



# *Driving Freedom*

**NMA Foundation**

Vol. 20 • Issue 1

January/February 2009

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

Who Is Really Running  
The Ticket Camera System?

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**NMA Foundation**

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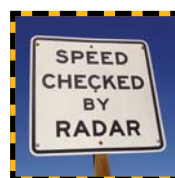


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**Driving Freedoms**

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**Cover**  
"Camera Co. Crime Timeline"



**The Optimistic Viewpoint**

by James J. Baxter, President, NMA

As we hobble out of 2008, the year of mercurial fuel prices, never ending election campaigns, and economic disasters, we can only wonder what the upcoming year will bring. I prefer the cautious optimistic viewpoint.

Fuel prices will increase, but modestly, because the suppliers do not want a repeat of the drubbing they are now getting, and the users will have a better handle on consumption. Alternatives, like hybrids, will also gain more traction putting downward pressure on fuel demand. Energy consumption in the rest of the economy is likely to remain muted.

The domestic auto industry will remain on life support, the one major change will be the demise of the excuse/reason for failure; high labor costs. If any auto company declares bankruptcy, the union contracts will be history. This is an irony that is largely being ignored; pro-union Members of Congress are savaging auto executives for their failure to reduce labor costs, which have favored union members?

Also, never mentioned is the fact that modern era vehicles have a much longer lifespan than their predecessors. This means that during more difficult economic times consumers do not have to buy replacement vehicles. This alone can stymie new car sales for the foreseeable future.

Dramatic technological innovations could cause a spurt of new car sales, but the days of buying a new car every few years will not be driven by the loss of reliability or

utility.

The overall economy will not soon return to the "money is no object" illusions of the past few years. However, it will start to climb out of its current hole. Why? Not because of government bail-outs. Not because of new regulations, and not because of different political leaders. It will improve because it is to everyone's advantage for it to improve.

People want to work, business' want to grow, and investors want their money out there "working" and making a profit. Even the government is on board because it needs the revenue generated by work, growth and profits to fund its functions. It's a self-serving perpetual process that is occasionally delayed (sometimes by its own excesses) but never stopped.

Closer to NMA's home; I'm hoping to see stiffer citizen resistance to traffic enforcement for profit. At some point the media and the cadre of elected officials have to have their "Watergate" or "Blagojevich" epiphany and recognize the ticket camera industry for the criminal enterprise it is.

The evidence is there for anyone who wants to see it. Rational speed limits and reasonable and fair traffic regulation are, ironically, a harder sell, but we may see some progress, especially if we can show how our objectives are tied into an improved economy, reduced emissions, reduced fuel consumption, and fewer traffic accidents – which are

*(Continued on Page 4)*

## Automated Toll Collection

By Henry Stowe, NMA Florida Activist

As a frequent toll road user I cannot count the number of times I have been tempted to purchase a “Sunpass” transponder for my vehicle.

Being able to glide through a toll gate without having to stop and pull out cash is a strong draw. Couple that with a slight discount and temptation makes me want to fill in the paperwork and sign up for the service.

When we used to drive on toll roads, it was a neat experience. You approached the toll gate and there was a toll collector waiting for you to drop a couple of quarters their way.

You could request and get a map if you needed it. The map used to show all of the interchanges, some points of interest, phone numbers, and the local traffic laws. If you were on the Floridas Turnpike in the 1960s until 1974, the speed limit was 70 mph.

You also could get state maps at the toll booths as well. Not today. Apparently, the states are too cash-strapped to afford the 24-cent printing cost of a statewide map, even if they just collected \$13.60 for a 100 mile jaunt down the Turnpike.

These facts make the idea of activating a Sunpass account even more tempting, that is until you take a long look at what you are signing.

When you sign up for “Sunpass” or a similar account with a toll agency, you are entering into a legal agreement with the company. Obtaining the account requires that your name, address, vehicle plate information and your driver’s license number be provided.

By providing your driver’s license information to companies like Sunpass, you are giving them permission to identify you, track your

movements and, in the case of cash flow problems and/or a transponder malfunction, apply points to your driver’s license!

Yes – running a toll is a *moving* violation. You open yourself up to charges of theft as well as breach of their contract.

