if licensed drivers were in highway accident avoidance courses at a younger age. Perhaps [future studies] should consider extending free accident avoidance course enrollments to 10th grade students that qualify, as well as 11th and 12th graders."

The group plans to continue to accumulate data on youth driver training over the next few years. ■

Driver Training Study Results (2000-2006)			
Control Group (226 Drivers) — Trained Group (243 Drivers)			
Category	Control Group	Trained Group	Training Improvement
Drivers Involved in Accidents	26.11%	13.99%	87%
Drivers Involved In Injury Accidents	7.52%	2.88%	161%
Drivers Involved in More Than One Accident	4.42%	2.06%	115%
Drivers Involved In Multi-Car Accidents	16.37%	7.00%	134%

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The Ticket Fighting Process: Things To Keep In Mind

What To Do If You Are Pulled Over

- 1) When you are initially stopped for a traffic violation, do not try to argue your case at the roadside.
- 2) Be pleasant and courteous to the officer.
- 3) Do not admit to ANY violation of the law.
- 4) Let the police officer tell you what you did wrong, don't guess or volunteer your thoughts on the subject.
- 5) Before you drive away, take in as much information as you can and write it down. What signs are posted around you, how heavy is traffic, what kind of car (and plate number) was the officer driving, and anything else that you might be able to observe. ■

Deciding On A Plea

- 1) The arraignment date is the date usually shown on your ticket. While this is the date you are required to appear in court, it is usually not your trial date. Your trial will be set for a later date, if you choose to plead not guilty.
- 2) Often the pre-trial conference or negotiations will take place at the time of your arraignment.
- 3) Pleading "no contest" or "guilty with an explanation" will just result in the judge finding you guilty. Don't waste your time.
- 4) Technically, "not guilty" doesn't mean you didn't do it, it just means there's not enough evidence to prove that you did. In traffic cases, especially speeding tickets, this is often the case.
- 5) Once the district attorney finds out you're serious about fighting this ticket, he may offer an attractive plea bargain. Depending on the formality of the court, the judge, or the prosecutor, or possibly even the arresting officer, will encourage you to plead "guilty" or "no contest" to avoid the time and expense of a trial. In return they will typically offer a reduced fine and or reduced points for your violation.
- 6) In most states and situations, traffic tickets do not require hiring an attorney.
- 7) If you're facing a loss of license or other criminal charges (e.g. DUI) you should definitely hire a qualified traffic attorney. ■

Examine The Law

- 1) In almost all instances, the citation issued to a person charged with violating a traffic law will contain a specific reference to the statute or ordinance, by number, that you allegedly violated. You can usually find the exact law or ordinance online or in person at the city hall or a public library.
- 2) As a general rule, librarians at public libraries will be much more helpful than city or court employees.
- 3) Make sure that the law you're charged with violating actually related to the reason you were stopped and cited.
- 4) Determine whether or not your actions were really in violation of the law you have been charged with.
- 5) There may be certain elements of the law that allow exceptions, or there may be specific requirements that are mandated before the law can be enforced. For example, the law may state that speed limits must be posted in a specific way before they can be enforced.
- 6) Other laws, regulations, and court cases that are referenced in the statute you are charged with violating often contain additional provisions that apply to your case. Read them carefully.
- 7) The enforcement technology that the officer uses has a big impact on how you should develop your defense. Find out what technology the officer used (it should be printed on your ticket) and learn as much as you can about how it works.
- 8) If you were cited for speeding, you may want information on the kind of speed measurement device the officer used to clock your vehicle, or the training records for the officer that measured your speed. ■

Reasons To Delay Your Trial

There are many good reasons to request a continuance (an extension of your trial date). It allows more time for responses to your information requests, more time to research and prepare your defense, increases the probability that the officer will not appear, and decreases the chance that the officer will remember specifics about your stop. It's best to make a request for a continuance at least two weeks in advance of the trial date. ■

The Ticket Fighting Process (continued)

