



# *Driving Freedom*

**NMA Foundation**

**David and Barbara Kelly  
at the Newtown Park English Estate**

Vol. 21 • Issue 5

September/October 2010

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



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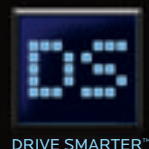
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**Cover**

*"What I Did On My Summer Vacation"*  
 David and Barbara Kelly at Newtown Park



**To Petition, Or Not?**

by James J. Baxter, President, NMA

Given the frequent disconnect between citizens and their elected representatives, there is often a great deal of difference between what the government is doing and what the public wants the government to do. This is most evident when the government passes and enforces laws that primarily benefit the government, expand its powers, and rewards public employees; this at the expense of everyone else.

In some states and among many local communities, the general public can circumvent unresponsive elected officials through a petition process where unpopular laws are repealed or popular laws passed, by a vote of the citizenry. It's also a process where majorities can throttle unpopular minorities.

No state is more notorious for its "Initiative and Referendum" antics than is California. Every election cycle sees multiple issues placed on the ballot, many involving millions of dollars in costs for collecting petition signatures, promoting, or opposing, referendums and follow-on legal battles. At the other end of the spectrum are small villages with a few hundred residents where 100 signatures can put an issue on the ballot.

Recently, the dichotomy between government interests and citizen interests has come to a head over the use of ticket cameras and other automated devices intended to generate traffic citations. Contrary to official proclamations that these ticket machines are being used to enhance traffic safety, the general

public knows they serve no purpose but to generate revenue for government coffers. Eventually, regular elections will eliminate many of the elected and appointed parasites that promote this form of government extortion. Still, for many activists this is not fast enough or explicit enough to forcefully stop the scourge of ticket cameras. They have taken to circulating petitions to put this issue in front of the voting public – even in jurisdictions where referendums are not allowed on the ballot!

So, is this the route you might want to take in your state or your local community? First, take a reality check. Is it legally possible to place an issue on the ballot through petition? If it is, what are the legal requirements? Does the language of the proposal have to be approved before it can be placed on the ballot? Who can circulate the petitions and how many signatures are necessary? What form must the petition take and what information must be gathered from each person signing the petition? When can the petitioning begin and when must it be completed?

Once you have a handle on the legalities and requirements, it's time to assess your capabilities and resources. How many supporters do you have right now? How much money do you have to work with, right now? Do you or any of your supporters have experience with gathering petition signatures, connection with the news media,

*(Continued on Page 4)*

## 2010 NMA Business Members

Each year, we proudly publish a list of NMA business members. We want to thank each and every one of them. These businesses have supported us and we hope you will support them. Business members receive a fifteen percent discount toward the purchase of any advertising package and company officers are eligible for all of our regular NMA benefits. If you are interested in supporting the NMA in this manner, please call the national office at 608-849-6000 for more information.

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## NMA Washington Report

by Robert Talley, NMA Lobbyist



This summer, photo enforcement made it onto the radar screen of the U.S. House Transportation Committee. This panel oversees highway policy. Though the federal government does not regulate the use of photo-enforcement, instead leaving those decisions to the state and local governments, Members of Congress get plenty of angry feedback about photo-enforcement from constituents in communities with the programs.

Dan Danila, Virginia Activist for the National Motorists Association, testified before the Highways and Transit Subcommittee that photo enforcement suffers from three major flaws. First, the programs are more about the revenue than safety. Second, the programs do not allow victims due process when cited with a violation. Third, Danila noted that many other options exist to improve intersection safety. This last point was emphasized by Georgia State Representative Barry Loudermilk who reported “there are

a lot of incentives not to fix problems at the intersection because of the revenue.”

Though the Federal Government may not directly ban the use of photo enforcement, it is possible that, given enough momentum, Congress could limit the incentive for the abuse of photo enforcement by linking federal fund receipts to a more uniform application of photo enforcement.

Congressional interest suggests a concern that the Federal Government should consider placing requirements on the use of photo enforcement when any federal funds are involved. Such requirements would build on current guidelines, but could make compliance mandatory if a locality accepts federal funding.

The pending election in November, and resulting limited number of days that Congress will be in session before recessing to campaign for reelection, means that Congress is not expected to take any action on this

issue this year. However, with pending debate on highway funding set for next year, it is possible that automated traffic enforcement will see heightened scrutiny next year.

