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

Harold B., Houston, TX
On my way home this afternoon I was following another detector user. I could see red blinking in his windshield as we went past the first radar. Thinking the danger was behind, Mr. Ordinary Detector User hit the gas. Uh-oh. V1’s Radar Locator was showing two arrows, one pointing toward the trap now behind, and a second arrow ahead. The “2” on the Bogey Counter confirmed we were being double teamed.

Sure enough, Mr. O. D. User cruised into the second trap up the hill at 15 over and got himself a blue-light special.

V1 points to every trap. I trust it completely.
Illinois

By April, the Chicago Police Department will receive 200 additional vehicles with automated license plate readers (ALPRs). This 83 percent increase in ALPR use will mean that each of the city’s 25 police districts will have six ALPR-fitted cars on continuous patrol with a purposed focus on reducing carjackings.

Minnesota

Based on a five-year study, the Department of Transportation announced in January that speed limits would be increasing from 55 mph to 60 mph on 5,245 miles of the rural, two-lane highways. The speed limits will go into effect as soon as new signs are posted.

North Dakota

The same day the US Supreme Court denied a Texas v. Indiana appeal, property forfeiture must be reasonable given the offense, the state’s House passed Bill 1286 to eliminate the “perverse incentive” of “policing for profit.” The bill would require compensation and, raises the standard of proof to clear and convincing evidence for a conviction. It also would require police departments to send annual reports on their convictions. House members have expressed concerns over a quick death in the Senate due to law enforcement opposition over the conviction requirement, but in a Senate Committee hearing in late March, common ground was found. Still a wait and see at press time.

If HB142 had passed the Senate, it would have cost the law enforcement from holding checkpoints to catch drunk drivers. Bill sponsors said the legislation would force police to actually have “reasonable suspicion” before stopping a driver. The bill passed the House 79-14.

Pennsylvania

Hampton Township council members voted not to participate in an aggressive driving campaign passed by PennDOT, which would have provided grant money to pay for officer overtime. Hampton police Chief Tom Vulakovich told the council that he was contacted several times by a state liaison, which is the reason he pushed the idea to the council. Vulakovich admitted that the state wants to see citations issued, not warnings, with perhaps as many as two tickets per hour in the campaign frame.

South Carolina

A team of reporters from the USA Today Network spent two years investigating the state’s civil asset forfeiture system. They checked more than 3,200 cases from 2014 to 2016 and uncovered that $17 million in cash and property had been seized. Also, in 800 instances of police seizures, no related criminal charges could be found. In another 800 seizures, charges didn’t result in convictions, but property was still forfeited. Even though they only comprised 13 percent of the state’s population, black men were involved in 65 percent of forfeitures. The reporters also found that if a person petitioned to have money or property returned, it took 17 months on average for the civil case to be resolved. The series of articles appeared over a three-week period, which quickly prompted a bipartisan group of 71 lawmakers to sponsor a reform bill. If passed, the new law would provide South Carolina with one of the strongest civil asset forfeiture reformations in the country.

Texas

Beginning in April 2018, the city of Denton started an experiment to lengthen traffic signal yellow lights by one second at one of the city’s red-light camera intersections. A February report to the city council showed a 60 percent drop in RLC violations and a significant drop in the intersection crash rate. The city has now proposed longer yellow lights at two other intersections. Denton hasn’t decided yet whether to renew its contract with Redflex Traffic Systems, which expires July 20.

As of the end of February, more than 100 lawmakers, from both parties, backed two bills to outlaw red-light cameras in the state. Representative Jonathan Strawick who wrote the House bill recently told the Dallas Morning News, “I suggest all the cities begin planning their budgets without red-light camera revenue…They’re going to come down. It’s just a question of how long.” Unfortunately, in late March, the bill was not voted out of committee after a number of police testified against the bill.

