



Driving Freedom

NMA Foundation

NMA EXCLUSIVE ANALYSIS:

WHICH STATES TREAT MOTORISTS THE WORST (AND THE BEST)?



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

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"Which States Treat Motorists the Worst (and the Best)?"



Lifeblood
by Gary Biller, President, NMA

The doors have stayed open and the lights have stayed on for more than 32 years because of passion and commitment. Your passion, your commitment.

Passion to see motorists treated fairly has kept the NMA pushing forward even though we invariably fight the same battles—whether over speed limits, enforcement tactics like ticket cameras, speed traps and roadblocks, or our advocacy of key principles like clearing the left lane for faster traffic (lane courtesy)—state-by-state or even city-by-city.

That commitment is demonstrated by your material support for the organization throughout the years. Member dues and donations, supplemented by advertising dollars from our websites and publications, sustain us. When we coined the term “supporting member” a few years ago for those who pay annual dues or have acquired a life membership, the meaning was literal. Your receipt of a print copy of this magazine signifies that you are a supporting member and a fundamental reason why the NMA remains the only comprehensive drivers’ rights organization in North America.

When we founded the NMA Visionary Club in 2011, there were 55—an interesting numerical coincidence—inaugural members who gained entry by donating \$2,500 or more to the NMA and/or NMA Foundation over the years. The number of Visionaries has risen to 86, and there are 18 others



who are currently knocking on the clubhouse door by being within \$500 of the donation threshold.

In recognition of the contributions by Visionary Club members, life members, advisers in our Experts Corner and boots-on-the-ground NMA activists, I will be sending each a semi-annual letter beginning in August that provides a state-of-affairs look at topics such as membership recruitment and retention, marketing plans, advocacy activities, and even certain financial metrics of the association.

If the NMA were a publicly-traded company, some of this might even be considered insider information. We are not and it is not. The *President's Letter* acknowledges the commitment of members who have made significant investments in the NMA by providing them with a regular and more intimate look inside our operations. I also hope to create more channels of communication to receive member input on our plans and results.

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The 40th Anniversary of the NMSL: Legacy of a Failed Policy

by Gary Biller, NMA President

If I could travel back in time to change just one event to benefit motorists and highway safety, it would be 1974 to prevent the enactment of the 55 mph National Maximum Speed Limit (NMSL). While the United States still may not have attained the driving freedoms and safety of the German Autobahn today, with that reversal of history, it would be years if not decades closer to that goal¹.

In late 1973 President Richard Nixon proposed the 55 mph NMSL as part of the Emergency Highway Energy Conservation Act. The Conservation Act went into effect in 1974 as a countermeasure to the oil embargo instituted by the Arab members of OPEC in cooperation with a handful of other Middle Eastern countries.

The Conservation Act, and the NMSL in particular, was designed to reduce U.S. gasoline consumption by 2.2 percent. It failed, with actual savings estimated between 0.5 to 1.0 percent². The efficiency of traffic flow suffered under the 55 mph regime. Traffic is at its smoothest level when vehicles are streaming at near-identical speeds. Congestion, lane changes, and sudden braking/accelerating are kept to a minimum. The optimum safe travel speed has been determined to be a few miles per hour above the average speed of free-flowing traffic (see accompanying Crash Involvement vs. Speed graph). Because of fewer vehicle interactions at that speed, it is also the most fuel-efficient speed for most vehicles.

With many drivers ignoring the restrictive 55 mph limit, the NMSL created two classes of drivers: those who kept up with surrounding traffic and those who abided by the posted speed limit. The former became technical violators of the law while driving at safe speeds while the latter created

the speed differential that researchers find increases the risk of crashes.

The 1974 federal requirement forced 29 states to lower their posted limits, many previously set at 70 or 75 mph. (Two states, Montana and Nevada, didn't post highway limits in the years prior to the NMSL.) Meanwhile thousands of new speed traps sprung up around the country because the enforced speed limits were set well below the average speed of traffic, sacrificing safety for revenue.

One need look no further than the National Highway Traffic Safety Administration's Fatality Analysis Reporting System (FARS) database to see the benefit of raising speed limits back to prevailing traffic speed levels. The 55 mph NMSL was fully repealed in 1995 and states have been raising their maximum speed limits ever since. The current maximum speed limit profile across the country

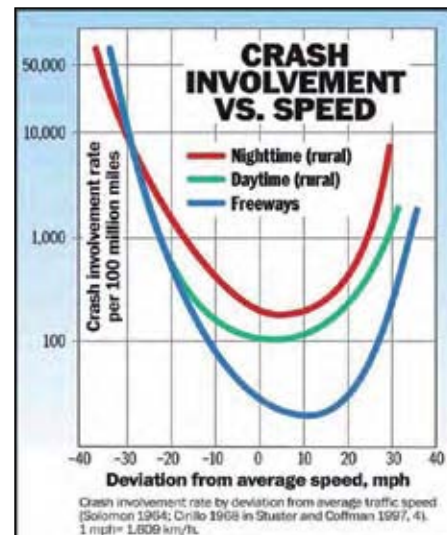
Max. Speed Limit	Number of States
55	0
60	1
65	11
70	22
75+	16

Source: Governors Highway Safety Association

is summarized in the chart below:

And yet the most recent years on our nation's roadways have been the safest. In 1995, the last full year of the 55 NMSL restriction, the fatality rate per FARS was 1.73 per 100 million vehicle miles traveled (VMT). The 2011 rate—the most recent year of finalized data from the same source—was 1.10 per 100 million VMT, a reduction of 36.4 percent since 1995.