The SunPass user agreement states:

*“User shall not use this Agreement as a defense to a toll violation if the Transponder is not read by the receiving equipment [...] Defective Transponders, malfunctioning Transponders, weak or dead batteries and not properly mounting the Transponder do not relieve the User and/or the owner of the motor vehicle involved in an unpaid toll from liability under §316.1001, Florida Statutes.”*

In other words, if their cheaply made plastic electronic contraptions don’t work, it’s not their fault.

If you somehow fail to change your address with them when you change your driver’s license, you can also be issued a Uniform Traffic Citation pursuant to good old §316.1001 of the Florida Statutes.

Again, here it is in black and white:

*“User must notify SunPass of any change in vehicle and/or vehicle registration and/or license plate prior to using any toll facility. Failure to update this information may result in a toll violation resulting in the User and/or the owner of the vehicle used on the toll facility being held responsible and liable for any Uniform Traffic Citation issued pursuant to §316.1001.”*

An inherent defect in automated toll collection agreements is the viola-

tion of the users’ due process rights.

If any piece of their equipment malfunctions or if your “papers” aren’t in exact proper order, you open yourself up to a whole host of charges by the state, all for saving a few seconds at a toll booth. If you run the toll, you get a \$100.00 fine, plus you pay the Florida DMV for the “privilege” of restoring your driving rights.

The burden of proof is on you to prove that your accounts are in order, your transponder was working improperly, and that you were, in fact not driving 26 mph through the 25 mph toll gate (or 66 mph through the 65 mph overpass).

Although such tickets are unlikely, they are unjust and wrong.

The courts are beginning to agree – Florida Circuit Judge John Galluzzo ordered lower court judges to tear up toll violation charges provided defendants had valid SunPass or E-Pass Accounts after an innocent motorist was harassed by the DMV and the toll authorities. Unfortunately, the Circuit judges’ ruling was overturned at the appellate court level.

Until the Florida Turnpike Enterprise and similar agencies offer a completely anonymous system that removes me from the obligations of their so-called agreement, I’ll pass.

The few seconds saved isn’t worth a bag of sand.

If you find yourself wanting to install the transponder, make sure you read the agreement carefully. What you read you may not like – unless you would sell your liberty for fifty cents a day. E-Pass? I’ll pass. SunPass? Something Stupid in the words of Sinatra. ■



## NMA Washington Report

by Robert Talley, NMA Lobbyist



The 111th Congress convened on January 5th with leaders welcoming a fresh start, advocating an aggressive agenda, and asserting a renewed bipartisan spirit.

The fresh start is a given, and all indications are the aggressive agenda is there as well, but prospective bipartisanship seems less likely. Only time will tell.

As for the agenda, the awakening of policy leaders in the fall and winter to the economic woes of the American public has supplanted concerns about energy prices and availability.

Early action will focus on the desire to jump start the economy with a massive influx of federal spending.

The National Motorist Association will be participating in the debate over funding decisions. Though these decisions may be complete by the time you are

reading this, NMA is communicating its priorities for economic recovery with an emphasis on investment and efficiency.

Increasing the national debt by an amount expected to be close to a trillion dollars in one fell swoop should not be taken lightly.

If such measures are taken, NMA believes federal spending should focus on investments that over time will improve the efficiency of the nation and be stimulative not just for the next two years, but also for the life of the investment.

Don't laugh – government can do this.

Our focus is on our roads. Infrastructure investments clearly fit into this category. There are numerous types of projects that can make transportation more efficient and safer through design improvements or upgrades. This kind

of spending provides immediate employment and long term benefits.

Unfortunately, there are already efforts to siphon off portions of the stimulus package designated for infrastructure to non-investment spending such as community policing, enhanced enforcement programs, and the like.

While our communities require appropriate law enforcement, NMA argues that the use of economic stimulus funds to pay for these programs is inappropriate.

To the extent necessary, any funds from the federal government designated for local enforcement should go through the regular appropriations process.

NMA will continue to fight in Congress for policies that support sound principles and provide benefits to the membership. ■

### The Optimistic Viewpoint

(Continued from page 2)

often the case.

A soon to be released study is going to document what NMA members have known to be true for a long time; when local governments are strapped for cash, out come the ticket books and the marching orders to use them.