Virginia

In late March, Governor Ralph Northam effectively vetoed the speed camera in work zone bill SB1521 that was rammed through the legislature without any public feedback. Northam returned the bill to the state Senate with an amendment that would require reconsideration of the program in the 2020 legislative session. The sticking point—the unorthodox funding provision. Currently, the state constitution requires proceeds from all fines collected to go to the Literary Fund, which is used primarily for public education. SB1521 would have sent the fees collected to help fund the state police.

The Governor had also recently submitted a budget amendment that would give lawmakers another chance to pass the bill. The Governor had also recently submitted a budget amendment that would give lawmakers another chance to pass SB1521. One that would end the practice of suspending driver’s licenses of motorists who fail to pay court fines and fees. The bill had earlier passed the Senate but was defeated in a House subcommittee by one vote. Currently, one-sixth of all Virginia motorists have a suspended license due to non-payment.

Washington State

In early February, Seattle opened the Highway 99 tunnel, the longest road tunnel in the contiguous US. The two-mile tunnel, took a decade of planning and work which included a two-year construction delay due to issues with the drilling machine called Bertha. Total cost was $3.3 billion and later this year, tolls will begin, ranging from $1 to $2.25, depending on the time of day.
Interview with Richard Diamond, the Force behind TheNewspaper.com

In addition to being the founder and editor of TheNewspaper.com, an excellent daily source of news and opinions on the politics of driving, Richard Diamond has an extensive background in journalism. He has served as a communications leader at the White House Writers Group and managing editor of the Opinion pages at The Washington Times. Richard was on the staff of former House Majority Leader Dick Armey from the mid-1990s to the early 2000s and in that role was instrumental in developing one of the earliest reports on the predatory nature of short yellow lights in photo enforcement.

What year did you start TheNewspaper.com website and why?

I started TheNewspaper.com in 2004 as a simple site to collect news items and documents of interest, mostly about photo enforcement. At the time, the media treated transportation as a purely local issue. Red-light companies took advantage of this. They’d go city-to-city, putting on the same show at each stop, singing the praises of cameras. The local TV stations and newspapers would repeat these same talking points over and over, not realizing that other jurisdictions had found the claims were not true.

It soon became clear that just collecting stories was not enough. To cover the important issues, TheNewspaper.com had to do original reporting and expand coverage of issues like tolling and precedent-setting legal cases that affect motorists.

What’s your current focus?

Our special focus is on red-light and speed camera traffic enforcement. Do you see any positive trends in this area?

As an independent voice, what should individual motorists advocate for their interests on these devices?

From your viewpoint, what are some strategies readers can use when looking into who has interests in local traffic enforcement?

In the early 2000s, you mentioned that there was a connection between short yellow times and an increase in red-light camera citations. Now, it’s pretty much common knowledge.

A few investigative reporters across the country have been active in exposing the dark side of the industry, including the Chicago Tribune reporting that helped put the top management of Redflex in prison.

There’s also a much more active resistance to speed cameras. When I started, three cities had voted to ban red-light and speed cameras. Now there have been 41 votes across a dozen states. That’s only possible because of the increase in public awareness from a number of sources, including the NMA.

Reporters are much more skeptical about claims being made by the ticketing industry. In the early 2000s, the media openly mocked the idea that there was a connection between short yellow times and an increase in red-light camera citations. Now, it’s pretty much common knowledge.

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What’s your current focus?
Don’t Take a Seat Belt Citation Sitting Down
By An NMA Maine Member

For the first time in about fifteen years, I recently had to dust off my NMA ticket fighting materials (I tried half a dozen non-functional cassette players before finally listening to my “Guerrilla Ticket Fighter” tape in my car) to contest a seat belt citation. I am always grateful for member accounts of such efforts in Driving Freedoms and hope my experience might prove helpful.

