



Driving Freedom

NMA Foundation

Vol. 19 • Issue 2

March/April 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 Good News Report

PAGE 2



NMA Foundation

402 W. 2nd St.

Waukegan, WI 53597

ADDRESS SERVICE REQUESTED

If your NMA membership expiration date is on (or before) 3/1/08, this is your last issue of

Driving Freedom

PLEASE RENEW NOW
TO AVOID ANY LAPSE!



Driving Freedoms

TABLE OF CONTENTS
Volume 19 • Issue 2

The Good News Report..... 2
From The NMA Blog 3
NMA Washington Report 4
Drunken-Driver Checkpoints 5
NMA Legislative Drive 7
The Tide Is Turning..... 8
Avoid Common Statistical Error..... 8
700 Ticket Cameras Taken Out 8
Lasers and PT Barnum..... 9
News From Around The Country 10
The Experts' Corner 11
SCCs & Activists List 12
Members Write 13

Copyright © 2008 by NMA Foundation. All rights reserved.

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..... James J. Baxter
Staff Writer..... Bonnie Sesolak
Staff Writer..... Robert Talley
Guest Writer..... James Bovard

Cover
"The Good News Report"



The Good News Report

by James J. Baxter, President, NMA

I recently wrote a letter to several of our supporters regarding the progress the NMA has been making over these past few months. It seems only fitting to share that same information with all our members and others who read Driving Freedoms.

As most of you know, the NMA operates multiple web sites. The two most popular are our main NMA web site, www.motorists.org and www.speedtrap.org.

Early last summer, following a press release on major speed traps in each state, visitation to speedtrap.org increased thirty fold and it now attracts 600,000 visitors each month.

The NMA website has grown from 35,000 visitors to over 100,000 visitors per month, largely, we speculate, because of our new blog feature.

This translates into more people getting our message, many more than just indicated by these numbers. We have had a single article read by over 70,000 people as it rippled over the web. I should add that you can have these blogs delivered right to your e-mail address the same day they are posted on the NMA site. Instructions are provided on the blog page: www.motorists.org/blog/.

Another high point is our growth in membership. It's not swamping our ability to cope, but the numbers are going in the right direction.

Our battles against ticket cameras rage on, as they will for



some time to come. Contrary to the impression you might get from the mass media, the word is getting out; these cameras are not about safety, they are about making money.

Most recently, Lubbock, TX dumped its red light ticket camera program because accidents were going up (and the only entity profiting was the ticket camera company).

Also of interest; despite the pitched battle to get red light ticket cameras re-legalized in Virginia, none of the northern cities have put the cameras back up.

It appears that the legal requirements to keep the systems honest are curtailing their profitability. And, while the public is constantly assured these cameras are installed to improve safety, if they don't make money, they disappear.

A few enlightened state legislators have also proposed that any revenue from local ticket camera programs be sent to the state for purposes like statewide congestion reduction. These proposals tend to cool the enthusiasm for ticket cameras among local "safety advocates."

(Continued on Page 4)

From The National Motorists Association Blog

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

We've recently 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.

Red-Light Camera Mistakenly Tickets Soldier Serving In Iraq

The majority of people are at least somewhat uncomfortable with the idea of a machine (like a red-light camera) writing traffic tickets on its own. Realizing this, cities that install ticket cameras always assure concerned citizens that the tickets will not be automated and that an officer will look at each ticket that comes through and make sure that a mistake wasn't made.

In theory, it sounds like a legitimate protection for motorists against unfair tickets.

In practice, because of the large volume of tickets that the cameras generate and limited staffing (to boost camera profitability), the officers supervising the ticketing process end up just trying to get through as many tickets as possible in the shortest amount of time.

This inevitably leads to simple errors that cause innocent people to spend hours in court fighting tickets that they would never have received had an actual officer been there to give the ticket instead of a machine.

King 5 News in Seattle, Washington uncovered a clear example of this in action:

Arnie Henyan knows all about those cameras and the tickets that come with them.

"The first one was dated May 28, and I got it in early June," he said. "Three months later, I got another one... Early January, I received a third one, from the city of SeaTac. Same car, same plate."

The tickets were issued to his son, who owns a 1998 Honda Coupe with the license 470-MOI. Arnie fought the tickets, insisting his son was innocent.

"I kind of laughed, because it's an impossibility," Henyan said. "He's in Iraq. Has been since April."