This study, based on 14 years worth of data, shows that every time the economy sours and local tax revenues decline, the next year the number of traffic tickets increase. This puts the lie to the routine claim that

traffic enforcement and traffic tickets are all about safety and not about revenue.

Of course, anyone with half a brain knows this is true, but until this fact is driven home from seven different directions the charade will continue. Consequently, on the downside, 2009 is going to be a banner year for traffic tickets.

If the new Obama administration follows through on its "stimulus plan" we may see several long delayed highway improvements and expansions launched across the country.

Most of the activity will involve fixing and improving the existing

infrastructure, not laying out new highway corridors. I also expect a major effort to repair and replace infrastructure on state and federal lands where these investments have been deferred for decades.

Finally, the NMA, a little beat up and stretched in the financial department, has made it through 2008 in a lot better shape than Bear Stearns, Citi Corp., or General Motors.

We're hoping for a new year of improvement and achievement. It's our members and supporters that will turn that "hope" into reality.

For that, my heartfelt thanks. ■

## FCC Conspires To Protect Ticket Camera Corporation

*By James J. Baxter, NMA President*

The Federal Communications Commission, in the dying days of the Republican administration, has added yet another reason to clear the decks in Washington, D.C. and start all over with a new cast of characters.

In a duplicitous, yet obvious, regulatory maneuver, the FCC Enforcement Division has concocted a "Consent Decree" to protect the financial interests of the Redflex Corporation, a major supplier of ticket camera systems, and the governments that have exploited these systems to extort millions of dollars from the driving public.

What follows is taken directly from the FCC Consent Decree, along with a little background and explanation.

Redflex has been using radar devices that have never been certified/approved by the Federal Communications Commission, as is required by federal law. A competitor of Redflex blew the whistle on this "oversight" (not exactly a collegial industry) and the FCC was, apparently reluctantly, forced to give the impression of enforcing its own regulations.

The result of this enforcement action is a Consent Decree that FCC operatives and Redflex executives concocted, and surely assumed no one would ever read. However, it should be read by a large audience, just to understand how far astray an ethically challenged government agency can go.

There was no question that Redflex was using radar speed measuring devices that had not been certified by the FCC.

There was also no question that Redflex was clearly in violation of FCC regulations. That's where the

clarity fades away.

Instead of declaring Redflex in violation of federal regulations, assessing a penalty for the violation, and obtaining assurances from Redflex that it would forthwith comply with these regulations, the FCC dismissed the complaint!

In exchange, Redflex was required to make a "voluntary contribution" of \$22,000.00 to the US Treasury and to come into compliance with FCC regulations.

Why all this double speak? Why dismiss the complaint when the violation was obvious? And why call a monetary fine a "voluntary contribution?" The answer is contained in the Consent Decree "Final Settlement."

The Final Settlement states: "The parties (Redflex and the FCC) further agree that this Consent Decree does not constitute either an adjudication on the merits or a factual or legal finding or determination regarding any compliance or noncompliance with the requirements of the Act or the Commission's Rules and Orders."

This is Redflex's salvation. (In other words there was no declaration of guilt or innocence.)

If the FCC would have carried out its legitimate responsibilities, charged Redflex with violating federal regulations regarding certification of radar speed measuring devices, and penalized Redflex accordingly, Redflex would have been competitively disadvantaged in seeking future state and local contracts.

Less obvious, but potentially more devastating, Redflex, and the governments contracting with Redflex, would quite likely be on the hook for hundreds of millions of dollars,

certainly years worth of litigation.

Why? It's against the law to break the law to enforce the law. Redflex has been using illegal radar guns to enforce traffic laws and to support the issuance of traffic tickets.

A very plausible legal argument could be made that any ticket issued that was generated by an illegal radar gun should be dismissed and the fine refunded to the victim.

However, as loopy and disingenuous as it seems, the FCC deliberately avoided prosecution and thereby avoided an official declaration that the Redflex radar guns were illegal and should not have been used for enforcement purposes.

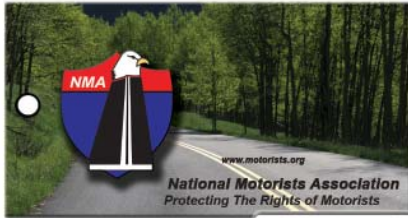
A moderately astute judge, one without a vested interest in past ticket camera revenues, would see through this rouse in a heartbeat. Redflex was in violation of the FCC regulation and the FCC knew it.