The key to safer highways is the establishment of speed ceilings based on rounding up the 85th percentile speed of free-flowing traffic. Many states are moving in that direction and are realizing safety improvement. Ohio, for instance, saw the number of turnpike deaths drop



to its second lowest annual total in 2012 (according to *The Plain Dealer*), the first full year with a posted 70 mph limit.

One of the most effective and certainly most entertaining treatments of why setting proper speed limits is essential to highway safety is provided by Canadian Chris Thompson in his video "Speed Kills Your Pocketbook." To view it, simply go to our "Speed Limits" issue page at www.motorists.org/speed-limits/ where the video is posted prominently on the right. If you are at all interested in the relationship between speed and safety, watch as Thompson drives the point home.

References:

¹2011 data from the German Federal Highway Research Institute show the fatality rate on the Autobahn was 0.32 per 100 million vehicle miles traveled (VMT). The U.S. 2011 fatality rate per NHTSA's FARS data was 1.10 per 100 million VMT.

²The Office of Driver Research in the U.S. Dept. of Transportation found the fuel savings to be 1 percent, and some independent studies determined the savings to be a much lower 0.5 percent. (Ref Copulos, Milton R., "The High Cost of the 55 MPH Speed Limit," Sept. 1986). ■



NMA Washington Report by Robert Talley, NMA Lobbyist



Motorists have at least one thing to be happy about. With an approval rating in the low teens, the US House recently voted to ban federal funding of red light cameras, speed cameras and automated license plate readers. While this action won't eliminate red-light cameras, which are revenue sources for many cities and states and don't require federal funding, it does send a strong message regarding the unpopularity of the programs.

Recognizing a risk, American Traffic Solutions has hired the services of Cornerstone Government Solutions to lobby the House and Senate in support of funding for highway safety programs—read that to mean the red-light camera companies think there is an opportunity to overturn any bans in federal support for photo enforcement. Will they succeed? Only time will tell.

In the bigger picture, as we near the end of the most recent highway authorization, the funding

mechanism for building our nation's roads is about to expire. By mid-September, the Highway Trust Fund will be empty, and construction projects will grind to a halt unless Congress takes action to fill the gap.



In an environment hostile to new taxes, solutions will be difficult to find and will require creativity. For example, a recent proposal offered by House leaders suggested that the Postal Service stop delivery on Saturdays. The savings from reduced delivery costs over 10 years would delay insolvency through next May. Other proposals include giving US corporations with overseas profits a one-time tax holiday to repatriate the funds at a lower tax rate,

creating a government windfall.

No solution has gained momentum at this point, but the degree to which leaders are scratching for funds suggests two things. First, no one wants to let road construction stop, and second, raising the gas tax is so unpalatable that no option, no matter how outlandish, is off the table. Why? Because, according to a new report released by the National Highway Traffic Safety Administration (NHTSA), Americans don't feel especially safe on the roads, with 59 percent of respondents worrying about unsafe road conditions. The same study concluded the cost of auto crashes in the United States now exceeds \$900 a year per person. Similarly, people aren't especially happy about traffic congestion which continues to rise.

No solution seems imminent and a reasonably likely scenario suggests that leaders will find a short-term extension to patch the programs until after the November elections. ■

Lifeblood

(Continued from Page 1)

There are a number of ways to join the circle of members who are on the *President's Letter* mailing list if you are interested in participating. I noted earlier that several members are already on the verge of reaching the \$2,500 lifetime donation level that marks entry into the Visionary Club. If you are curious as to where your donation total stands, give us

a call at **608-849-6000** or drop me an email at gary@motorists.org.

An upgrade to a lifetime membership—at a one-time cost of \$750—will also qualify you to be part of the inner circle. So too will listing one of the NMA organizations in your will, trust, retirement account or life insurance policy as a beneficiary of \$2,500 or more

and advising us of your bequest.

My goal is to continue growing the circle of supporting members who receive the *President's Letter*. That level of commitment, the lifeblood of an advocacy organization, bodes well for a stronger NMA, one that can extend its sphere of influence over issues that affect motorists. ■

ANALYSIS: Which States Treat Motorists the Worst (and the Best)

Too many states view motorists as second-class citizens. How else to explain the limited, and in some cases nonexistent, due-process rights afforded drivers in traffic courts? Or command-and-control tactics like federally funded ticket blitzes designed to generate billions of dollars for projects that have little to do with improving our roads and bridges?