Getting Information From Officials

- 1) Methods for gathering information include requests or motions for discovery; open records or public records requests; interrogatories; depositions; as well as subpoenas.
- 2) Do not rely on courthouse personnel to help you, they are typically as unhelpful as possible. Their standard line is “we do not provide legal advice.”
- 3) Discovery is an information request you would make to the prosecutor, usually the District Attorney, for relevant information related to your case.
- 4) For discovery, a simple written request, sent via registered mail to the District Attorney’s office, is usually sufficient.
- 5) Some states mandate that certain kinds of information must be released to a traffic ticket defendant making a discovery request. Other states specifically relieve the prosecution from any responsibility to fulfill a discovery request.
- 6) Public records laws are called different names in different states, but their intent is to make public records available to all citizens. In general, these laws mandate that public records be released to anyone who makes a request.
- 7) You can usually obtain radar equipment maintenance records, calibration records for breathalyzers, and training certificates for specific officers through a public records request.
- 8) Public Records Requests are independent of the court and your trial, and the failure of an agency to provide requested records will not automatically result in a dismissal of charges.
- 9) Generally, a public records request is made to the agency you believe holds the records you want. This is usually the police agency that issued you a citation.
- 10) For best results, make the request in writing and cite the public records state statutes that give you the right to request the information you seek.
- 11) There may be reproduction cost fees (the law usually requires that they be “reasonable”) for the materials you want.
- 12) You may also want to request that the agency certify the documents to be valid copies of the originals. ■

At The Trial

- 1) At your trial, the prosecution must prove three elements: your vehicle was at the scene of the alleged violation; you were operating the vehicle; and that while operating your vehicle, you violated a specific law.
- 2) You need to know if your violation is considered criminal or civil, because court procedures are different for each situation.
- 3) Find out when the traffic court is in session and stop by to observe how the courtroom functions and how the various players interact with one another.
- 4) Take special note as to how the judge treats people who defend themselves.
- 5) Typically, the officer will be the only witness against you.
- 6) If the officer isn’t in court, the prosecution can’t make a case against you. However, a dismissal isn’t automatic, especially if you don’t make a specific motion for dismissal.
- 7) If you had a passenger in the car at the time of your apprehension and that passenger will confirm your description of events, have him/her there to testify on your behalf. A letter or signed affidavit will not be accepted as evidence. The real person has to be there to make themselves available for questioning by the opposing party.
- 8) If your violation was a civil infraction, the judge can compel you to testify, although that seldom happens. If your violation was a criminal offense, you cannot be compelled to testify, but you can testify if you chose to do so.
- 9) If you lost at trial, you have two basic decisions; pay the fine or file for an appeal.
- 10) If you had a real trial in a real court with a real judge and the trial was recorded, you were in a “court of record.” Appealing from a court of record usually means that the next court higher will rule not on the facts of the case, but the law involved in the case.
- 11) If you were not in a court of record, for example a municipal traffic court with a local official acting as judge, an appeal usually means going to a court of record where your case will be re-tried in a more formal setting with a real judge and possibly a jury. ■

Subject Matter Jurisdiction: How I Won My Traffic Ticket Case*By Tona Monroe-Ball, NMA Tennessee Activist*

While driving on the interstate during a rainy, humid night in July of last year, I received a speeding ticket for 70 MPH in a 55 MPH zone.

Tennessee state law establishes an interstate maximum speed limit of 70 MPH unless a traffic engineering study demonstrates the need for a lower speed limit and on the stretch of interstate where I was ticketed it's difficult to find even one car that travels 55 MPH or less. Knowing this, I decided to fight the ticket in court.

Naturally there was no study supporting the arbitrary speed limit, but the Municipal Court Judge muted me every time I opened my mouth in the short ten minute trial and I was found guilty.

I appealed my conviction to Circuit Court, for a trial de novo (a new trial), because the speed limit was illegally posted. The Circuit Court is a court of record with rules that must be followed. In Circuit Court my trial took one hour and 41 minutes.