How did this happen three times with officers reviewing every ticket by hand:

So how did the sergeant get ticketed while at war? If you look closely at the photo taken by the red

light camera: the license plate is actually 470-MDI – not MOI. Officers approve all tickets before they go out. But both Lakewood and SeaTac misread the "D" for an "O." And they missed another clue: The photos show a silver sedan running a red.

"It's a silver car and my son's is black. It's a four-door car and my son's is a two-door coupe," Arnie Henyan said.

The defense offered by Lakewood Police Department:

Lakewood police say not all that car data is sent to them for the verification process.

"Our officers are approving hundreds of these every week," said Lt. Heidi Hoffman, of Lakewood police. "I think it could improve if the verification system showed more complete vehicle registration data on the screen that our officers are using to process these citations."

This is not acceptable.

If the police department doesn't have the staff and resources to safeguard the public from unfair tickets, they should never have installed the cameras.

It's easy for camera promoters to say, "Well, if you get an unfair ticket, you can always go fight it in court and it will be dismissed." But in reality, there is a cost to an individual when they are forced to fight an unfair ticket. The process involves extra paperwork, a trip to court, and taking off time from work. That's why many times people just decide it's less of a hassle to write a check even when they've done nothing wrong.

The bottom line is that an innocent driver should never have to fix the government's mistake. Especially not on their own time. And especially not when it could have easily been avoided if the city's focus had been on safety instead of automatic revenue generators like red-light ticket cameras. ■



NMA Washington Report

by Robert Talley, NMA Lobbyist



The federal government budget process begins to ramp up for the 2009 cycle with a number of NMA priorities under discussion.

Among these are road construction funding, funding for safety programs including police checkpoints as well as other proposals.

One of our continuing concerns is a program that grants funding for police checkpoints that not only include incentives tied to the number of tickets written but also generates excess revenue for local jurisdictions.

The NMA continues to bring to the attention of legislators in Congress the significant disconnect between road safety enhancement and the use of photo enforcement by state and local governments.

Our efforts seek to educate members that the use of these enforcement tools by states and localities are an unfair burden on

citizens and they do little to promote safety and, in some cases, increase accidents.

In a period of serious fiscal shortfalls brought on by declining tax revenue and poor spending choices in the past, state and local governments are increasingly turning to gas taxes, tolling and photo enforcement to balance budgets, not to promote safety or road construction/maintenance.

Evidence of mounting interest by politicians in seeking easy money is overwhelming. Photo enforcement companies are openly exploiting this interest by selling "revenue streams" rather than safety when advocating for deployment of these devices.

Federal legislators are concerned that efforts at the federal level to promote safety and improve our infrastructure are wasted as states fail to invest in appropriate

improvements in our transportation system.

Our message is to use that concern to focus the attention of legislators and the public on the exploitation of transportation "safety" for the purposes of filling the public coffers.

Our work at the federal level to expose this unfair form of exploitation needs assistance. If you live in an area where photo enforcement is under discussion or is already in place, take a moment to get educated about this through our website, www.motorists.org.

Contact your local and state representative and tell them that photo enforcement for safety purposes in name only is unfair to citizens and disingenuous.

If you're not familiar with who your legislators are, you can find their contact information at this web address, <http://www.votesmart.org/>. ■

Good News

(Continued from page 2)

While a Florida Senate Committee just approved a bill to legalize ticket cameras, there were three bills introduced in Arizona intended to counter the Governor's program to use photo radar on the Interstates to heal the state's pending budget deficits.

Importantly, at least one of these bills is intended to give Arizona voters a chance to register their views on ticket cameras, come next November. Our more active state members are directly engaged in

promoting this legislation.

We're now seeing progress in getting the courts to take a harder look at the legitimacy of breathalyzers for evidentiary purposes. This issue will not unwind quickly or easily.

For three decades defendants have been hung high and left to dry on the basis of breathalyzer evidence. An official admission that this evidence was inherently inaccurate will not travel quietly or without consequence, nor should it.

On the speed limit front we have won the first round in Michigan where our active member, Jim

Walker, challenged a speeding ticket issued by Ann Arbor Police.

Using the new Michigan speed limit law, that Jim had a hand in promoting, he argued the speed limit was illegal and the judge had little choice but to agree.

The city is appealing the decision and the NMA Foundation, thanks to your support, will be covering much of the legal expense associated with Jim's challenge.