In another Congressional action, federal funding for road construction and highway programs took another hit in August. Prior to leaving for the August recess, Congress passed legislation to increase teachers’ salaries and Medicaid assistance. In order to pay for this, Congress rescinded \$2.2 billion from previously authorized funding for the nation’s highways.

Finally, on a side note: Much hype has been raised in domestic policy discussions about the transition to hybrid electric vehicles and all-electric vehicles. Sometimes we have to look abroad to understand the future. Spain set aside \$104 billion last year to encourage the addition of one million electric vehicles. So far this year they have only sold fourteen. ■

### To Petition, Or Not?

*(Continued from Page 2)*

affiliations with other groups that could lend a hand, computer skills, or the capability to provide seed money to get the project off the ground?

Many people are not aware that large petition campaigns, usually at the state level, involve paid signature gatherers. Sometimes devoted volunteer groups can get the job done, but that’s the exception to the rule. Gathering hundreds of

thousands of signatures is a major undertaking involving thousands of people and, potentially, hundreds of thousands, if not millions of dollars.

Local community petition efforts are a different matter. A few hundred or a few thousand signatures may be all that is required to get an issue on the ballot. This is a more feasible goal for a group of dedicated volunteers. However, always keep in mind the 90 – 10 rule. Ten percent of the members will end up doing 90 percent of the work. This is not an exaggeration.

The last point: Don’t start down this road unless a sober and frank analysis indicates that you have, or will have, the resources and capabilities to gather the signatures and jump through the legal hoops that will put your issue on the ballot.

Failure to do so will not only be wasteful, expensive, and frustrating for everyone involved, it could also be harmful to your original goal. Your failure will be viewed as a victory for the opposition. ■

## NMA History: The First Ten Years, Part 2

by James J. Baxter

*Editor's Note: This is Jim Baxter's look back at the first ten years of the National Motorists Association's existence, as written in 1992. Part 1, which appeared in the Jul/Aug 2010 issue, set the stage for the general climate for cars and motorists leading up to the founding of the NMA in January 1982. Part 1 ended with, "Into that vacuum stepped the Citizens Coalition for Rational Traffic Laws." The CCRTL was the original incarnation of the NMA.*

Others had tried. Most notably was the National Drivers Association which entered the scene in 1978-79, with a flourish that included full page photos and endorsements in the major auto magazines. Within a year, they had disappeared without a whimper, not even their supporters knew why. (I later learned that personal differences among the principals led to the NDA's demise. I also suspect they became discouraged when the anticipated support from the motoring public did not materialize.)

I can still remember issuing the first news release announcing the formation of the Citizens Coalition for Rational Traffic Laws and our intention to

repeal the 55 mph National Maximum Speed Limit. The release was confined to Wisconsin media, to avoid being swamped with interviews and membership inquiries. This turned out to be not a serious worry.

After two weeks there were three or four membership inquiries, a couple "go get 'em but we're not going to help" letters and a like amount of hate mail from the "go slow" crowd. However, there was also a televised debate opportunity on a popular 5:00 PM news program. Hence began my education on talk shows and public affairs debates.

To say I was badly beat up would be a kindness. Naively, I assumed the host would be neutral and that he would referee the verbal joust in a manner fair to all. And elephants cross-country ski . . .

Keep in mind, this is 1982 and "55" is claimed to be supported by 80 percent of the American public, according to Gallup polls. The host is a believer. I found myself debating two people, my original opponent, a public relations type from AAA, and the host.

The host asked the AAA rep a question and he spent 5 minutes reciting "saves lives" and "saves gas" statistics. My friend, the host, restated the points made by Mr. AAA and then said to me, "How can you support changing a law that saves two zillion lives and quattro billions of barrels of oil and may in fact be the savior of humanity?" I engaged my lightning wit and said "ahh . . . but I don't" and the AAA PR guy chimed in with some condescending statement like "Mr. Baxter probably doesn't have all the information we professionals have at hand" and the program was over.

Brutal as this experience was, it was better to learn these lessons through a local TV station than on a nationally televised program.

For the next year, we struggled with membership recruitment and cultivated media contacts. The one organization that took our efforts seriously and gave CCRTL real support was the American Motorcyclist Association (AMA). They publicized our organization and adopted the repeal "55" campaign as one of their legislative objectives.