The NMA's evaluation of the often contentious relationship between state and motorist began late last year as we started jotting down criteria by which to grade the states. Each criterion, or metric, had to be quantifiable and have direct bearing on how the states treat their motorists. The data also had to come from attributable sources and apply to all 50 states and the District of Columbia.

We released the rankings to the national media the week before Memorial Day, which kept us busy responding to interview requests in the run-up to the holiday. That press release can be found at tinyurl.com/nma-ranks-states-2014/. It identifies each metric we used to evaluate the states' attitude toward drivers. The final rankings, tabulated from worst to best, are shown on the opposing page. The same table in sortable format can be found at www.motorists.org/2014-states-ranking/.

Rather than rehash the key points of the press release, we prefer to give you a behind-the-scenes look at the develop-

ment of the rankings with commentary about a surprise or two that we found.

We chose 24 different metrics and gave each a relative point weighting so that when totaled, the top score for any state would be 100 points. The higher the total score, the better a state treats motorists. The weightings were based on the impact a particular issue has on the driving public. *Realistic Speed Limits?* received the heaviest individual weighting with a possible 10 points, followed by 8 points for *Traffic Offenses Tried in Real Courts with Due Process or Special Administrative Courts?* The other metrics each received weightings of 5 points or less.

The metrics were grouped into one of five main ranking categories, providing a road map for improvement for each state:

1. **Legal Protections** (20 points available): Measures the degree to which motorists receive fair treatment by the traffic justice system based on constitutional due process rights.
2. **Regulations** (20 points): Measures whether traffic laws are based on sensible standards that differentiate between responsible driver behavior and demonstrated unsafe behavior.
3. **Enforcement Tactics** (30 points): Measures the degree to which police use command-and-control traffic enforcement ploys more to generate revenue than to enhance public safety.

4. **State-Imposed Cost to Drive** (15 points): Measures the extent to which motorists are compelled to pay for the privilege of accessing public roadways.
5. **State Fiscal Responsibility** (15 points): Measures how effectively a state uses revenue generated from motorists for the sole purpose of maintaining and improving public roadways.

We evaluated some metrics on a simple yes/no basis: availability of the right to a trial by jury, whether workers have to be present for escalated work zone penalties, and whether a state institutes unreasonable driver responsibility penalties are examples.

We normalized several numeric criteria to compare all states on a common scale. For instance, we evaluated the extent of speed traps and road blocks by using the number of recent-year reports per state to the NMA's Speedtrap.org and Roadblock.org sites and dividing those results by total lane miles for the given state. The use of federally funded ticket blitzes was evaluated by tallying the annual number of state-reported click-it-or-ticket and speeding ticket citations issued during NHTSA-sponsored—actually taxpayer-sponsored—campaigns and dividing the state numbers by the total vehicle-miles-traveled per state for the same annual period. The resulting ratios made it possible to determine the relative differences between states large and small as well as densely or sparsely populated.

Scoring red-light camera and speed camera use was simple. The Insurance Institute for Highway Safety publishes a list of the cities that use ticket cameras. The populations of those cities were

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Minimal Use of Federally Funded Ticket Blitzes	
Measure:	Number of State-Reported Seat Belt and Speeding Citations Issued During Annual NHTSA-Funded Campaigns Divided by 100 Million Vehicle Miles Traveled across State
Category:	Enforcement Tactics
Best:	Arizona, California, Florida, Michigan, Washington, Wisconsin
Worst:	District of Columbia, Idaho, New Mexico, North Carolina, South Carolina, South Dakota, Texas

THE RESULTS: State Rankings and Scores By Category

A table sortable by category can be found at www.motorists.org/2014-states-ranking/