And, thank you for hanging in there and supporting the NMA for these many years, as you can see, it has made a difference. ■

Drunken-Driver Checkpoints: Every Driver Guilty

By James Bovard

Tens of thousands of innocent Americans are stopped each month at police checkpoints that treat every driver as a criminal. These checkpoints, supposedly started to target drunk drivers, have expanded to give police more intrusive power over citizens in many areas.

The demonization of alcohol is leading to a growing nullification of the constitutional rights of anyone suspected of drinking – or anyone who might have had a drink anytime recently. In 1925, the Supreme Court declared:

“It would be intolerable and unreasonable if a prohibition agent were authorized to stop every automobile on the chance of finding liquor, and thus subject all persons lawfully using the highways to the inconvenience and indignity of such a search.”

But as the 20th century progressed, judges and prosecutors gained a more rarefied understanding of the Bill of Rights.

In the early 1980s, police departments began setting up checkpoints to stop and check all cars traveling along a road to see whether the driver was intoxicated. As law professor Nadine Strossen wrote, checkpoint “searches are intensely personal in nature, involving a police officer’s close-range examination of the driver’s face, breath, voice, clothing, hands, and movements.” The checkpoints were extremely controversial. In 1984, the Oklahoma Supreme Court banned the practice in that state, declaring that drunk-driving roadblocks “draw dangerously close to what may be referred to as a police state.”

In 1988, the Michigan Court of Appeals, in a case involving driver Rick Sitz, also concluded that the practice was unconstitutional. The Michigan

Department of State Police appealed the case to the U.S. Supreme Court. As professor Strossen observed:

“The Sitz plaintiffs argued that mass, suspicionless searches and seizures at drunk driving roadblocks violate the Fourth Amendment because they are not based on any individualized suspicion.”

But the Supreme Court disregarded the privacy concerns and approved the checkpoints. In a statement that epitomized some judges’ blind faith in police officers, Chief Justice Rehnquist declared:

“For the purposes of Fourth Amendment analysis, the choice among reasonable alternatives remains with the government officials who have a unique understanding of, and a responsibility for, limited public resources.”

Justice John Paul Stevens dissented, stating:

“On the degree to which the sobriety checkpoint seizures advance the public interest... the Court’s position is wholly indefensible... The evidence in this case indicates that sobriety check points result in the arrest of a fraction of one percent of the drivers who are stopped, but there is absolutely no evidence that this figure represents an increase over the number of arrests that would have been made by the same law enforcement resources in conventional patrols.”

Stevens continued:

“A Michigan officer who questions a motorist [seized] at a sobriety checkpoint has virtually unlimited discretion to [prolong the detention of] the driver on the basis of the slightest suspicion... [The] Court’s decision... appears to give no weight to the citizen’s interest in freedom from suspicionless unannounced investigatory seizures.”

He characterized the checkpoints as “elaborate and disquieting publicity stunts.”

In the Sitz decision, the Supreme Court concluded that since checkpoint searches were equally intrusive on all drivers, no individual had a right to complain about an intrusive search. But that stands the Bill of Rights on its head – reading the Fourth Amendment to require the government to equally violate the rights of all citizens, rather than to restrict government violations of any citizen’s rights.

Naturally, once the Supreme Court sanctioned drunk-driving checkpoints, police expanded their use. As long as the car is stopped and the policeman is there, why not check to see whether the driver is wearing a seatbelt – or has any open containers of alcohol in the car – or has any guns hidden under the seat or in the glove compartment? And why not take a drug-sniffing dog and walk it around the car to see whether the pooch wags his tail, thereby automatically nullifying the driver’s and passengers’ constitutional rights and entitling police to forcibly search the vehicle?

According to a North Carolina State Police press release, a statewide “Booze It & Lose It” checkpoint crackdown resulted not only in the arrest of drunk drivers but also in the arrest of 137 drivers for firearms violations and 636 for drug violations. The press release noted, “In addition to targeting impaired drivers, law enforcement officers will be keeping watch for other violations of the law.” This is essentially a declaration from the police of their intent to do visual searches – if not more – of all the cars they stop. The checkpoints did nab one drunk “big fish”: State Senator George Miller Jr., who had championed strict drunk-driving laws.