First I demonstrated to the Court that the radar reading for my citation couldn't be relied upon because the radar manual states humidity of 90 percent in its specification limitations. It was raining when my citation was issued, and humidity is typically greater than 90 percent during rain.

Then I showed the Judge TCA Code 55-8-153 that requires a traffic

engineering study to lower the speed limit from 70 on the interstate. Unfortunately, the Judge didn't care what the state law said the speed limit should be, or what the radar manual said.

During my presentation, it was clear through comments made by the Judge that he was irritated at me, and that he was going to rule against me. He lectured me about getting an attorney and that told me I was wasting the Court's time, because people had serious issues that needed to be heard.

However, I pressed on because I knew that the City attorney had made one fatal flaw during her case. She forgot about Rule 202 in the Tennessee Rules of Evidence.

Rule 202 states that duly enacted ordinances of municipalities require that a certified copy of any city ordinance be entered into the record as evidence during a City's presentation. In other words, a City must prove a City ordinance upon appeal to Circuit court, and the City attorney failed to enter the ordinance into evidence.

The Judge proceeded to rule against me, but I interrupted him and asked him if I could say one more thing. He was irritated at me, but he obliged because I was without counsel. I asked if the Plaintiff had rested its case, and the Judge sharply replied, "I thought we determined that over an hour ago."

Due to the excitement of knowing that victory was mine, I fumbled around, unable to find the Rule number in my case paper work. I decided that I should just proceed without it before the Judge stopped me. I quickly made an oral motion for dismissal for lack of subject matter jurisdiction because the City failed to enter a certified copy of the ordinance into the record.

When a City is germane to a case, it must prove the ordinance, which it hadn't done. Subject matter jurisdiction can not be waived; therefore, my case had to be dismissed. After initial shock that an in propria persona litigant was smart enough to know this, the Judge said, "for that reason and that reason alone the prosecution against this defendant will be dismissed at the cost of the City."

As my case demonstrated, it's important to read the Court rules when you're challenging a traffic ticket. Rules often mean more than laws to Judges.

Following my victory in court, the City Judge was reprimanded by the Court of the Judiciary, and made to issue an apology to me for his rude comments in City Court.

If you're interested in a more detailed account of my case, you can listen to it online here: www.motorists.org/tona.mp3. ■

Phantom Speed Bumps

As part of a program called "Drive CarePhilly", local officials have come up with a widely-criticized traffic calming plan.

City Traffic Engineer Charles Denny says that this effort will include the deployment, at about 100 intersections, of high tech decals that create a 3-D image, to make drivers think there's something in the intersection:

"Plastic material that is laid down, and it gives the illusion of being a hump in the roadway. And therefore people react to it as though it were a hump, and slow down." ■



News From Around The Country

Alabama

A bill that was intended to combat aggressive driving on multilane highways by keeping the far left lane clear of most traffic failed to gain passage this legislative session. The bill remained in a Senate committee when the session wrapped up. Left-lane use would have been limited to vehicles passing or overtaking slower moving traffic.

Arizona

The Senate gave final approval to legislation spelling out that vehicle owners cannot put plastic covers on their license plates which are designed to thwart photo radar. Any other covering, film or device that hides the numbers and letters also would be illegal. The bill will now go back to the House for consideration.

Florida

A suspicious driver tipped deputies off to a man who's accused of posing as a cop, carrying a pistol and knives, and pulling other drivers over. Police intend to charge 21-year-old Ryan Satz with impersonating an officer, carrying a concealed firearm, and using a firearm while committing a felony. This story continues a disturbing trend of criminals taking advantage of police use of unmarked cars for traffic enforcement.

Indiana

Purdue University recently released the results of a study showing that there was no change in the number of accidents after Indiana increased the maximum freeway speed limit to 70 MPH in July 2005.

Civil engineering Professor Fred Mannering led the team that looked at accident data from one year before this change – when the top legal speed was 65 MPH in rural areas – for comparison with accident rates a year later.