State	Overall Score 0 to 100 (0 being worst)	Legal Protections (20 pts)	Regulations (20 pts)	Enforcement Tactics (30 pts)	State-Imposed Cost to Drive (15 pts)	State Fiscal Responsibility (15 pts)
District of Columbia	25	0	7	4	9	5
New York	32	6	5	10	4	7
Delaware	34	6	8	9	2	9
New Jersey	40	13	9	13	1	4
Vermont	42	3	7	19	9	4
Maryland	43	13	11	6	7	6
Illinois	44	14	5	11	5	9
Florida	45	5	13	16	3	8
Rhode Island	45	3	12	15	7	8
Pennsylvania	49	7	13	18	3	8
Georgia	49	12	6	14	8	9
Hawaii	50	15	6	14	7	8
West Virginia	50	7	4	24	4	11
Alaska	51	8	6	25	5	7
Oregon	51	11	3	19	9	9
Washington	53	13	5	19	7	9
Massachusetts	54	11	13	18	4	8
Arizona	54	7	10	16	13	8
New Hampshire	55	13	7	21	6	8
California	55	15	8	18	5	9
South Carolina	55	10	11	11	12	11
Kentucky	56	14	9	17	7	9
Colorado	56	13	10	14	8	11
Iowa	56	14	5	15	10	12
New Mexico	57	7	13	17	12	8
Virginia	58	15	14	13	10	6
Texas	58	14	13	15	7	9
Alabama	58	13	9	16	10	10
Connecticut	59	13	10	20	9	7
North Carolina	60	11	16	11	13	9
Indiana	60	12	9	18	11	10
Michigan	60	8	13	20	8	11
Ohio	61	12	12	16	9	12
Louisiana	62	11	17	18	8	8
Maine	63	15	16	17	6	9
Arkansas	64	15	5	22	11	11
Oklahoma	64	11	15	22	4	12
Missouri	64	14	11	13	13	13
Tennessee	65	12	17	16	11	9
Minnesota	65	11	8	24	10	12
Idaho	66	13	8	20	12	13
Nevada	67	11	15	21	10	10
Nebraska	67	13	7	25	10	12
Wisconsin	70	14	9	27	11	9
Kansas	70	11	17	22	8	12
South Dakota	70	3	19	23	10	15
Montana	74	10	20	27	5	12
Mississippi	74	12	15	23	12	12
Utah	76	14	17	24	11	10
North Dakota	78	13	17	28	6	14
Wyoming	85	14	18	28	10	15

(Continued from Page 4)

totalled for a given state and then divided by total population of that state. The result was a camera exposure factor for drivers, something we dubbed an infestation quotient (kind of a reverse state IQ). Those states with no cameras had zero IQs and therefore received the maximum points available for the photo enforcement metrics. Three governments received the worst scores—zero points—for being festooned with ticket cameras: the District of Columbia, Maryland and New York.

We chose to score state DUI laws for a very specific type of penalty—driver’s license suspension—and only for first-time offenses. Most drivers charged with an initial DUI do not re-offend and in many cases were arrested after registering a 0.08 blood alcohol concentration without exhibiting unsafe driving behavior. This is especially important to note in conjunction with DUI convictions that greatly hinder drivers’ abilities to provide for themselves and their families.

Five states do not suspend the driver’s license of a first-time offender and each received the maximum three points: Louisiana, Montana, New Jersey, Rhode Island, and Tennessee. States that suspend licenses for 30 days or less received two points, those with 31 to 90 day suspensions received one point, and yanking a person’s license for more than 90 days netted zero points. Sixteen states “achieved” that dubious score. More information about DUI penalties per state can be found at ghsa.org/html/stateinfo/laws/impaired_laws.html.

It took some creative thinking to evaluate the volume of traffic tickets issued per state because that information, spread across thousands of local jurisdictions, isn’t gathered comprehensively by any agency. Using the theory of supply and demand, we determined the number of practicing traffic attor-

Minimal Use of Red-Light and Speed Cameras	
Measure:	Population of Cities with Camera Programs Divided by Total State Population
Category:	Enforcement Tactics
Best:	Alaska, Arkansas, Connecticut, Hawaii, Idaho, Indiana, Kansas, Kentucky, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, North Dakota, Oklahoma, South Carolina, South Dakota, Utah, Vermont, West Virginia, Wisconsin, Wyoming
Worst:	District of Columbia, Maryland, New York

neys per 100,000 state residents and scaled the results accordingly. The states with the most traffic attorneys per 100,000 residents were Virginia with an astounding 18.1, Maryland with 9.7, and North Carolina with 9.0. By contrast, Montana, Hawaii, and Vermont each had fewer than 0.5 traffic attorneys per 100,000 residents.

A special commendation is in order for Life Member Aarne Frobom whose analysis of source data from the American Association of State Highway and Transportation Officials and the National Conference of State Legislatures made it possible for us to include the vital category of *State Fiscal Responsibility*. Aarne’s work was invaluable in determining the degree of legislative involvement in transportation planning (where, as is the case with most politics, less is better), the amount of highway funds restricted to road maintenance and construction, and how much federal aid is directed toward highway rather than transit projects.

We purposely avoided adding up state overall scores until all 24 metrics were analyzed, assigned point weight-

ings and tallied independently. Not surprisingly, the results when plotted form a classic bell curve. Thirty-four states are packed in the middle with scores between 49 and 67 points. The District of Columbia and eight states scored between 25 and 45 points, while another eight states, led by Wyoming, earned 70 to 85 points. If this were a college class, we would have graded on a pronounced curve. Otherwise, except for a B and a few Cs for Wyoming, North Dakota, Utah, Montana, Mississippi, South Dakota, Wisconsin and Kansas, the remaining states would each receive failing, or barely passing, grades for their treatment of motorists.