Nebraska police set up a checkpoint

(Continued on next page)

Checkpoints

(Continued from page 5)

consisting of a sign announcing a narcotics checkpoint; police then watched to see which drivers passing the sign showed “furtive movements,” thereby supposedly justifying the police to pursue, stop, and search the auto. (A state court struck down the procedure as unconstitutional.)

One California police chief set up a checkpoint supposedly for the purpose of checking licenses and vehicle registrations. But in reality, the roadblock was a pretext for drug searches, since drug-sniffing dogs would circle all the stopped cars. The local police chief admitted in court that he set up the license-and-registration roadblock because he knew he could not lawfully establish a roadblock that was only “looking for drugs.” (A judge squelched the chief’s program.)

Monroe County, Pennsylvania, police began setting up checkpoints at random points in the Pocono Mountains. Though the checkpoints were supposedly instituted to catch drunk drivers, they were also used to catch drug couriers. One annoyed local resident complained to the local paper that he had been stopped at the roadblock at night and after complying with police requests to show that his car’s equipment was in proper working order, he was approached by a black-hooded police officer who brandished a heavy flashlight and told him repeatedly that he appeared jumpy. Meanwhile, two other police officers shined flashlights into the car. When they saw two jugs of water, they questioned him about why he had so much water with him. The local police chief defended the use of black-hooded drug agents at the late-night checkpoints.

A drunk-driving checkpoint erected by Florida police near Orlando

resulted in 65 drivers receiving fines for such crimes as not carrying proof of insurance, not wearing a seat belt, nonfunctioning horn (apparently the cars, as well as the drivers, had to pass a toot test), having loud mufflers, and failing to have the correct residential address on a driver’s license. Of a thousand people checked, only seven were arrested for driving under the influence. Thus, almost ten times as many drivers were fined for violations with no relation to drunk driving as were fined for drunk driving. And the amount of time they spent listening to horns honking epitomizes how police squander their shifts merely as revenue agents with guns on their hips.

Congress made drunk-driving checkpoints even more irrelevant to public safety with a 1995 law that effectively required state governments to penalize as drunk any driver under the age of 21 who had consumed a single beer. That was a follow-up to one of the worst abuses of the Reagan administration – a 1984 law that compelled all states to raise their drinking age to 21 or else lose federal highway subsidies.

Drunk-driving policies are sometimes heavily influenced by politics – especially by politicians’ love of bragging about arrest rates of drunk drivers. *Newsday* reported in 1994 that in Nassau County, Long Island, police appeared to have a quota for DWI arrests. Officers were permitted to receive lucrative overtime assignments only after making a DWI arrest. *Newsday* noted:

“DWI arrests have been on a downward trend, and that’s a politically thorny issue for elected officials who like to point to successful war-on-drunk-drivers statistics, especially when they are running for election.”

In judging policies against drunk driving, it is important to recognize

that some widely used statistics may exaggerate the harm done by drunk drivers themselves. Richard Berman of the Alcoholic Beverage Council noted in 1995:

“Last year, 17,461 people were killed in “alcohol-related” traffic accidents. Because of the way statistics are developed by the Department of Transportation, an accident does not have to be “caused” by alcohol to be “alcohol-related.” It is estimated that 50 percent of these accidents “related” to alcohol would have occurred anyway. Even more bizarre, an alcohol-related fatality can result from a sober driver who wrongfully hits another car, killing the “innocent” driver who had one beer with dinner.

Furthermore, most of these deaths are not “tragic killings”... The overwhelming majority of alcohol-related deaths are the drunken drivers and their drunken passengers. (These folks may be accused of suicide, but generally not homicide.) Even less reported is the fact that approximately ten percent of these reported fatalities are drunken pedestrians hit by non-drinking drivers – weak support for tough laws aimed at drivers.”

There is a great difference between vigorous prosecution and penalizing of drunk drivers, and creating laws that presume that every driver deserves to be treated by police as a drunk. Drunk-driving checkpoints greatly increase the police’s power to harass everyone.

Drunk-driving checkpoints epitomize the modern law-enforcement mentality – that it is more important to be politically visible and impose costs on private, law-abiding citizens than to actually solve the problem – as if annoying the public is more important than protecting them. ■

James Bovard is the author of Attention Defecit Democracy.

Make a Donation and You May be Packing Your Bags!

This year the NMA is again giving away a fantastic European trip! Thanks to the European trip experts, www.driveeurope.com / www.holidaycars.info

With every \$30 donation you will receive one entry. The more you give, the greater your chances of winning! The winner of the eight-day trip will choose from one of the following destinations.