The voluntary contribution was really just a fine. And the Consent Decree is just a house of cards constructed to protect Redflex, and its client governments.

This is reminiscent of the regulatory mindset so recently prevalent in the financial industry. Perhaps the "grown ups" in the press and the government should start paying attention? ■



## How To Never Lose Your Keys Again



The NMA is continually looking for ways to enhance our existing and new member benefits.

Quality membership benefits are one of the keys to attracting and retaining members. The more members we're

able to attract and retain, the more power the organization will have to influence public policy.

In this ongoing effort, in 2009 all of our existing members along with new members will be issued a set of three key tags. These key tags are an added protection for you if you should ever lose your keys.

All you have to do is put these tags on your key ring and in the event that your keys are lost, anyone who may find them can simply drop them in any mailbox-postage paid.

The post office will deliver your keys to the NMA and we will be able to identify you by your member number printed on the back and return your keys to you.

We've done our best to make this as simple as possible and again, this is at no cost to you, simply another benefit as a member of the NMA! ■

## Check Out This Underrated Member Benefit

Last year we announced a new member benefit, an online membership to MotorWatch.

MotorWatch is an organization comprised of and supported by automotive service technicians who provide information, advice, and diagnostic trouble shooting for any of their subscribers.

They are also on top of all official recalls, secret recalls, and chronic failure problems for just about any year and make of automobile you are likely to own.

If you are a "shade tree" mechanic and you are looking for guidance on a repair project, you can get expert assistance from professionals who know the best way, along with hard earned shortcuts, to get the job done and done right.

If you are considering buying a new or used car and want to know how the vehicle you're looking at stacks up against the competition, what kinds of problems you should anticipate, or at what mileage major maintenance will

be needed, you can get the answers through your NMA MotorWatch online subscription.

This past summer, one of our staff members had two or three repair projects going at the same time.

One of those projects involved the ubiquitous dash warning light demanding immediate attention and service.

A trip to the local repair shop yielded a diagnosis of "failed catalytic converter," normally a reasonable repair for a car with 170,000 miles on it. Except, the converter had been replaced less than 20,000 miles before. The explanation from the repair shop was, "probably a cheap aftermarket converter that failed prematurely."

An e-mail was sent to Motorwatch, explaining the diagnosis. The reply came back and explained that the "failure code" observed by the repair shop also specifies that the oxygen sensors could be the cause for the failure light.

Given the recent replacement of

the catalytic convertor, and no record of the O2 sensors being replaced, the likely culprit was the O2 sensors.

The counter person at the parts store said, "I have bad news and more bad news. The O2 sensor costs \$148, there are three of them, but we don't have any in stock."

Back to MotorWatch.

They recommended another brand of O2 sensor, available on the web, that cost about one third the price of the factory specified brand.

They also explained how to reset the dash warning light after the new sensors were installed. It indeed was the O2 sensors that needed replacement and our co-worker saved several hundred dollars on repairs that would not have fixed his car!

This is a great resource for members of the NMA, do check it out.

Just go to the "members only" section of the NMA web site ([www.motorists.org](http://www.motorists.org)), sign in to the "members only" section and look for the MotorWatch link. ■

## Red Light Camera and Speed Camera CrimeLine

*From TheNewspaper.com, A Journal Of The Politics Of Driving*

Although red light cameras and speed cameras are promoted as tools of law enforcement, they are, for the most part, wielded by a handful of private companies.

In a number of well-documented cases presented chronologically below, these individuals and companies have shown disrespect to the laws they claim to be upholding.

### **December 2008**

Redflex Traffic Systems agreed to pay the Federal Communications Commission \$22,000 and to train its employees in US rules and regulations governing radar in order to settle a complaint against the Australian camera firm's illegal use of uncertified radar equipment.

A Dallas County court ruled that Affiliated Computer Services (ACS) has been operating its red light camera business without a private investigator's license in violation of state law. Outcome: The case is ongoing.

An appellate decision by the California Superior Court, found "cost neutrality" provisions common to more than forty photo enforcement contracts in the state to be illegal. In this case, Nestor's contract with Fullerton was found in violation of state law. Outcome: photo ticket ruled invalid, further court challenges ongoing.