Those who live or commute in the Washington, D.C. metro area are likely not shocked by the dismal score our nation’s capital attained. It had the lowest scores of all 51 governments in two categories, *Legal Protections and Enforcement Tactics*, and inched above that only slightly in *Regulations, State-Imposed Cost to Drive* and *State*

(Continued to of next page)

State-Collected Tolls, Taxes, and User Fees from Road Users	
Measure:	Annual Revenue Collected by State Divided by 100 Million Vehicle Miles Traveled across State
Category:	State-Imposed Cost to Drive
Best:	Alabama, Arizona, District of Columbia, Georgia, Indiana, Louisiana, Mississippi, Missouri, New Mexico, South Carolina
Worst:	Alaska, Delaware, Hawaii, Illinois, New York, Pennsylvania

Fiscal Responsibility. New York and Delaware fought neck-and-neck for worst state, each tallying poor scores across the board. Also in the mix for the states that exploit motorists the most were New Jersey, Vermont, Maryland, Illinois, Rhode Island and Florida.

Likewise, it is no surprise that most of the highest-scoring states are further west and have lower population densities. Mississippi, Wisconsin, and Kansas don’t completely fit that profile, but each scored strongly in key metrics: Mississippi and Kansas with realistic speed limits, Wisconsin and Kansas with proper due-process rights for traffic ticket defendants, and Mississippi and Wisconsin with no photo enforcement.

The rankings of two states have drawn the most post-release comments because many thought they should be rated lower: Ohio with the 19th highest score and Virginia tied for 26th highest (which actually is the median score of the rankings). To say that the Buckeye State has gone through a reformation in recent years is a bit strong, but the fact that it increased its interstate speed limit to 70 mph a couple of years ago and seems to be slowly shedding its well-earned reputation for having a very active state trooper ticketing force helped its overall score.

Ohio also scored well in the *State Fiscal Responsibility* category, keeping its legislators mostly out of the transportation planning process, constitutionally restricting the use of collected fees from road users mostly to highway projects, and diverting less than 10 percent of fuel tax revenues away from road improvements and toward transit projects.

Much of the suffering of Virginia drivers, particularly those in the northern part of the state, is reflected somewhat in the abysmal Washington, D.C. scores. The commonwealth scored poorly in metrics that are highly visible to drivers: speed traps, roadblocks, and the double whammy of volume of tickets issued and federally funded ticket blitzes. Its

The American Legislative Exchange Council recently published an annual update to its Rich States, Poor States report which ranks the states according to their economic outlook. Is there a correlation between states that treat motorists poorly with those that have the worst fiscal outlook? You be the judge:

Best Economic Outlook		NMA Rank of States that Treat Drivers Best
1	Utah	3
2	South Dakota	t8
3	Indiana	t22
4	North Dakota	2
5	Idaho	11
6	North Carolina	t22
7	Arizona	t35
8	Nevada	t10
9	Georgia	t42
10	Wyoming	1
Worst Economic Outlook		
50	New York	50
49	Vermont	47
48	Illinois	45
47	California	t33
46	Minnesota	t13
45	New Jersey	48
44	Connecticut	23
43	Montana	t5
42	Oregon	t38
41	Rhode Island	t44

middle-of-the-road score was propped up by decent grades in the *Legal Protections, Regulations, and State-Imposed Cost to Drive* categories.

There isn’t enough space here to comment on every state or every metric used in our rankings. In the coming weeks and months, we’ll delve deeper into the results in the NMA’s weekly e-newsletter. If you aren’t a subscriber—it is free—and would like to be, just contact us about your interest.

Jim Baxter put together the first state ranking of this sort in 2009, and we have expanded the scope of the study five years later. Three to five years from now, our next effort will dig even deeper. We already have a wish list of criteria that we couldn’t use in this analysis because of a lack of reliable reference information for all states. One item on that list is comparing the states

by onerous surcharges added to traffic penalties—“state treasurer’s forensic fee” anyone?—that in some cases can almost quintuple the cost of the original base fine. We have that information for a few states but need data for all to include the metric in our future scoring curve.

Similarly, the use of automated license plate readers wasn’t quantifiable because the practice of scooping up that information indiscriminately is barely regulated, but there is pending legislation in many states that should allow us to differentiate ALPR regulation and use among all states in the future.

Our goal is to stir up public awareness, even a national discussion, about what states could and should do to treat drivers more as responsible citizens and less as virtual ATMs for their spending needs. If not the NMA to instigate public pressure, then who? ■

“Don’t Let them Suck you into their Game”

by Ivan Sever, Massachusetts State Activist

I got a ticket in Massachusetts. I was the last car in a line behind a slow-moving tractor trailer getting onto Rt. 128. As soon as we entered the highway, all the cars in the conga line started passing each other trying to get around the truck. I followed a nondescript Chrysler 200 into the left lane. That’s when he hit the brakes and slowed to 45 mph. As soon as I carefully passed him using the middle lane, he flipped on his well-hidden blue lights and pulled me over. “Estimated speeding 88 mph in 55 mph zone” and “unsafe lane change” read the charges.