SCOTLAND

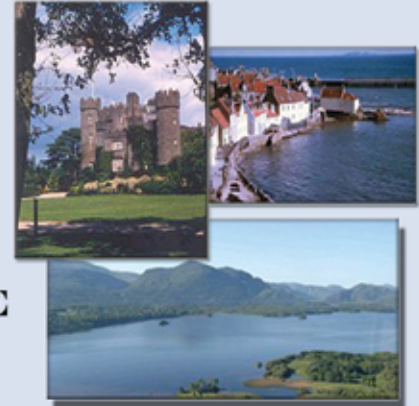
In Scotland, heritage and landscape, history and architecture, and a rich and diverse natural environment all blend together for an unforgettable driving tour. Arrive in Edinburgh, head north to Luss, and visit the Thistle Bagpipe Works. Visit the Isle of Iona and enjoy the historic castles and breathtaking countryside along the way.



FRANCE

Paris - the city of lights welcomes you! Visit the Eiffel Tower, cathedral Notre Dame, and the Merche Vernaison with some of the best shopping around! With stops along the way in Avallon, Salon-de-Provence, and Chalon-sur-Saone. Visit the chateaus and wineries. Your travels end in Nice, with it's boutiques, restaurants and cafés, it's just simply charming.

IRELAND



Explore the two most beautiful areas of Ireland, Connemara and Killarney. From Dublin via the Dun Na Ri National Forest Park to Connemara with its vast open expanses. See the breathtaking mountains of Killarney dotted with mystical lakes. Visit medieval castles, and abbeys and make stops in many more picturesque towns along the way.

Make your Donation, Don't Delay, deadline for entries is July 1, 2008

Yes! I want to donate to the NMA Legislative Fund and enter to win the European trip.

I would like to make the following donation:

- My check made payable to the NMA, is enclosed
- I am providing my Credit Card Information

<input type="checkbox"/> \$2500	<input type="checkbox"/> \$1000
<input type="checkbox"/> \$500	<input type="checkbox"/> \$250
<input type="checkbox"/> \$100	<input type="checkbox"/> \$75
<input type="checkbox"/> \$50	<input type="checkbox"/> \$30
<input type="checkbox"/> \$_____	NMA, 402 W 2nd St Waunakee, WI 53597

Name _____		Member No. _____	
Address _____			
City _____		State _____	Zip _____
Card Type:	<input type="checkbox"/> Visa	<input type="checkbox"/> MasterCard	
Card Number _____		Exp Date _____	
Name on Card _____			
Signature of Card Holder _____			

Avoid This Common Statistical Error

When studying the causes of fatal accidents, the fatal accident rate (the number of fatal accidents on a per-vehicle-mile-driven basis) is the best available measure of highway safety. It is not subject to fluctuations caused by the chance number of people involved in any given traffic accident.

The second best is the fatality rate, which is the number of people killed in automobile accidents on a per-vehicle-mile-driven basis.

A quick example:

1. Two rural counties experience an average of one fatal accident per year.
2. Each county has one accident in which a deer crossed a road, causing the driver to swerve and hit a tree.
3. In County A, a lone motorcyclist was killed.
4. In County B, seven passengers on a bus were killed.

Assuming all drivers in both counties logged the same number of miles during the year:

The fatality rate would be seven times higher in County B, but the fatal accident rate would be identical.

If someone compared the two counties using the fatality rate, they could come to the conclusion that motorists are seven times more likely to die in a car-deer accident in County B. In reality, the odds of being in a fatal

accident would be identical, because in each county there was one fatal accident with one common cause.

Because the number of fatalities is more easily sensationalized, it is often the statistic quoted by the press.

From the perspective of the media, choosing between the number of fatalities and the fatal accident rate can be the difference between a front-page story and something not worth printing.

Headline using fatal accident rate: “Motorists equally likely to be involved in fatal accident involving a deer in County A and B”

Headline using number of fatalities: “Motorists in County B are seven times more likely to be killed by hitting a deer with their car.”

The first headline would immediately be dismissed as not newsworthy.

The second headline would likely cause citizens in County B to be alarmed and demand new “safety” laws, lower speed limits, and more warning signs protecting them from deer on the roads. Politicians would then rush in to fix a problem that never existed.