### **November 2008**

Executives at photo enforcement firms American Traffic Solutions (ATS) and Redflex were caught ignoring their own speed camera tickets. Outcome: In a notable exception, ATS President Jim Tuton went to traffic school in

December for a ticket he received from his own company. Court records show it was ignored initially.

Washington, DC's Inspector General found the city's process for awarding the photo enforcement contract to ATS was riddled with errors. Outcome: No action taken.

Arizona Treasurer declares the state's freeway speed camera law unconstitutional. Article 9, Section 22 of the Arizona constitution requires a super-majority vote of the legislature to adopt any provision that provides a net increase in revenue. No such vote was taken. Outcome: Ongoing.

### **September 2008**

A Redflex employee is busted for drunk driving in Scottsdale, Arizona while in a speed camera van on his way to ticket other motorists. Outcome: Redflex fired employee. Court case pending.

Photo ticket process server, an officer of the Arizona court system, caught on tape yelling racist slurs at a motorist. Outcome: no action taken.

US Attorney busted a police officer for embezzling \$178,611 from the Washington, DC speed camera program. The officer was accused of claiming to have sat in the ACS/ATS speed camera car for 3400 hours; this did not actually take place. Outcome: Officer admitted guilt and faces jail time and fine.

### **August 2008**

In its own words, Redflex attempted to land illegal contract in Florida.

The company stated, "Legal opinions indicate that automated enforcement in the state of Florida remains illegal" but nonetheless filed an application with Homestead, Florida to operate the city's red light cameras. Outcome: Homestead in September chose ATS.

### **July 2008**

Arizona Secretary of State confirmed that documents used to convict motorists of speeding in Lafayette, Louisiana contained elements that had been falsified. The Secretary's office rules that Redflex's notary public violated four Arizona laws while purporting to certify a speed camera deployment form for use in official hearings. Outcome: Redflex fired its notary.

The UK Independent Police Complaints Commission (IPCC), a government agency, determined that a speed camera operator, desperate to keep his position as the top ticket issuer, manipulated evidence to obtain more convictions from innocent drivers. Outcome: IPCC ordered £35,585 in refunds to victimized motorists, plus the cancellation of 1635 license points. No action taken against the operator.

### **May 2008**

Louisiana State Board of Private Investigator Examiners ruled that Redflex violated state law by operating without a private investigator's license. Outcome: Court decision pending.

### **September 2007**

Tarrant County, Texas District Attorney investigated possible open meeting law violations by mayor of Mansfield who lobbied behind



the scenes to ram a red light camera contract through the city council.

Outcome: The camera contract failed, but no action was taken against the mayor.

#### **May 2007**

Texas Senate committee learned in an open hearing that a city police officer was receiving his full-time police salary from Nestor Traffic Systems.

Outcome: Committee informed officer that he should retain legal counsel.

City traffic engineer in Kansas City, Missouri lobbied city council to install red light cameras, then left a few months later to work for German speed camera vendor Traffipax. Former engineer then violated ethics rules by attempting to lobby the city to choose Traffipax as the camera vendor before a one-year lobbying prohibition had expired. Outcome: none.

#### **April 2007**

Unanimous Minnesota Supreme Court ruling found that the Minneapolis red light camera program's elimination of the presumption of innocence was illegal.

#### **March 2007**

ACS accused of vandalizing Washington, DC speed camera and red light camera equipment after the city dumped the company as its photo ticketing operator in favor of a rival firm.

#### **January 2007**

Jay Morris Specter, a top red light camera salesman formerly with ATS and then Redflex, was convicted in South Carolina of \$1.2 million in fraud. Outcome: Specter will be released from prison in September 2010.

#### **November 2006**

The Chief Executive Officer and Chief Financial Officer of Affiliated Computer Services resigned after admitting to stock option fraud. Outcome: CFO received \$1 million and CEO \$3.2 million for their stock options on top of a salary lasting through June 2007.

#### **August 2006**

St. Peters, Missouri mayor caught on tape soliciting a cash bribe in return for his signature on a red light camera ordinance. Outcome: Former mayor was released to a halfway house in May 2008 and then released fully in August.