There was more than one public hearing or meeting where, if the AMA hadn't been there, I would have been the sole speaker supporting the repeal of "55."

Membership recruitment was a frustrating affair. (It still is!) One killer idea guaranteed to "bring 'em in" was a mailing to people who received tickets for exceeding 55 mph on interstate highways. To test the concept, we sent 120 ticket recipients a compelling letter and a stamped self-addressed envelope for them to return their \$15.00 and membership application.

Not one response! Not a "Sign me up." Not a "Try me when you change the law." Not even a "No thanks", or "You're crazy." So much for that brainstorm. This was the rule, not the exception.

Feeling the need for more exposure, I decided a trip to Washington D.C. was in order. On the way, I stopped in the offices of *Car and Driver Magazine* and talked to then Assistant Editor, Rich Ceppos (now with *Automobile Magazine*). Mr. Ceppos asked good questions, listened intently, and took many notes. I left confident an article would soon follow. It didn't. However, in later years, *Car and Driver* honored myself, CCRTL and the NMA in three different "Ten Best" issues.

My time in Washington was spent seeking out Members of Congress who were known supporters of our

*(Continued top of next page)*



*Do you remember this logo?!  
Citizens Coalition for Rational  
Traffic Laws, circa 1984.*



This cartoon appeared in the Milwaukee Sentinel in the Spring of 1984.

point of view (there weren't that many) and visiting agencies like the Federal Highway Administration. My conversation with Ray Barnhart, then head of FHWA made it clear that we had valuable technical support but tremendous political opposition.

Meetings with Members of Congress and their staffs were not encouraging. Those from rural western states were sympathetic, but their numbers were small and their willingness to confront leadership or the so-called "safety" lobby was non-existent.

We had a long way to go!

Our first real break was handed to us by the opposition. It came in the form of a Congressionally-mandated study of the 55 mph National Maximum Speed Limit (NMSL).

Representative James Howard, Chairman of the House Public Works and Transportation Committee and chief proponent of "55" knew public compliance with the national speed limit was declining as was state interest in intensive enforcement. He decided a case had to be made to justify more punitive sanctions and stricter enforcement. The means he chose was to fund a National Academy of Sciences study of the "benefits" of the 55 mph NMSL.

The National Academy of Science is claimed to be a research organization

without political agenda or personal bias. (If you believe this, I refer you back to the skiing elephant statement.) Actually, there were researchers in the Academy who wanted to take a fairer look at the subject, but they were stymied to some degree by poor data, limited resources, and concerns over political repercussions.

I was initially considered as a potential member of the advisory panel that would oversee the study and interpret the results. Mysteriously, it was decided that persons representing advocacy organizations would not be invited to sit on the advisory board. Of course, groups like AAA, the insurance industry, and agencies that had been promoting "55" for several years were amply represented. For once, Joan Claybrook and I were in the same boat. She was excluded also, probably to justify my exclusion.

Three concessions were made to appease we rabble rousers: a) I would be given an opportunity to present testimony to the advisory committee, b) I could attend advisory committee meetings as an observer, and c) costs, as well as benefits of the NMSL would also be explored.

All went pretty much according to the script until I attended my first advisory committee meeting in Washington, D.C.

I arrived at the meeting and received a less-than-warm welcome. This meeting was called to review the first draft of the study results. A thick document was distributed to all the attendees, all the attendees except me. When I asked for a copy, I was told it was "confidential and privileged information." This was a major blunder on their part.

If they had given me a copy with

the understanding that I not divulge its contents, pending the final version, I would have willingly consented. However, making me sit at a table without the ability to review and comment on the study that everyone else had in front of them made for one very unhappy camper. I silently fumed.

Once back in Wisconsin, I unleashed a torrent of calls and letters to anyone and everyone who had the ability to make life miserable for Academy researchers. In a few days, I had a copy of the preliminary draft, only now I was under no obligation of confidentiality. ■

To find out what actions Jim Baxter and the CCRTL took to lead the opposition to the 55 mph NMSL, see **Part 3 of NMA History: The First Ten Years, to be published in the Nov/Dec 2010 issue of Driving Freedoms.**

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## What I Did On My Summer Vacation

By David P. Kelly, NMA Arizona Member

*Editor's Note: NMA member David Kelly won the grand prize of the NMA Foundation 2009 Fundraiser Sweepstakes – a one week stay at the English countryside home of Charles Burnett III, a strong supporter of the NMA who graciously donated the use of his Newtown Park estate near Lymington.*

*Appropriately enough, David and Barbara Kelly's English vacation was dominated by activities any auto enthusiast would leap at the chance of experiencing.*

*The staff at the NMA joins David and Barbara in thanking Mr. Burnett for making this fabulous experience available to an NMA Foundation donor.*

I want to begin by thanking the National Motorists Association for their work on behalf of American motorists and for rewarding my 25 years of support by having this contest for me to win. It truly was a trip of a lifetime.