You can hold the media in your area to a higher standard. If you see a news article quoting the number of fatalities, write a letter or email to the paper and explain how misleading that statistic can be. ■

700 Ticket Cameras Taken Out In UK

A group of motorists in the United Kingdom who call themselves “Motorists Against Detection (MAD)”, have made it their goal to destroy as many ticket cameras as they can.

They have already destroyed more than 700 cameras across the nation and have plans to step up their efforts in the

near future.

The group is destroying the cameras to protest against their increasing popularity with government officials.

Last year, the Department of Transport dramatically increased speed camera installations to generate more revenue. ■



The Tide Is Turning

Thanks to the efforts and generous donations of our members, the NMA has been able to make substantial progress on the issues that matter to you.

We have been particularly successful on the ticket camera front. Our positions are often quoted by the media, our articles are frequently passed around the internet, and we have even been contacted to give guidance to local municipalities who are considering adding ticket camera programs.

Over the last year, the tide has turned on this issue and it is largely due to your support. The general public isn’t buying into the ticket camera company propaganda anymore and they’re fighting back with editorials, lawsuits, and appearances at local meetings.

Because of our increased web presence and the efforts of active and engaged members across the country, our message on all of our issues is spreading like never before.

We hope you’ll help us keep the momentum going by donating to the NMA’s legislative fund.

As an added bonus, with each \$30 donation, you’ll have a chance to win a great trip. As always, we thank you for your support! ■

Lasers and PT Barnum

By James Baxter, NMA President

The use of laser speed estimation devices, sometimes referred to as LIDAR, has been accompanied by claims of infallibility, on the part of law enforcement agencies. “Pinpoint accuracy, undetectable,” and “tremendous range” are common refrains.

The number one selling point for laser guns is their advertised capability to selectively clock the speed of one vehicle that is traveling amongst other vehicles in moderate to heavy traffic. Its ability to determine a target’s speed in a fraction of a second is another popular feature. Laser’s greatest drawback is that it cannot be used in a moving mode.

A quick primer on how laser guns work:

The laser gun has a “sight” to aim the device. When the trigger is pulled a thin beam of infra-red light is emitted in distinct pulses. The beam gradually increases in size and at 1000 feet it is six to eight feet in diameter. When the light beam hits a relatively perpendicular, reflective surface it bounces back toward the laser gun.

When the returning pulses of light are captured by the laser gun, the electronics go to work and they have this kind of conversation, “OK, that first pulse took .0015 seconds to get out there and back, that means the target is 1000 feet away. The second pulse took .0014 seconds to get out there and back so now our target is 950 feet away. The third pulse went out and came back at .0013 seconds putting the target 900 feet from the laser gun. It took us one third second to gather these three measurements and that means the vehicle went 100 feet in one third second. Therefore the vehicle is going 49 miles per hour.”

In actual practice the laser gun sends out far more than three pulses and measures the target’s movements in much smaller increments, but this should give you some sense of the calculating processes the laser device employs.

An honest and competent laser gun operator is going to take the following steps before using the device for enforcement purposes:

1. Check the internal testing and calibration systems.
2. Check the sight alignment by picking an object at a reasonable distance (where the beam is still relatively narrow) like a utility pole, and then “sweep the gun past the object in both a vertical and then a horizontal position, with the trigger engaged, to ensure that the laser beam and the laser sight are coordinated.
3. The routine external test is to shoot the laser at an object at a known distance and confirm that the laser distance reading is accurate. However, this does not mean the

gun is accurately estimating speeds.

4. A simple test to check speed accuracy is to drive the patrol car at a fixed speed and then fire the laser at a fixed object, like the flat side of a building. The laser reading should be the same as the vehicle’s speedometer reading. Another option is to shoot a vehicle traveling at a known speed, such as another patrol car.

With a properly aligned sight and properly confirmed instrument operation, the officer can use the laser gun with relative confidence that it will yield accurate speed estimates, PROVIDED it is used properly and respecting its limitations.

Proper use means a steady rest, no sweeping or other movement of the gun when taking readings, not shooting through glass or in the midst of a rain storm or snow fall.

While it’s possible to clock a target that is 2000 to 3000 feet away, the speed reading is of dubious accuracy and highly prone to error. On a clear day with no other traffic in sight a good laser operator can obtain reasonably accurate readings out to 1200, perhaps 1500 feet. However, if there are other vehicles present, those distances should be halved.