#### **July 2006**

UK Statistics Commission slams Department for Transport (DfT) for using bogus numbers to promote the effectiveness of speed cameras. Outcome: DfT continues to use inflated figures.

#### **June 2006**

UK Advertising Standards Agency charged Greater Manchester police with dishonest advertising in material promoting the use of speed cameras.

A pair of Edmonton, Canada police officers along with camera vendor Affiliated Computer Services faced charges in an alleged bribery scheme. The officers accepted lavish gifts from ACS in return for a recommendation that ACS be given a no-bid, \$90 million photo ticketing contract. Outcome: In October 2008, a judge let the police officers and ACS off the hook without bringing the case to a jury.

#### **December 2005**

UK Department for Transport (DfT) admitted that 80 percent of claimed

reductions in accidents that the department attributed to the benefit of speed cameras was actually due to a statistical error known as "regression to the mean." Outcome: DfT continues to use the same statistics.

#### **November 2005**

Cranston, Rhode Island mayor dropped a no-bid speed camera contract with Nestor Traffic Systems after reports revealed that the company had made substantial campaign donations to the mayor's primary challenger for a US Senate seat. Outcome: The mayor lost the primary.

#### **May 2005**

Parliament questioned why a top cop in New South Wales, Australia was buying stock in Redflex, the Australian photo enforcement company. Outcome: Police cleared the police traffic services commander superintendent of wrongdoing.

#### **December 2004**

A Shropshire, UK speed camera van that had just issued thirty tickets to motorists was itself ticketed for doing 65 MPH in a 50 zone. A private citizen similarly recorded a Scottish speed camera van doing 45 MPH in a 30 zone. Outcome: No action taken.

#### **November 2004**

Edmonton, Canada police officers were investigated after setting up the "Overtime Bar" sting designed to frame an Edmonton Sun columnist for drunk driving. A police sergeant admitted under oath that he used the police database to gather information on the columnist because he had criticized photo radar. Outcome: In December 2005, police investigating the police involved in the sting absolved police of wrongdoing. ■

## Speed Camera Pranksters Expose Flawed Camera System

As a prank, local high school students have been using the Speed Camera Program in Montgomery County, Maryland to exact revenge on other students and even teachers.

According to parents, students call the prank the Speed Camera “Pimping” game.

Originating from Wootton High School, the parent said, students duplicate the license plates by printing plate numbers on glossy photo paper and using fonts that “mimic” those on Maryland license plates.

Then they tape the duplicate plate over the existing plate on the back of their car and purposefully speed through a speed camera. The victim then receives a citation in the mail days later.

Students are even obtaining vehicles from their friends that are

similar or identical to the make and model of the car owned by the targeted victim.

The entire premise behind the Speed Camera Program is called into question as a result of the growing fad among students.

“I hope the public at large will complain loudly enough that local Montgomery County government officials will change their policy of using these cameras for monetary gain,” one parent said. “The practice of sending speeding tickets to faceless recipients without any type of verification is unwarranted and an exploitation of our rights.”

Montgomery County Council President Phil Andrews said that the pranks “will cause potential problems for the Speed Camera Program in terms of the confidence in it.” ■



### Chillicothe Citizens Fight Back

In June 2008, the Chillicothe, Ohio City Council enacted legislation to support the installation of red-light cameras, but the bigger story came when the cameras went live in October.

Once-empty council chambers became packed with 50-plus residents all wanting to voice their displeasure with the camera’s implementation.

A group calling themselves Citizens Against Photo Enforcement formed and have challenged the city ordinance and contracts on the merits of their constitutionality. In December, the group announced the filing of a formal initiative petition that would offer a vote on whether to ban photo ticketing completely.

The initiative’s sponsors believe they can gather the 800 signatures required to put the question to voters in the city of 22,000. If successful, the measure would repeal the city ordinance authorizing cameras and prohibit any similar ordinances from being adopted in the future. ■

### Arizona Sheriff Removes Cameras

Pinal County’s new sheriff, Paul Babeu, has pulled the plug on its three photo radar vans.

“I’ve never yet seen a photo radar camera arrest a drunk driver or arrest a person with a warrant, see if somebody has insurance, or to just simply give directions to somebody,” said Babeu.