On July 15th, my wife Barbara and I left Phoenix for England aboard British Airways. We explored London for a few days, visiting the requisite parks and museums and even enjoying a night at the theatre.

We used London's clean, efficient mass transit. It's expensive, but better than driving the narrow and often curving streets. The density of cars is unreal. I can well understand the Congestion Zone fee structure as a desperate attempt to avoid total gridlock.

After a few days in London we picked up our rental car, a Ford Fiesta Zetec, a good car for England. Speaking of cars in England: Our observations indicated that the Germans rule and that Audi rules the Germans, followed by BMW and Mercedes. Then comes Ford, followed by the French cars. A few Hondas and Mazdas. Lots



of Minis plus Fiats, Alfas, Skodas, Vauxhalls and more than a few Maseratis. Most were very attractive scale models of cars here, but in sizes better suited to their roads.

Travelers Tip – rent a GPS unit. We regretted not following that advice. Let's just say that the signage in England is imperfect.

Finally! Newtown Park, English country home of Charles Burnett III. We drove up the 1/2 mile driveway, past the grazing cows to the great house with the pillars in front. There was a guy on the steps who said "You must be the Kellys. What can I get for you?"



Rob Gray with David and White steam car

And so we met Rob Gray, the man who runs this house. Smart, witty, entertaining, knowledgeable, no loonier than any other guy who longs for his very own helicopter gunship. Rob was a great host and the owner of the only

pickup we saw in England.

We were soon ensconced in a huge bedroom with a huge attached bathroom, plus a TV and a very comfortable bed.

In the morning, Rob tried to cook us an English breakfast. "No no no, that's food for a week," we protested and happily ate his scrambled eggs and bacon and did so daily in spite of his protests that we ask more of him. I don't treat my guests or my friends this well. I hope they don't find out about Rob.

While we had planned various day trips around southern England, we found that the Newtown Park experience was more unique than anything else we were likely to see. And, it was hard to resist the VIP treatment we got from everyone there who shared their time and extensive knowledge with us.

For instance, Nigel Leppard gave us an in-depth tour of the dozen or so military tanks in various stages of restoration. While I missed the chance to drive one, I sure learned a lot about them. Nigel, an engineer and ex-British Special Forces, is in charge of Mr. Burnett's vehicles. Richard Channell, in charge of the 400 acres of Newtown Park, also shared his extensive knowledge of the history, flora, and fauna of the place.

Nigel was the one who gave us the trip's highlight: A ride through the countryside in Mr. Burnett's 1932

*(Continued top of next page)*





*No Michael Dukakis moment for David*

Bugatti Type 46. One of six in the world and worth about \$1.5 million. WOW! This was really a once-in-a-lifetime experience. Usually there's a red rope separating me from Bugattis, but here we were being driven down country lanes, all sorts of clicks and whirrs coming from the engine, watching Nigel's hands constantly working the ancient steering, and having the locals stop and watch as we rode by. "Yes, it is mine," I yelled from time to time but I'm sure they couldn't hear me over the noise of the car. Thanks, Nigel. Thanks, Charles.



*The Bugatti and Westfield in the garage*

On another occasion, Rob took us for a tour of the area in a Bentley Turbo RT. That's luxury! Charles Burnett III loves his vehicles. In addition to the tanks, Bugatti and Bentley, Newtown Park houses a Mitsubishi Evo IX FQ 360, a 400+ HP Westfield, a Ferrari 412, and a few BMWs. (Other cars are stored elsewhere.) Plus there are the steam cars. A Stanley Steamer, a White steamer, and the car that Mr. Burnett and his crew designed, built, and drove

to capture the world's steam-powered land speed record at Edwards AFB. That record was set at 139.843 mph on August 25, 2009.