Remember, at distances in excess of 700-800 feet the laser beam is large enough to not only be reflecting off of different parts of the target vehicle (which are simultaneously different distances from the laser gun), but also off of other vehicles, some traveling at different speeds. At distances in excess of 800 feet, the laser operator has no way of knowing what vehicle surfaces or entire vehicles are responsible for the laser speed readings, especially if other vehicles fall within the scope of the laser beam.

Most laser operators prefer to aim at the license plate because it offers a very perpendicular and highly reflective surface. A vehicle without a front license plate and a low sloping hood, think Corvette, has to be much closer before a good laser reading can be made. However, at distances in excess of 800-900 feet, the license plate is indistinguishable from the car as a whole and the laser beam is washing over the entire vehicle.

To put this in another context; think about the challenge of hitting a target the size of a license plate three football fields distant, with a handgun.

In an honest courtroom, any laser reading in excess of 800 feet would not be accepted for evidentiary purposes. The State of New Jersey has set the limit at 1000 feet, which is a step in the right direction. The rest of the country is oblivious to the limitations of this technology. ■



News From Around The Country

Arizona

Members of the Arizona Senate Transportation Committee took the first step in an effort to thwart the massive expansion of speed cameras proposed by Arizona Governor Janet Napolitano (D).

By a 3-2 vote, the panel recommended a permanent ban on all freeway photo enforcement, which would deal a significant blow to Napolitano's plan to raise \$165 million in annual revenue by issuing between 1.2 and 2 million automated speeding tickets statewide.

California

A recent independent analysis showed that red light cameras have produced no clear safety benefit in Bakersfield, California.

T-bone collisions jumped 14 percent at five intersections with cameras while such accidents dropped 27 percent at a set of four intersections used as a comparison.

"We found that on the whole, accidents actually increased where there are cameras and decreased where there aren't," Californian reporter James Geluso wrote.

Up to 25,000 red-light camera violators in Orange County have gone unpunished since 2004 because police and the courts rarely follow up on unpaid tickets.

An Orange County Register investigation shows most police departments do not follow up on unpaid tickets and the courts fail to provide most departments with the information they need to do so. Cities have forfeited up to \$3.5 million since 2004 because of the

failure to follow up on unpaid red light camera tickets.

Connecticut

Connecticut Governor Jodi Rell (R) is pushing for the installation of freeway speed cameras as part of her budget submission to the legislature.

The move, combined with a request for one hundred additional state troopers over the next five years, is designed to bolster the number of traffic citations and generate millions in new revenue.

Florida

A three-judge panel of the Florida Third District Court of Appeals ruled that Miami's vehicle seizure program has been violating the state constitution for more than a decade.

Under a city ordinance, police officers have been seizing vehicles merely by asserting "probable cause" that they had been involved in drugs, prostitution or the illegal dumping of litter.

Ohio

The State Supreme court said the city of Springfield can continue to use red-light cameras. The court, in a unanimous decision, ruled that cities using the devices, often referred to as red-light cameras, do not exceed their authorities to make local ordinances given to them under the state's constitution.

Texas

Red light cameras in the Houston, Texas area are earning millions of dollars in extra revenue by trapping

motorists with short yellow signals. KPRC-TV timed the yellow duration at a number of high-speed intersections and found them to be far below the level recommended in Texas Department of Transportation (TxDOT) guidelines.

Utah

The Utah Senate adopted a bill that would allow the state's motor vehicle department to retest anyone identified in an anonymous tip as an "imminent threat to driving safety." State Senator Allen M Christensen (R-North Ogden) introduced the measure.

The bill would specifically authorize the motor vehicle department to collect anonymous tips and decide which motorists (based solely on the anonymous charges) should be required to undergo extensive medical testing, a mental fitness test, or to re-take the driver's examination.

With the blessing of the Utah Department of Transportation (UDOT), state Representative James A Dunnigan (R-Taylorsville) introduced legislation that would test the effects of higher speed limits on a stretch of Interstate 15.

Washington

Senator Mike Carrell sponsored a bill that would have required people convicted of drunken driving to put fluorescent-yellow license plates on their cars for one year — once their driving privileges have been restored. The bill failed to make it out of the Senate Transportation Committee. ■

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



Members Write

I must take issue with the press you have given the global warming hoax/UN tax, and privatization of highways.