So I filed for an appeal. I went to the court they scheduled me in when I was supposed to, and I waited. Finally, after an hour I was called in. “You were found Not Responsible,” said the court magistrate before I had a chance to say anything. She handed me the paperwork. On it, she had written, “wrong jurisdiction.”

You would have thought they were done with me, but within two weeks I got a notice to appear in a different court on the same charges. I decided to go to the new court ahead of my date to see if I could get the charges dismissed without a hearing. This court magistrate was busy in small claims court, so I ended up unofficially arguing my case with the clerks. After much debate, they all agreed I should go to the Registry of Motor Vehicles, because it wasn’t the court’s mistake.

I waited at the RMV for more than an hour, before they told me they couldn’t help me, and they sent me back.

Back at the district court, the court magistrate I needed to talk to was by now out of small claims but out eating his lunch. Then he finally showed up, scorn and disdain on his face.

He reluctantly admitted some unspecified “they” made a mistake, but I still had to come in for my hearing. I asked what would happen if I didn’t



show. He replied I’d be found responsible for speeding. I said, “But I was already found ‘Not Responsible’ for the same speeding citation!”

He said impatiently, “Tell that to the magistrate at your hearing!”

I said, “Aren’t you the Magistrate? I will just tell you the same thing I’m telling you now!”

He was getting annoyed: “You’re not listening to me! You have to come back for your hearing!”

And I said, “I already had a hearing on this!”

He said, “But in the wrong jurisdiction!”

I said, “That’s why there is no need for another hearing!”

He just walked away.

So a month later at my second official hearing in front of yet another court magistrate, the cop read the chicken scratch on the ticket and the Magistrate said, “What do you have to say?” I told him I was already found not responsible on these charges in a different court and showed him the paperwork.

He replied, “Yeah, but that was because you went to the wrong jurisdiction.”

I said, “I went to the jurisdiction they sent me to.”

“Well, looks like the registry made a mistake, so now you’re in the right court. What do you have to say for yourself on your speeding charge?”

I said, “I can’t be found both not responsible and responsible on the same violation. Every judge will know that when I appeal your ruling.”

“I haven’t made my decision yet,” he replied. “So what were the circumstances of your unsafe lane change?”

I answered, “I have nothing more to add.”

After a long pause he said, “I’m taking this under advisement. I will let you know of my decision by mail.”

Within a month I got my final disposition in the mail: “Previously decided, approved paperwork indicates ‘Not Responsible’.”

So what have I learned? Fight every ticket. Don’t let them suck you into their game—they are not your friends. Don’t give up!

Editor’s Note: When it comes to fighting traffic tickets in Massachusetts, Ivan wrote the book, literally. His helpful tips and tricks can be found on the Massachusetts state chapter page at www.motorists.org. Check it out. ■

Member Receives Prestigious Volunteerism Award

The NMA and NMA Foundation are pleased to announce that NMA Foundation Board Chair Steve Carrellas has received the President’s Volunteer Service Award (PVSA) for his work on behalf of motorists’ rights.

The President’s Council on Service and Civic Participation created the award to recognize and honor volunteers who have made a difference in their communities. To be eligible, award recipients must put in a minimum of 100 volunteer hours annually. And in Steve’s case, it’s certainly more than that.

In addition to overseeing the foundation board, Steve also serves as the NMA New Jersey Chapter Director of Government and Public Affairs. In this role, Steve spends countless hours working with policymakers



and the media to advance motorists’ rights throughout the Garden State. For example, Steve worked closely with NJ Assemblyman Declan O’Scanlon in 2012 to challenge the legality of the state’s red-light camera program and to expose issues with short yellow-light times at camera-equipped intersections. This work led to a temporary shutdown of the cameras as well as to a recertification of the entire program. In

addition, it has placed ongoing pressure on policymakers to terminate the program at the end of the pilot period.

As an award recipient (one of only 125 in New Jersey for 2014), Steve was honored with a certificate, a bronze medallion and a signed letter from President Obama, which states the importance of committing one’s self to volunteerism: “We will only renew America if we all work together. Individuals, the private sector, and government must combine efforts to make real and lasting change so that each person has the opportunity to fulfill his or her potential.”

We encourage members who want to find out more about the PVSA or to receive similar recognition for their work on behalf motorists to visit www.presidentialserviceawards.gov. ■

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Update your subscription preferences for email alerts and weekly newsletters at **the website as well**. Simply log into the “Members Area” and select “Update Your Member Information.” While you’re there, please take a moment to review your contact information to make sure everything is current.



Members Write

Editor's Note: Members continued to respond to our call for stories and observations about driving abroad. We also received feedback on our spring Driving Freedoms cover story regarding the flaws of vehicle-miles-traveled taxing schemes.

I've driven in the Italian Alps and loved every minute of it. No slow pokes there!