Maine has a primary enforcement seat belt law, which I was accused of violating last spring; this was the sole offense for which I was stopped and cited. As soon as I saw the lights behind me, my actions were automatic, informed by prior experience and NMA advice: I pulled to a stop outside of traffic, kept my hands in view on the steering wheel. The stop was brief and was completed without my saying a word. I contested the charge on the basis that I was not texting and kept my hands in view on the steering wheel. The stop was brief and was completed without my saying a word. I contested the charge on the basis that I was not texting and kept my hands in view on the steering wheel.

I was looking for, and he suggested I find a filing, which cost more than the citation amount. I asked if he had checked my record at any point, which has been clean for a long time. I then asked if I was polite and cooperative during the stop. He said I was, and he flipped through some papers and showed me he had specifically noted that I was polite and never said anything during the stop. He asked if he could just have the charge go away. He said it looked like I had done my homework, and also that he had worked the previous night and was tired. He agreed to dismissal. He added it was so long ago he did not remember the stop. He further explained he had been on a “grant detail,” during which he received overtime for specifically pursuing the offense(s) for which the grant money is provided. Thank you to the NMA and all its members.

If you have a traffic ticket story to share or would like to write a letter or email us to concern this edition of Driving Freedoms, please contact us by email nma@motorists.org or by mail at 492 W. 2nd Street, Waunakee, WI 53597. Thank you for your support!

Traffic Ticket Story

License Renewal and Older Drivers

By Robert Talley, NMA Lobbyist

Congress is once again looking into the issue of drunk and drugged driving as federal statistics suggest that the government has not made sufficient progress lowering deaths attributable to impaired drivers. The House Energy and Commerce Committee held a hearing recently seeking testimony on ways to address the problem. Overwhelmingly, the witnesses invited to testify suggested it was time for Congress to require automakers to install technology solutions.

At this time, the technology under discussion would be an ignition interlock device. Such a device requires the driver to blow into a mechanism to start a car. Some states currently require that individuals convicted of a DUI install an ignition interlock device in their vehicles through the requirements vary by state. The difference is that Congress is thinking of making this proposed mandate of ignition interlock technology applicable to all new vehicles sold, not just those owned by individuals convicted of a DUI.

The federal government is working with private partners on the Driver Alcohol Detection System for Safety (“DADS”) Program. The DADS cooperative research partnership is dedicated to advancing the state of alcohol detection systems for motor vehicles. The basic goal is to develop a non-invasive technology to prevent alcohol-impaired driving. While this research is underway, the state of technology today is not to the point where, as Rep. Darren Soto (D-FL) suggested, a driver can push a button that can tell whether he or she is above the legal limit of being impaired. This technology may be available as soon as 2023. Rep. Debbie Dingell (D-MI), member of the Energy and Commerce Committee, has introduced legislation to direct the Secretary of Transportation to prescribe a motor vehicle safety standard requiring motor vehicles to be equipped with an ignition interlock device that prevents a vehicle from being operated if the operator is intoxicated. This requirement would be implemented virtually immediately if passed by Congress. The NMA has asked Congress to consider a number of questions associated with the deployment of this technology. For example, how much will this new system cost? Are there false positives? If so, how many and how will sober drivers deal with false positives? Will the government collect data on vehicles that detect ignition efforts that are prevented? What are the privacy protections for drivers? How will the system distinguish between a driver and a passenger? These questions are not answered at this time and are relevant to consideration of the widespread application of the technology. Nevertheless, congressional interest in this issue is very high, and support appears to be relatively widespread.

Also currently under discussion is fixing the ongoing funding shortfall for the national infrastructure. The House Ways and Means Committee held a hearing entitled, “Our Nation’s Crumbling Infrastructure and the Need for Immediate Action.” The hearing was intended to set the stage for potential consideration of a major infrastructure package, a legislative priority for House Democrats.