The just passed CAFE standards are directly attributable to the warming hoax, and in addition to being a 25 percent tax on the price of cars, will lead to more government restrictions on mobility: number of cars owned; size of car; use of car – when, where and how; and eventually the banning of cars altogether.

Mr. Frobom seems to be an uberbureaucrat and too biased to be writing about selling highways. In any case, do you think the government will stop meddling with roads/taxes after the roads are sold? I don't think so.

*Tom McCarey
Berwyn, PA*

I've just been reading your statements on speeding, speed limits and safety and would like to send a message of support from across the Atlantic and say I couldn't agree with your views more.

The anti-speed mantra banged out from Government here in the UK and across Europe is truly disturbing as it is factless and takes the focus off the real safety issues.

Germany remains the only true test of unlimited motorways and they maintain that the largest proportion of accidents on autobahns are at the slowest part. Namely the most accidents are due to lane changing areas in the slowest lanes and have little relation to the higher speed lanes.

I've recently joined The Association of British Drivers who hold the same beliefs as the NMA.

Let's hope one day the facts rather than fiction will determine government road policy.

*John McQuaigue
United Kingdom*

I believe the NMA Foundation is WAY off base with its stance against daytime running lights as it made clear in it's article "European Union Sacks DRL Mandate" in the Jan./Feb. issue.

I am a big supporter of driving with headlights on because of the obvious safety benefits. Anyone that has tried to pull out onto a major road that is tree lined with shadows and nearly misses a dark colored car driving through the shadows on a dark road surface will curse the inconsiderate driver without their lights on.

Frankly I feel that automatic DRLs should stand for "Dimwit" Running Lights because they are for the dimwits that don't know you should turn on your headlights at all times when you operate your vehicle on public roads.

Consider this, why do we have automatic brake lights that work at all times when we step on the brakes? We can all see when a car is stopped or slowing down in daylight so why do we need brake lights at all?

You know it's because everyone realizes the benefits of that split second warning you get when the other driver is going to slow down.

If you really want to cut down the glare from lights while driving, why don't you educate people on the proper use of their fog lights?

Driving with fog lights on is illegal in the European Union unless the conditions call for them, which is almost never. There are drivers that use them at all times because they can see better. We can also see better with high beams on all the time, but that doesn't mean we should use them!

Too many people are blinding others with their fog lights and that is where you should be expending your efforts, not eliminating headlights on at all times.

The safer the roads become, the faster we can all drive, and headlights on at all times increases safety for fast drivers.

*Jim Gearhart
Pittsburgh, PA*

AN AMERICAN FREEDOM FIGHTER IS:



A GUY WHO PLEADS "NOT" GUILTY TO A PARKING TICKET

Image By Edward Meyers

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.

Great Deals At The NMA Store!

Shop Online - <http://store.motorists.org/>

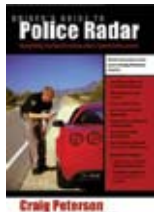


**Cheetah
GPSmirror**

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.

Non-Member Price:
\$299.95

Member Price:
\$269.95



**Driver's Guide
To Police Radar**

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*.

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:
\$19.95

Member Price:
\$11.95

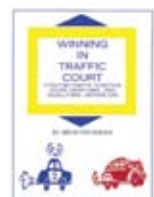


**Legal
Research**

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:
\$29.95

Member Price:
\$22.95



**Winning In
Traffic Court**

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.

Non-Member Price:
\$19.95

Member Price:
\$9.95

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

Order Toll-Free: 1-800-882-2785
Fax Your Order: 1-608-849-8697
Order Online: <http://store.motorists.org>

Mail To: NMA Foundation 402 W 2nd St Waunakee, WI 53597

NMA Member? Yes No Visa

Member # _____ Mastercard

Credit Card # _____

Exp. Date _____ 3-Digit Security Code _____

Signature _____

Name _____

Address _____

City _____

State _____ Zip _____

Phone () _____ - _____

Email _____

US Shipping & Handling Charges by Order Size

\$0 - \$5	\$5 - \$15	\$15 - \$25	\$25 - \$35	\$35 - \$50	\$50 - \$75	\$75 - \$100	\$100 +
Free	\$4	\$5	\$6	\$7	\$8	\$9	\$10

Product	Qty	Price
Cheetah GPSmirror		
Driver's Guide To Police Radar		
Beat Your Ticket		
Legal Research		
Winning In Traffic Court		
Subtotal		
S&H		
Total		