When we could tear ourselves away from having the run of the house and grounds, our Fiesta took us around the area, to a variety of picturesque towns such as Lynington and Lyndhurst, and to the beaches (no sand here!) at Lepe and Milford on the Sea. We stopped often to wander around the towns or walk the beaches. Offshore is the Isle of Wight, where I hear the cottages are quite dear so we didn't visit it, much to the dismay of Vera, Chuck, and Dave. We dined at a variety of local restaurants and pubs, though we didn't become fans of English cuisine. We were big fans of the weather we had – every day was warm and sunny!

For our last day we visited the National Motor Museum in Beaulieu, full of all kinds of road cars and race cars and motorcycles and more. This is a must-see for any car guys or gals who visit the area.

Appropriately enough, one of the biggest news stories during our visit was about the probable imminent demise of traffic cameras in light of government funding cutbacks. It seems they have no effect on safety and people hate them. Who knew?

But finally, it was time to return to our own traffic cameras in Arizona, with loads of memories but glad to be home to left-hand drive, automatic transmissions, and cars that are bigger than I am.

Thanks again, NMA, Charles Burnett III, Rob, Nigel, Richard, Ingrid, and Lady Luck. This was a great vacation!

P.S. Readers - the weeklong stay at the Newtown Park estate in England is definitely one sweepstakes prize you will really want to win! ■

## Helping Meet the Goals of the NMA and the NMA Foundation

The generous participation of members, especially in recent difficult economic times, in the NMA and NMA Foundation fundraisers has been vital to furthering the goals of the Associations. Thank you!

As we head into the fall fundraising season for the NMA Foundation, we are pleased to report on the latest legal aid grant awarded by the Foundation. Recently, an appellate panel in Orange County, CA ruled that red-light camera evidence lacked foundation without in-court testimony of someone from the camera contractor. The previous guilty verdict against Tarek Khaled was thereby reversed.

The NMA Foundation is funding the appeal of a virtually identical case in Riverside County, CA. Our goal is to add to the precedent of the Orange County decision and create a domino effect of red-light camera conviction reversals in the state due to hearsay photo evidence. Such reversals could doom red-light cameras in the state. Stay tuned. ■

## Winners of 2010 NMA Legislative Fund Sweepstakes Announced

**Harvey Lewis** - Greenwood, AR  
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**William Visnic** - Weirton, WV  
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## News From Around The Country

Now featured, with daily updates,  
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### Arizona

When you sign a rental car contract, it allows some of the top rental car agencies to share your credit card information with American Traffic Solutions, a contractor for red-light and photo radar cameras. Most drivers don't read the fine print of those contracts, and could end up with an automatic guilty verdict and unexpected photo ticket penalties charged to their credit cards courtesy of the car agencies.

### California

Four Montebello police officers filed a claim against the city saying they were punished for failing to abide by an alleged quota system for arrests and citations. According to the state vehicle code, law enforcement agencies are prohibited from establishing "any policy requiring any peace officer or parking enforcement employees to meet an arrest quota," or using the number of arrests or citations as the only criterion for promotion or discipline.

### Illinois

A new law gives motorists more leeway in filing an appeal to a red-light citation and requires independent verification of an alleged violation before a ticket is issued. The measure also bans the city of Chicago and suburbs from tacking on a fee to the standard \$100 fine if a ticket is appealed, a common practice that can deter a motorist from fighting the charge.

### Iowa

The city of Des Moines is a step closer to installing red-light ticket cameras. On July 12th, city council

members awarded a contract to Netherlands-based Gatsometer BV for a traffic study and installation of cameras in Des Moines. Des Moines police Captain Doug Garvey says the cameras aren't about giving out tickets but about saving lives, "Public safety. To get people to slow down and obey traffic control devices. And it works in other cities..."

### Maryland

Making a recording of a police traffic stop is not a crime in the opinion of Maryland's attorney general. In a ruling issued last month from the state's top law enforcement office, Chief Counsel Robert N. McDonald found the legal grounds weak for felony wiretapping charges of the type brought against Anthony Graber, a motorcyclist who posted a video of himself being arrested on YouTube (ref. NMA Email Newsletter Issue #77).