Potentially transforming this long intractable issue were comments by President Trump in support of raising the gas tax. Also notable is support from the business community. House Transportation Committee leaders are pushing forward a proposal to raise the federal gas tax at a short-term fix for the Highway Trust Fund. The current tax rates, established in 1993, are 18.4 cents and 24.4 cents per gallon respectively for gasoline and diesel. Inflation has risen 74 percent in the meantime. Some members are increasingly interested in a vehicle miles traveled fee as a long-term solution. Other options under discussion include hybrid solutions which would increase the gas tax, establish a federal VMT and even add a tax or fee on electric vehicles to address their use of electricity.

License Renewal and Older Drivers

(Continued from Page 3)

advanced age is not an absolute necessity. Those of us that enjoy driving for its own sake will still struggle with that decision, whether made voluntarily or at the hands of family or state.

I’d like to dedicate a future issue of Driving Freedoms to the topic of advanced-age driving, including licensing requirements and mobility concerns. To do so, I need your help. We have set up a brief online survey—it shouldn’t take more than two or three minutes to complete—designed to provide feedback on the critical licensing issue.

Please take a moment to complete the NMA survey at https://tinyurl.com/nma-advanced-age-survey-2019. The stronger the member involvement, the more complete our review of the NMA position on elderly driving will be. The survey includes a link to current licensing standards for each state, information you might find helpful in formulating your responses. While the survey has space for short essay responses, feel free to email us at nma@motorists.org or write to NMA, 492 W. 2nd St., Waunakee, WI 53597 to share more expansive viewpoints about issues we should include in an overall position statement about older drivers.
Congestion Pricing Will Reduce Congestion

Traffic is DOWN by about 10% each day from about six years ago. Increased congestion in Manhattan is due to the removal of traffic and parking lanes for bikes and bus lanes, and the explosion of technology-driven vehicles like Uber and Lyft. Congestion pricing does nothing to address these factors.

In fact, by the estimates of the Metropolitan Transit Authority, $53 billion a year. At Port Authority bridges and tolls, trucks currently pay $85 to $105 depending on vehicle size. At the MTA bridges and tunnels, that cost is between $20 and $46 per trip. Then there’s New York State’s Highway Use Tax. New York is the only state on the East Coast to charge this tax, which is based on miles driven. On top of that, there is also the IFTA (International Fuel Tax) which is apportioned based on miles traveled within New York State, and the BPR (the International Registration Plan).

Of course, there are fuel taxes collected with each fuel-up. Much of that money is supposedly dedicated to improving and maintaining the infrastructure, yet though elected officials frequently raise gas tax funding for other programs.

In NYC, there’s also the Commercial Motor Vehicle Tax which imposes up to a $300,000 fee on each vehicle. And don’t forget about the parking tickets! Motorists paid almost $700 million in parking tickets last year, and there are plenty of other fines to pay. That number is only rising. New York State’s trucking industry pays about $1.2 billion per year in federal and state roadway taxes.

Fair share? Truckers pay about 35 percent of all taxes paid by New York motorists even though trucks only drive about seven percent of the total state-wide vehicle miles traveled. The typical five-axle tractor-trailer pays $20,430.\(^{(9)}\)

Those who drive into the zone are not just cars who flaunt public transportation, and they are not really “commuters.” They are people with no other options like trucking makes deliverings and those isolated from transit options.

Congestion Pricing Is Needed Because Drivers Do Not Pay Their Fair Share

Reality? Congestion costs the trucking industry $4.6 billion a year. At Port Authority bridges and tolls, trucks currently pay $85 to $105 depending on vehicle size. At the MTA bridges and tunnels, that cost is between $20 and $46 per trip. Then there’s New York State’s Highway Use Tax. New York is the only state on the East Coast to charge this tax, which is based on miles driven. On top of that, there is also the IFTA (International Fuel Tax) which is apportioned based on miles traveled within New York State, and the BPR (the International Registration Plan).

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(Continued on Page 5)
10 Reasons to Oppose Road Diets

You just learned that your city intends to install a road diet on an arterial route you take every day. You are not alone—this now happens regularly all over the country. Here are 10 excellent arguments to combat road diets in your city council or county commission.