Louisiana

The city of New Orleans will begin ticketing drivers who speed through intersections that are equipped with “red light cameras.” City Director of Public Works Robert Mendoza said that anyone driving nine miles per hour above the speed limit would be ticketed.

Ohio

Police in Ohio soon will have more authority to force suspected drunken drivers with multiple DUI convictions to take blood and urine tests. Under current law, authorities must get a warrant from a judge to test blood or urine for alcohol or drugs on people who don't initially give their consent. The new law removes the requirement to have a warrant before forcing testing.

Cincinnati Mayor Mark Mallory has vowed to veto any ordinance permitting red-light ticket cameras in the city. The red-light camera issue won't return for any city council attention until September, which will allow the council to know if the We Demand A Vote coalition makes its August 1 deadline to collect enough signatures to get a referendum on the November ballot. The referendum would let voters decide whether or not the cameras would be installed.

New York

A New York State Assembly committee killed legislation that would have allowed New York City to install bus lane enforcement cameras. The cameras would have automatically mailed a \$115 ticket to the owner of any vehicle that momentarily strays into a special lane designated “Bus Only.”

Rhode Island

The Rhode Island General Assembly voted to make permanent the state's red light camera program, despite reports that show that the system has failed to produce any measurable safety improvement.

Also, both the state House and Senate voted unanimously to convert school buses into a mobile ticketing platform. A private, for-profit company would mount video cameras on school buses that would record continuous video. When the machine detects a vehicle moving within 50 feet of the bus a second after the bus driver activates a red flashing light, then the vendor will mail a \$300 ticket to that car's owner.

Tennessee

The police chief in Burns, Tennessee was booked on charges that he tried to force a subordinate to fix a ticket. On March 21, Captain Larry Williams wrote the chief's sixteen-year-old stepson a reckless driving and a speeding ticket for exceeding 63 MPH in a 30 zone in a Dodge Neon. A grand jury found evidence that the chief may have attempted to pressure Williams into dropping the tickets in violation of his own written orders. ■

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



Members Write

Great lane courtesy info. Don't you think we should include: "Lane discipline has the same effect as adding lanes to the freeway, which is an astronomically expensive proposition?"

*Lee Schaller
Sonoma, CA*

New Jersey has state Motor Vehicle Inspection. All states do not do the same. I was in South Carolina and they never heard of such nonsense.

I was in Florida and some people vaguely remember having the same inspection for a while but Florida abolished inspection when it did not improve safety.

Will readers knowing about other states write and tell me which states have no inspection or have abolished inspection? I suspect most states have safe cars and no inspections.

Will members in NJ write their senator or governor and suggest NJ abolish inspections? I want to prepare a letter to our Governor with information favorable to abolishing NJ inspection.

Troopers should always stop any unsafe vehicle. Instead they are assigned to run radar traps and watch for inspection stickers on the window.

Our state wants to increase tolls or taxes and they waste money on inspection stations only to create a market for Parsons company inspection machines.

*Tom Fuscald
429 Preakness Ave
Paterson, NJ 07502*

After forty-plus years of more or less constant driving in all kinds of vehicles and traffic conditions, I cannot let Mr. Gearhart's position on, and letter about DRL's go without challenge

[March/April 08 - Members Write].

His example of a 'tree-lined road' and a car camouflaged in the shadows does *not* beg the DRL's as presently defined (headlights of today's candle-power); rather it *may* suggest that *some* lighting might be recommended.

And I object to being called a "dimwit" for not "knowing" to turn on headlights at all times when driving.

I don't know about the European Union and fog lights, but my understanding and experience of fog lights is that they do *not* aim even as high as standard low-beams, much less the high beam; rather they are aimed very low in front of the car. Why? So the *driver* does not blind him/herself by the reflection off the fog.