### Michigan

House Bill 4726, sponsored by Rep. Roy Schmidt, D-Grand Rapids, would have the Secretary of State deny a driver license renewal to any motorist with as few as three unpaid parking tickets. Under current law, a local court may refer a motorist with six or more unpaid parking violations to the Michigan Secretary of State. Once alerted, the SOS may not issue a driver license renewal until the person has paid all outstanding parking ticket balances and late fees and paid a \$45 "driver license clearance fee."

### Ohio

The village council in Bowersville wants to start a volunteer police

department to curb speeding on Ohio Highway 72. In his pitch to become the village's police chief, Richard Bell in May told the council, "This one little stretch of road right here is money – a cash cow that you guys aren't using."

### Oregon

The installation of what's being dubbed "North America's first public quick-charge station" is now complete at the parking garage of the World Trade Center building in downtown Portland. The charger is capable of taking most electric vehicles from zero to 80 percent charge in just 20 to 30 minutes.

### Pennsylvania

Pennsylvania Governor Ed Rendell is struggling in his latest budget with the desire to spend more money while lacking tax revenue due to the economic recession. Rendell testified before the state Senate Transportation Committee about how he intended to hit up motorists to make up much of that amount. "If you did the InsureNet – that's the plan with the cameras – the state would generate \$75 million more..." Rendell testified. The state Senate on July 3 voted 49-1 to allow ticket cameras in second and third-class Pennsylvania cities.

### Washington

Patriotic residents of Lakewood decorated a number of red light cameras near Steilacoom Boulevard on July 4. Red, white and blue bunting obscured the camera lens, preventing the automated ticketing machine owned and operated by Redflex Traffic Systems of Australia from functioning. ■

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)

**Don't Get Buffaloeed in Buffalo Grove, Part 2***by Barnet Fagel, NMA Illinois State Activist*

In the March/April 2010 issue of *Driving Freedoms*, I shared my experience helping a fellow NMA member who received a speeding ticket on the six-lane expressway Lake-Cook Road near Buffalo Grove, Illinois.

Notice, I said near Buffalo Grove, not in Buffalo Grove. It has been a practice for the Buffalo Grove Police Department to issue speeding tickets on Lake-Cook Road, but the motorists are not actually in Buffalo Grove, they are in the adjoining town of Wheeling in Cook, not Lake, County.

Most motorists just assume the town/county dividing line runs down the center of the Lake-Cook Road. I have learned not to take anything for granted. Official map schematics show the dividing line not in the center of the roadway, but 50 feet north of the north curb.

As noted in Part 1, the NMA member and I requested a jury trial which was heard at the Lake County seat in Waukegan. We appeared before the judge, and he asked who I was. I replied saying I am a family friend and expert witness. This identification did not please the crusty judge; he didn't want to be bothered by a jury trial for a speeding case. The judge intimated this would be a waste of the court's time and money for a speeding ticket.

The judge ordered us to meet with the prosecutor in the hallway to work things out. The prosecutor wanted to get rid of the case, but he didn't want to lose either, so we agreed to have a bench trial before a judge back at first court in Mundelein, IL. We agreed based on the stipulation that if the outcome wasn't favorable to us, we could return to the option of a jury trial.

While we were at the county building, we went up to the highway department and requested a "certified" copy of the highway schematic survey for the portion



of Lake-Cook Road where the ticket was given. By having a certified copy, the schematic is legal proof of where the actual county line is located.

Thirty days before the Mundelein hearing, I sent a Motion for Dismissal on the Grounds of Lack of Jurisdiction to the Mundelein court under the member's name. I had never written a motion like this before and studied similar online documents. By the way, none of the self-help books I have seen on the web teaches how to write a motion like this due to the wide variance of law procedure in the 50 states. We sent the Motion by certified mail, return receipt requested to make sure we had proof the court received the document.

On the day of the hearing, I arrived at the court early and sat in the back of the court room by the door. The prosecutor entered the court room and he gave me a gruff, "My hands are full and I'm in a hurry," when I greeted him. His demeanor was surprising. I wondered if he might be upset because of the pending disposition of the case. It also occurred to me that if the prosecutor was faced with losing this case, his aggravation might be further heightened if he were faced with the prospect of losing to a non-lawyer.

A few minutes later, the NMA member arrived and we exchanged greetings, but I didn't mention my short conversation with the prosecutor.

It's usual in these courts for the lawyer-assisted cases to be heard first, followed by the guilty pleas, and finally the not guilty pleas. Since we pleaded not guilty, I thought we were in for a long wait. There were about 125 traffic cases that morning so we expected proceedings to move along at a brisk pace.