1. Road diets can cause more accidents. When traffic does not flow, more accidents occur. Vulnerable road users sometimes have the mistaken belief that the road is safer. In reality, all users of the road need to remain vigilant and responsible. There are better and less expensive ways to make a street safer: better crosswalks, improved stoplights, & bikeways placed on non-arterial streets.

2. Emergency vehicles such as large fire ladder trucks cannot always navigate corners on streets that have been reduced which could violate fire codes.

3. Blocked egress during mass evacuations can cause injury and death.

4. Loss of parking can cause business districts to be decimated with job losses and business closures.

5. Gridlocked boulevards will divert traffic to residential streets which are not intended to handle that load.

6. Due to the increased gridlock, there is more individual vehicle wear and tear, greater overall street noise, and increased vehicle emissions.

7. Many times, a road diet may cause violations of the Americans with Disability Act due to difficult curb cuts and the loss of handicapped parking.

8. Road diets can present already underfunded local and county street departments with more street elements to maintain, stretching their budgets and liability exposure even further.

9. Road diets can create animosity between neighbors in the area.

10. Residents and business owners can have increased distrust of government if the process is forced and not transparent.

If you would like to become more involved in defeating road diets in your city, contact the NMA today at nma@motorists.org.
Driving can sometimes be a daily grind. But when cities reconfigure the streets you take every day—presumably, to make them safer—that daily grind often seems much worse. The war on cars, for many drivers, is no longer an abstract construct when the community that used to take 20 minutes is now 40 minutes because of traffic restrictions. Inconveniencing drivers is the byproduct of the Vision Zero war to get us off our cars. Road diets on arterial streets in urban cores are the weapon of choice.

The primary function of an arterial roadway is to deliver traffic from collector roads to freeways, expressways, and highways between urban centers at the highest Level of Service (LOS) possible. (Check out page 9 for more on LOS.) LOS is a qualitative measure used to analyze streets and intersections by categorizing traffic flow and assigning quality levels of traffic based on vehicle speed, density, and congestion.

Due to the Vision Zero and Complete Streets movements, city and county officials are feeling the pressure or are actively advocating to replace LOS analyses with a different set of metrics that accounts for other street users such as pedestrians, bicyclists, scooter riders, buses, and rideshare vehicles. In some communities, more people are driving more today than ever before. Also, census statistics show that the percentages of pedestrian and bicyclist commuters are growing and increasing exponentially.

Converting car lanes for protected bike use, often along both sides of the street, causes gridlock, frustration, and unsafe traffic conditions. When congestion blocks roads regularly used by drivers, they will naturally divert to residential streets that aren’t designed to handle the traffic load, causing further backups, potentially unsafe conditions, and neighborhood frustration and hostility.

According to a 2004 Federal Highway Administration Report on the Evaluation of Lane Reduction Road Diet Measures, “Under most average daily traffic (ADT) conditions tested, road diets have minimal effects on vehicle capacity, because left-turning vehicles are moved into a common two-way left-turn lane. However, for road diets with ADTs above approximately 20,000 vehicles, there is a greater likelihood that traffic congestion will increase to the point of diverting traffic to alternate routes.”

The Mar Vista area of Los Angeles currently features a 0.8-mile road diet along Venice Boulevard. Once a six-lane street, the restriction cut the street down to two lanes in each direction to accommodate a parking-protected bike lane on either side. Mid-block pedestrian crossings and expanded crosswalks further limit vehicular traffic. The city also added modified right-turn lanes that include a short merge into the bicycle lane.

In 2014, newly elected Los Angeles Mayor Eric Garcetti announced a Great Streets Initiative. Venice Boulevard was one of 40 streets in the city that was considered part of the High Injury Network, an integral part of LA’s Vision Zero Action Plan. All streets in the network were now primed for road diet makeovers.