In fact, fog lights make a very good case for my point of objection to DRL's as presently defined. Maybe it's just me, but I do *not* like looking down the road to assess traffic only to have my depth perception blinded by headlights in my eyes.

I do not see the argument of fog lights blinding people. Their dipped beams make for lighting, of course, and *may* be better than my preference... *Running lights*, often improperly called parking lights... but at least they aren't – at any distance – aimed in your eyes.

Do a test tonight. Have someone take a powerful flashlight and aim it in your general direction. Then have them angle it down significantly, and see the difference. There you have DRL's vs.

fog lights. Now put an amber lens over it. DRL's vs. running lights.

For me, use your running/parking lights. It's bad enough that the candle-power of today's brake-lights is enough to 'blind' a driver following, especially in commute traffic where one is not necessarily even a few car-lengths behind.

*Carl Hockett
Santa Rosa, CA*

It's interesting that the same organization that bemoans "piling on" during a traffic stop (getting pulled over for speeding or an equipment violation and then having the officer pile on citations for seat belt use, burned out headlights, and so on) wants to legislate "lane courtesy."

What do you think is going to happen when a motorist gets nabbed by their favorite speed trap if they happen to be in the left lane because they're passing a truck? They'll get that piled on as well.

Every overzealous short-on-quota traffic cop out there is going to effectively make the left lane illegal for any purpose whatsoever, or worse, ticketing everyone on an eight-lane highway that isn't crowded into the far right lane.

I'm all for educating people on why they shouldn't be left lane hogs, but I vehemently oppose legislating lane courtesy. I know this is one of those well-meaning "there oughta be a law" things, but that's how we ended up with Red Light Cameras.

*Danny Barnes
Portsmouth, VA*

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.

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The Cheetah GPSmirror is a speed camera & red-light camera detector that prevents tickets and helps keep you safe on the road. The GPSmirror comes preloaded with the locations of the cameras, and it warns you with a voice and visual reminder whenever you are approaching a camera.

Cheetah GPSmirror


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

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Ever wondered just how close that police officer has to be to get you on his radar? Have you heard that lasers can't be aimed through car glass? Are you getting your money's worth from your detector? These are just some of the questions answered in *Driver's Guide To Police Radar*.

Driver's Guide To Police Radar

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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.

Beat Your Ticket

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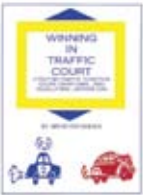


Many laws and statutes that you need to prepare your case are state specific, which means that you will have to do the research. This book gives you the basic understanding of how to conduct legal research. The book explains everything in easy-to-understand terms.

Legal Research

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This book is a helpful, enjoyable read on how to fight a traffic ticket. The author not only explains how to fight a traffic ticket, but also offers amusing anecdotes along with his justification for fighting every ticket you receive.

Winning In Traffic Court

Non-Member Price: \$19.95 **Member Price: \$9.95**

Mike Valentine:
Radar fanatic



"V1 is born of my personal passion for Situation Awareness. I want to know all the threats, as far away as possible."

"This is the *only* unit that can track radar and laser in 360 degrees..." — Popular Science, April, 2006

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

"Best detection range in our tests."

Wired, January, 2007

"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

"It's the iPod of the Radar Detectors."

us.gizmodo.com, December, 2005

"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

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 in the Seventies. Situation Ignorance, in other words.



"In fighter combat, this feature is the difference between life and death." — us.gizmodo.com

Radar Locator tracks one or more radars at the same time; points to each.



Arrows and the Bogey Counter
V1's advanced computer analysis tracks each signal separately. A digital display called the Bogey Counter tells "how many." V1 won't let you get blind sided. Example: you see one radar, but there's another ahead. V1 tells you about both of them. The beepers just go "beep."

arrows.valentine1.com



Situation Awareness Eliminates 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 always tells you "where" and "how many." It gives you what fighter pilots call Situation Awareness. Fighter pilots never shrug. With V1, neither will you.

"Awesome...the patented arrows are a huge advantage." — MPH, April, 2006

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