“I am against it, not only because I’m a strict Constitutionalist, but I believe that its main purpose is it’s driven to create money for the government.” Sheriff Babeu added, “It’s corrupting law enforcement for us to be partnered with a private entity that creates revenue – clearly that’s their interest.”

“The only thing I do support is a red light ticket and that’s because clearly there is an interest for safety.”

Sheriff Babeu also said he plans on working with expected in-coming Governor Jan Brewer to end photo radar statewide.

A Department of Public Safety spokesman said that the state’s photo enforcement operations will continue in Pinal County. ■



## News From Around The Country

### Arizona

A new law went into effect on Jan. 1, 2009 stating, “a person shall maintain each license plate so it is clearly legible and so that the name of this state at the top of the license plate shall not be obscured.” While the new law is touted as beneficial for Amber Alerts and easy identification by witnesses to crimes, it seems to coincide with the first round of speed camera citations. When the cameras came online the state made it clear tickets would not be issued to out-of-state visitors.

Two Arizona citizens have announced their intention to put a measure on the 2010 ballot that would ban speeding tickets issued by photo-enforcement cameras unless the driver is caught exceeding the speed limit by 20 miles or more. The duo needs to gather 153,365 voter signatures to qualify the measure for the November 2010 ballot.

### California

An Orange County Superior Court judge has ruled that Fullerton’s red-light camera program violates a state law that bars cities from paying vendors based on the revenue their tickets generate. The city hasn’t stopped issuing citations or changed its contract and has no immediate plans for refunding tickets. The case was not published, so it does not set a legal precedent, but attorneys say it could be used to persuade judges in cases against other cities with similar contracts.

### Louisiana

A pair of Metairie lawyers argue

that Jefferson Parish’s automated enforcement program treats what is normally a misdemeanor offense as a civil matter, which violates residents’ constitutional right to due process. Attorneys for Jefferson Parish argued the case should be dropped because federal court is not the proper forum and the drivers are not properly positioned to raise their complaints. U.S. District Judge Sarah Vance denied most of the parish’s requests, allowing the case to proceed.

### Maryland

According to the village manager for Chevy Chase, the village’s speed camera program racked up \$1.58 million in revenue during fiscal year 2008. There are two fixed cameras and two mobile cameras that operate in the Village. Chevy Chase Village Police Chief Roy Gordon acknowledges that \$16.25 of every citation is going to the vendor, but he says it is within the boundary of the law because ACS is not the operator of the devices.

### Mississippi

Public opposition has killed a proposal to put cameras at some Vicksburg intersections to watch for motorists running stoplights.

### Missouri

When the push to install red-light cameras came to City Hall in 2005, the Board of Aldermen enthusiastically backed the plan as a boon to public safety. But now, three years later, aldermen have themselves been caught on tape — and some have avoided the \$100 fine. In total, at least eight St. Louis aldermen have been sent

camera citations, about a quarter of the board. The lead sponsor of the camera legislation went months without paying \$500 in fines until questioned about it recently. Two other aldermen got their citations dismissed under ambiguous circumstances.

### Oklahoma

McAlester city councilors agreed with a proposed speed limit increase on U.S. Highway 69 after the state reported too many people were already speeding along the highway section, among other reasons. City engineer George Marcangeli told the city council that the state Department of Transportation has proposed increasing the speed limit from 55 to 65 mph from Electric Avenue north to the city limits at Mount Moriah Road.

### Texas

A former police officer has filed a lawsuit against the city of Hubbard claiming the police chief forced him to violate state law by working under a quota of issuing at least 100 tickets per month. According to a petition, the officer was “disciplined and forced to resign after reporting to the proper authorities that he was instructed to comply with a ticket quota.”

### Utah

The speed limit on a portion of Interstate 15 has been increased. From south of Nephi to about Scipio, it is now legal to drive 80 miles per hour. The new speed limit follows a law change last year that gives transportation officials authority to increase the limits, but only after thorough studies. ■

As of this printing, this information is current. For more information on this and other motorist news, visit [www.motorists.org](http://www.motorists.org)



## Members Write

I read your *Driving Freedoms* because it provides interesting articles and information. Some of your programs and sites such as speedtrap.org and shortyellowlights.com are necessary. On your short sighted political bent is where I draw the line.