I've also driven in Beirut and Cairo and will never do it again. In Beirut they don't crash very often, but when they do it is at very high speed. Usually there are no skid marks anywhere, and the two vehicles become one solid mass of welded steel (all the plastic parts explode out to the heavens) from which the bodies might be impossible to remove, or even find. Pedestrians are at high risk in most parts of the Middle East. Vehicles will not stop for pedestrians and probably will not swerve to avoid them. I don't think many pedestrians are hit though because the threat of instant death is apparent and constant.

My theory is that when people live under an oppressive government in which all basic human freedoms are denied, they seek whatever little bit of freedom they can find. Driving fast and slightly crazy is allowed by such governments because it releases the peoples' desire for some small bit of autonomy, and car crashes do not represent political threats to the tyrants who control the government. The dictators probably consider the

traffic deaths of their most aggressive subjects as good policy.

Generally in the Middle East your safety depends solely upon you, or Allah, I suppose. For example, it is not unusual to be walking along a road or through a field and suddenly come upon a wide and very deep hole, perhaps 20-feet deep, with no warning of any kind. If you aren't carefully looking where you are going at all times you could plunge into a gaping excavation that has been left uncovered and unmarked. This is especially so in Turkey.

Ken Willis
Englewood, CO

After I returned from a month-long motorcycle-riding, car-driving vacation in countries contiguous with the Alps, friends asked if I was afraid on the Autobahns. I replied no, but I am afraid on our interstates. Invariably, they would ask why. I would respond because people drive with one hand on the wheel, eating, drinking, on the phone, reading, fiddling with the radio, and all the while in the left lane...all things that would net a German driver a very high point and expensive citation. I would then tell how long and expensive the licensing process is there, that there are no used car lots, that insurance and registration fees increase exponentially each year, so by the time a car is four- or five-years-old, it's cheaper to buy a new one.

Being a serious two-hands-on-the-wheel type of driver, I have a great appreciation for the way

Germany takes vehicle ownership and driving as seriously as do I. Conversely, I damn our lackadaisical American systems and attitudes toward these subjects.

Rick Zittenfield
Portland, OR

There is a fundamental flaw in the VMT tax scheme. Any such proposal will raise new tax revenue with no assurance that the money will go to highway purposes.

Before any new move to place additional taxes on vehicles, their maintenance or movement, all vehicle-generated taxes should first be earmarked for highway purposes. All taxes imposed on vehicles would include sales taxes on new and used vehicles, sales taxes on parts and supplies (everything from fancy hubcaps to polish and seat covers), license plate registration fees and all state motor fuel taxes. If all of this money were to be earmarked only for highway uses, there would probably be sufficient funds. The current problem is that many taxes collected due to vehicular activity are diverted to the "general fund" and used for other purposes. I am against any new tax on vehicular activity until all of these monies are honestly accounted for and applied to roadway maintenance expenses.

A New York Member

The views expressed do not necessarily represent those of the NMA. Letters are welcomed and should not exceed 300 words. They may be edited for length or clarity. Full-length articles will also be considered and should not exceed 600 words. Send to nma@motorists.org or mail to NMA, 402 W 2nd St., Waunakee, WI 53597



News From Around The Country

Now featured, with daily updates, as "NMA Driving News" at www.motorists.org

National

After years of delays, NHTSA finally issued vehicle backup camera rules stating that cars being sold in the United States must come equipped with a backup camera by May 2018. Federal safety regulators believe the law will reduce the number of pedestrians killed each year when they are accidentally backed over.

Arkansas

Arkansas Highway and Transportation Department Director Scott Bennett acknowledged he was speeding after being pulled over by a state trooper, though he was not issued a ticket. According to police, Bennett was clocked traveling at 81 mph in a 60 mph work zone. He later apologized and said he needed to be a better example to his children.

California

Police officers in the LAPD Southeast Division intentionally sabotaged recording antennas in their vehicles to evade new self-monitoring procedures that the Los Angeles Police Department imposed last year. According to the *Los Angeles Times*, an LAPD investigation determined that around half of the 80 patrol cars in the Southeast Division were missing antennas, and an additional 10 antennas were unaccounted for.

A Southern California college student announced a federal lawsuit against a California Highway Patrol

(CHP) officer for using excessive force against her. According to the lawsuit, CHP Officer Jose Ramirez used excessive force against Aloni Bonilla after Bonilla was pulled over for suspicion of driving under the influence. Bonilla alleged that Ramirez slammed her head into a wall after she had given a blood sample at a local hospital.

Colorado

Colorado lawmakers rejected a measure to study speeding and red-light cameras to determine whether they should be banned. A House committee voted 8-5 against advancing the proposal. The proposal initially sought to ban the cameras, but it was amended to be a study bill after staunch opposition from law enforcement.

Florida

The City of Tamarac came under fire after an investigative report found that the city had placed a red-light camera adjacent to a hospital emergency room entrance. Drivers who ran the light were ticketed and fined even though they were responding to legitimate medical emergencies.