As it turned out, the member's case was the tenth one called within the first ten minutes. We approached the judge who asked who I was. He then asked the prosecutor "What's the story?" The prosecutor requested the case be non-suited. In Illinois, to "non-suit" a case means either that the plaintiff neglects to appear when the case is called, or when the prosecution has given no evidence upon which a jury could find a verdict. The judge said "Are you sure?" to which the prosecutor replied "Yes, the officer is not in the court room."

At this point the judge dismissed the case and the member whispered to me, "What just happened?" I answered, "I'll tell you outside," since he was still motivated to argue the case. A win is a win, and we earned this one. ■



## Members Write

I've been a member for several years and continually lead people to our organization and applaud you, and everyone else that contributes to our efforts. I've lived in a Chicago suburb since 1970 and have a few comments about Jim Baxter's *What's The Reason* column in the July/August 2010 issue.

First off, please understand that the Illinois toll way system is as un-American as they come, in that we, the citizens, have no representation within the system. No way to vote on who is running things, no way to vote on policy. The recent conversion to open road tolling has been a farce at best. Since I've been driving, I am not aware of the tollbooth related crashes, injuries or deaths you speak of. If these problems exist, they have not been brought to the forefront of the news before, during, or after the open road tolling conversion.

What has been heavily reported is how the old system delayed traffic and caused substantial discomfort for the traveling public. (The stick.) Then the reporter, under direction from the Toll Authority, would go on to explain how the new system was going to open up traffic, and how delays would be all but eliminated. They even posted signs with pictures that made our highways look like the seldom-used throughways of the 1950's. (The carrot.) And the ruse worked. The public bought it and many still believe they have received benefits, until you question them about their specific experiences.

In reality, the problem with delays

on our roadways is simply too much traffic for the capacity of the roads. Delays were not reduced or eliminated for a majority of travelers. Yes, in some instances the backup was moved a few miles down stream, but the time needed to travel from point A to point B really hasn't changed. Then look at the cost: Hundreds of millions of dollars were spent. Tolls had to be increased.

The slippery slope of government surveillance has been put into place. The Toll Authority holds millions of taxpayer dollars in advance to be applied to the tolls. The system is all but unusable for low income citizens. And the list goes on; the net result is extremely low value for the taxpayer.

If the money spent could have been put into better and more frequent highway access ramps, better traffic control systems, or several other good ideas floating out there, we, the citizens, could have reaped much better value and maybe even saved some time to spend with our family and friends.

Keep up the good work.

*Jeff Whyte  
Schaumburg, IL*

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Today I learned that California legislator Nathan Fletcher is proposing legislation that would allow the installation of video cameras in vehicles to monitor driver behavior via Bill AB1942.

This bill is intended to monitor commercial vehicles when employees are driving the vehicle. This bill is obviously

being promoted by special interests. However, we all know this is only the camel's nose under the tent.

After the general public gets used to the idea of cameras in commercial vehicles, the next step will be voluntary installation into private passenger cars. Next, the government will make them mandatory in private vehicles.

Combine on-board cameras with red-light cameras, alcohol monitoring systems (as proposed by Senator Charles Schumer, Democrat from New York) on-board event data recorders, GPS locators and cell phones and eventually our private vehicles will have morphed into SNITCH MACHINES.

These systems will constantly monitor driver behavior and vehicle performance data, but remember, as per the politicians and special interests who know better than we do, it is all for our own good.

Should we trust the politicians when they tell us that these monitoring systems in our cars will not infringe on our privacy? After all, nobody wants unsafe drivers on the road and this is just a way "to keep us all safe."

But here's a scenario with the unintended consequence: Our cars already have event data recorders, GPS and built in cell phones, and now video cameras to view our behavior and hear our conversations? These combined systems, working in tandem, could automatically call the police, tell them where we are, and have them just come out and arrest us before we cause any damage. To project further, as long as the car has all this equipment, we could just have the car notify the police every time we exceed the speed limit and just issue the citation. What an easy and convenient way for local governments to reach deeper into taxpayer pockets with little or no effort.

*Larry Goltz  
Livermore, CA*

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](mailto:nma@motorists.org) or mailed to 402 W 2nd St., Waunakee, WI 53597

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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.