I know you have been against CAFE standards and other meaningful restrictions on the automobile but in "Now What?" in the November/December issue, are you really trying to say that global warming is not an issue as the second to last paragraph intimates?

If Jim Hansen over at NASA who has been harping on this subject since 1988 still believes it is a major problem (and he does), I'll take his word over your irresponsible intimation.

Your article on DRLs is also lacking. I personally find them useful and alerts me more to an oncoming car especially in diminished visibility.

If one sees a light coming at you, common sense is to be alert. That means not talking on your cell phone or texting while driving or eating while driving. If there are "complaints of glare or obscured turn signals" for instance, why not fix that problem? Believe me, I would rather see a DRL coming at me, especially in bad weather.

Steven Goldman  
New York, NY

What is the single most important thing to do at an intersection, regardless of whether there is a STOP sign?

A hint: It's not *stopping*. It's *looking*.

If a police officer is truly worried about safety, why are they watching

wheels instead of the driver?

So, according to the word of the law, it's okay for me to come to a complete stop and continue on without looking, with no legal ramifications. But that's unlikely. Everyone looks. Which is the point. Drivers *all* know what's most important. And, in most cases, we engage in the necessary head-swivel, which is entirely possible, even as our our tires continue to roll.

The law is impotent, the enforcement is arbitrary. It's also a fantastic way to make money, so let's not fool ourselves into thinking that the police are keeping us safer.

Patrick  
NMA Blog Commenter

In August 2007 I got pulled over just west of Rawlins, Wyoming for straying over the white line on the right shoulder. I was driving five miles under the limit but the officer pulled me over and gave me a warning citation for what he claimed was my being distracted by my GPS. I think that he was looking for an excuse to stop me because I had California plates.

Farther down the road the WHP was what seemed like everywhere just sitting on the side of the road with the radar out. On that trip I drove over 5000 miles and went through 13 states and Wyoming was the only place that I had any contact with law enforcement.

To this day I think it was just an excuse to mess with a California driver.

Im 58 years old and that was my one and only trip to Wyoming.

Fred  
NMA Blog Commenter

Everything you need to know about driving in the left-hand lane on the freeway, you should have learned in kindergarden.

"Don't hold up the lunchroom line." This is called *courtesy*. If you are in the lefthand lane on the freeway, there are one or more cars backed up behind you, no car in front, and you are not actively passing another car, you should move over and let traffic flow more freely. When a driver flashes his/her headlights, that is not road rage; it is the international drivers signal that they are wishing to pass you.

"Don't stand in the middle of the hallway when the big kids change class." This is called *safety*. When other drivers have no recourse, they are forced to change lanes around you. There is no excuse for the bonehead that tailgates or almost takes off your front bumper when they pull back in front of you, but you also contributed to the problem in the first place.

"Follow the rules, even though others don't." This is called the *law*.

Every state in the country has a law stating that slower traffic must yield to the right. True, those drivers wanting to pass are technically speeding, but let the police take care of that.

Following these basic guidelines will help make the highway safer and more user-friendly for all.

Zeigh Owensby  
Chandler, AZ

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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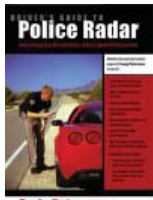
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## Beat Your Ticket

State and local governments are increasingly relying on traffic ticket revenue for daily operations. This book gives responsible motorists the means to protect their rights by addressing many types of tickets: speeding, reckless driving, defective equipment, and more.

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## 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*.

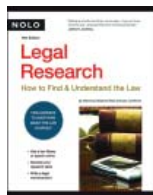
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## Represent Yourself In Court

*Represent Yourself In Court* is written for the non-lawyer. This book offers a step-by-step guide to representing yourself in a civil trial, from start to finish. It does double duty in that you can use this information for any civil matter, not just traffic tickets.

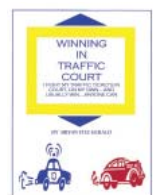
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## Legal Research

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!

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# 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.**

**Situation Ignorance:**  
**Other detectors always say "BEEP!"**

## 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.*

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

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.

## 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.**

## 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."

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

— MPH, 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

**"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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- Carrying Case - \$29
- Concealed Display Module - \$39

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

- Plus Shipping
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**"...it's worth every penny."** — Wired, January, 2007