A Florida motorist faces \$48,000 in fines for allegedly operating a cell-phone jammer from his vehicle for two years. The FCC and local law enforcement finally caught up to him after a cell-phone carrier noticed routine service problems along a 12-mile stretch of interstate near Tampa. Given the

long-term nature of the interference, the man could have faced FCC fines of up to \$377,000.

Iowa

Recently enacted legislation from the Iowa Department of Transportation requires city leaders to prove their red-light cameras are actually making a difference. The agency said its goal is to hold cities and counties accountable by showing that red-light and speed cameras are helping improve safety and not just generating revenue. However, police feel that the new legislation threatens a tool they say makes their cities safer.

Kansas

Police roused a Kansas attorney and his pregnant wife at gunpoint after a license-plate scanning system flagged their vehicle as being stolen. Police approached the stopped vehicle with guns drawn but after conferring with the driver realized their error.

Louisiana

Both the Louisiana Senate and House passed legislation banning speed cameras and other automated speed enforcement devices on Louisiana's interstates. The bill is now on Gov. Jindal's desk awaiting his signature.

Michigan

The Michigan House heard testimony on a bill that would authorize the Michigan Department of Transportation (MDOT) to enter into "public-private agreements" to build new roads that "may be financed by user fees, charges and other revenue." NMA Foundation Executive Director Jim

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Walker testified in opposition: "It gives MDOT and the Michigan Transportation Commission the right to do almost any sort of user fees and tolling on new capacity—a new lane or a new road—with no legislative oversight."

Ex-Novu patrol officer Michael Corbett won a \$280,000 lawsuit against the Novi Police Department over alleged ticket quotas. On the force for close to 25 years with no write-ups, Novi claimed he was terminated after he refused to bow to pressure to write a mandatory number of tickets per day.

New York

Anti-driving activists took to the streets of New York City posting fake 20-mph speed limit signs to ostensibly slow down traffic and reduce pedestrian fatalities. The signs were not sanctioned by the city and were part of an ongoing campaign to lower speed limits and increase enforcement efforts throughout the city.

New York mayor Bill de Blasio's two-car caravan was recently caught on camera speeding through stop signs, just a few days after the mayor suggested lowering the speed limit as part of a new traffic safety initiative intended to eliminate all traffic fatalities by 2020.

The New York House and Senate passed legislation allowing the use of speed cameras in school zones. If signed by the governor, the legislation would bring 140 new cameras to New York City, 56 to Nassau and 69 to Suffolk. Authorization for all three programs will end in 2018.

Ohio

An Ohio lawmaker introduced legislation that would allow neighborhood residents to directly petition the Ohio Department of Transportation (ODOT) for speed limit changes on local roads. If a majority of the immediate neighbors want a new speed limit, they can ask ODOT for it themselves instead of depending on their local government to take action.

South Dakota

Gov. Dugaard signed into law a bill that says information about motorists available to law enforcement through mutual aid agreements cannot be shared for the collection of civil fines that result from traffic camera tickets. The measure was a direct response to the many South Dakota motorists who receive photo tickets when traveling through Iowa, particularly in Sioux City.

Tennessee

The Chattanooga Police Department received a \$100,000 grant from the Governor's Highway Safety Office ostensibly to reduce the number of fatalities, DUI offenders and serious crashes. The grant will allow the department to step up enforcement through the remainder of this year and possibly into 2015, according to a news release from the Chattanooga Police Department.

Texas

An audit revealed that a group of current and former officials in Huntington, Texas—population 2,118—collected pay for thousands of hours they either didn't work or weren't supposed to. Even as they complained that the town's coffers were running dry, they falsified traffic citation

records to collect fines higher than those imposed by the court, according to court records.

One of those officials, former city secretary and treasurer Betsy Gregson, who was fired last year, recently announced she was running for mayor.

Virginia

Gov. Terry McAuliffe vetoed a driver-rights bill that would have allowed traffic cases to be appealed to circuit court. McAuliffe's stated reason was that the measure would have resulted in a clogged court system. Lawmakers were unable to muster enough votes for an override. Joe Bahen with the National Motorists Association said McAuliffe's veto "completely undermined the legislative intent."

Wyoming

It was reported that the Wyoming Highway Patrol hands out nearly twice as many speeding tickets to out-of-state drivers as it does to in-state motorists, but the administrator of the patrol said the agency doesn't target drivers from outside Wyoming. "Any time you're driving outside of your home state, you need to be careful for aggressive law enforcement," said John Bowman, spokesman for the National Motorists Association. ■

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

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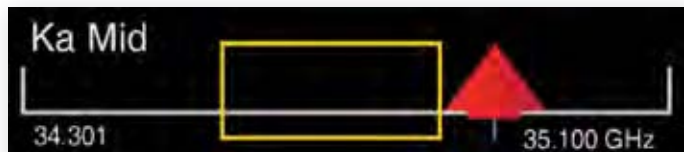
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