Non-Member Price: \$19.95      **Member Price: \$11.95**



## 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**



## 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.

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



## Legal Research

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

Non-Member Price: \$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, and 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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Represent Yourself In Court		
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Dear Mr. Valentine:

Every fighter pilot knows – cover your six. After one day with my new Valentine One, I see why everybody at the base keeps talking about their Vee-Ones.

I picked up a beep on the Interstate, slow at first but quickening, just like I was coming up on something. But the Radar Locator pointed behind – something was coming up on me!

He was hard to spot, a slick-top sneaking up through traffic. He went on by and got small. Then I saw blue flashes in the distance.

When I caught up he had a Mustang, its ordinary detector still winking red in the windshield. Of course, ordinary detectors don't look behind. Vee-One is like driving with a buddy for back-up.

Yours truly,

L.C. "Slam" Lewis  
Tucson, AZ

# Trust...V1 earns it one ambush at a time

## Radar Locator

Tracks one or more radars at the same time; points to each.



Ahead



Beside



Behind

### Bogey Counter

Tells how many:  
Radar hiding within a false alarm? Two radars working the same road?  
Reads instantly.

### Control Knob

Turns On/Off, adjust volume, press to mute.

### Muted-Volume Lever

Sets volume you hear after muting.

### Radar Antenna

Scans behind for radar.

### Radar Strength

More LEDs glow as radar strengthens.



Dear Mr. Valentine:

Hey, I think I owe you one.

My commute goes past two miles of malls, which my old detector said was one long X-band false. Nope. Now I see it's two miles of little alerts that blur together. The Radar Locator tracks each one as I drive by – pointing Ahead first, then Beside and finally Behind.

Yesterday, it pointed out the usual places. And one more. Hmmmm. The Ahead arrow flashed insistently. Guess what? Radar shooting commuters from the shoe-store parking lot.

My old unit would have beeped, same as always. But yours saw the trap. That could be an ad, right? Valentine One is the one to have when there's more than one alert.

Go ahead, use it, because I definitely owe you.

Sincerely amazed,

Sal Molinari  
Hartford, CT

Memo To: Mike Valentine

Kansas, 54 west to Liberal, so flat I can see next week. No traffic, really, except for the Durango I've been closing on through four or five iPod tunes (George Jones was made for Kansas).

Off the shoulder ahead, maybe a half mile, what, a furniture van? Tailgate up, brown-shirted guy inside; looks like he's rearranging the load. V1 lets loose an EEEEEEEEE sound. Laser! I hammer the brakes. EEEEEEEEE.

Can't be laser. There's nothing around. Just me and the Durango, now passing the van. Wait...inside with the furniture, dang, another brown shirt, crouched behind a sofa, steadying his laser gun over the backrest. Double dang! The first shirt is talking into a cop radio as I go by.

And now I see what the deal is; three cruisers backed up in a tight line against the nose of the van. The lead car is rolling, in pursuit of the Dodge I was fixing to pass. The others stay. Whew! V1 must have caught a laser glint as it ricocheted off the SUV.

Clay Phillips  
Tulsa, OK

Dear Mr. Valentine:

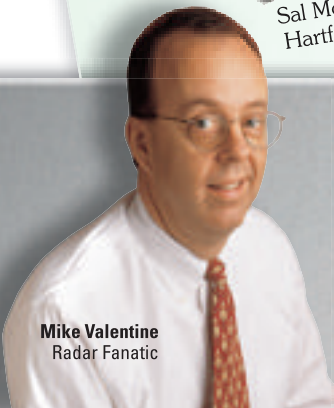
Just east of Texarkana on I-30, my Valentine One picked up X-band. The Radar Locator pointed "Ahead." Over the rise, sure enough, flashing lights. Smokey had a semi on the shoulder.

As I eased past, I watched the Radar Locator; it's kinda fun seeing it tracking radar from "Ahead" to "Beside" to "Behind" as you go by. It stayed "Ahead." What the #@?! Man, I saw Smokey. And I put him behind me. But the Locator still pointed ahead. Could it be?

Yep. Over the next hill, another Smokey, harvesting the ignorant. Without the Radar Locator, I would have been one of them. Valentine One is like having my own AWACS.

Thanks, Big Guy

Ted Reynolds  
Dallas, TX



Mike Valentine  
Radar Fanatic

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