Before beginning the project, Los Angeles had to take control of the street from Caltrans, the state department of transportation, since Venice Boulevard is considered an arterial street. Many state transportation agencies govern arterial streets due to their classification as state highways.

The LADOT finally completed the Venice Boulevard safety improvement project in June 2017. A month later, city officials hosted an open house to showcase the “One-Year Temporary Road Diet Project.” They maintained at the open house and in written documents that progress reports would be issued at three-month, six-month and one-year milestones. The officials also gave assurances that area residents could provide input on the temporary street arrangement.

In December 2018, the city was voted in soon after and with little feedback signs and placed improved stoplight signals at intersections. Keep LA Moving and Jefferson Boulevard.

Fierce motorist backlash began immediately. Some residents said NO to the road diet after gathering over 200 percent. Local motorist activists are imploring it to restore the traffic lanes. Since then, the Keep LA Moving group has expanded to nearby areas. Pasadena quickly squeaked a road diet plan for Orange Grove Boulevard, a 2.9-mile stretch north of the 210 Freeway, which would have reduced a four-lane street to two, with bike lanes on both sides of the road. That was the point of diverting traffic to alternate routes. Area residents formed the group called Keep Pasadena Moving, and at least 400 residents came out at several city council meetings to oppose the plan.

Due to the many requests for help around the country, Russo recently started a national nonprofit called Keep the US Moving, Model Schneider says the most frustrating thing is that the city council had already led a second lawsuit against the city and won. A month later, the town of nearly 10,000 received the unwanted road diet.

In the first 17 weeks of the Waverly road diet, reported traffic accidents increased 33 percent even though officials expected that crashes would drop 50 percent. Waverly Street is not an isolated example. Bremer Avenue is the only access to the town’s bridge. Bremer is also the primary access road used for emergency vehicles. Seventy percent of the town’s volunteer firefighters use the avenue to get to the station quickly.

Local motorist activists are fighting back in cities such as Atlanta, Seattle, the New York City borough of Queens, and in smaller cities such as Tallahassee, Florida; Tahlequah, Oklahoma; Phoenix, Oregon; and La Crosse, Wisconsin.

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The LADOT was voted in soon after and with little feedback signs and placed improved stoplight signals at intersections. Keep LA Moving and Jefferson Boulevard.

Fierce motorist backlash began immediately. Some residents said NO to the road diet after gathering over 200 percent. Local motorist activists are imploring it to restore the traffic lanes. Since then, the Keep LA Moving group has expanded to nearby areas. Pasadena quickly squeaked a road diet plan for Orange Grove Boulevard, a 2.9-mile stretch north of the 210 Freeway, which would have reduced a four-lane street to two, with bike lanes on both sides of the road. That was the point of diverting traffic to alternate routes. Area residents formed the group called Keep Pasadena Moving, and at least 400 residents came out at several city council meetings to oppose the plan.

Due to the many requests for help around the country, Russo recently started a national nonprofit called Keep the US Moving, and the city council had already led a second lawsuit against the city and won. Two months later, the town of nearly 10,000 received the unwanted road diet.

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Recently, the state updated its regulations and excluded types of projects that are exempt from CEQA. (More on the future of CEQA in the sidebar.) The Mar Vista road diet falls under those parameters: reduction in lanes, removal of on-street parking spaces, and the addition of bike lanes. In early March 2019, the Los Angeles City Council approved the project. Westside LA Neighbors filed a second lawsuit against the city to get rid of the controversial road restrictions.

Data from the California Highway Patrol indicate that accidents increased 19 percent in the 12 months after the road diet implementation compared to the previous 12 months. Also, by the end of 2018, 22 businesses had closed on this affected section of Venice Blvd.

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10 Reasons to Oppose Road Diets

You just learned that your city intends to install a road diet on an arterial route you take every day. You are not alone—this now happens regularly all over the country. Here are 10 excellent arguments to combat road diets in your city council or county commission.

1. Road diets can cause more accidents. When traffic does not flow, more accidents occur. Vulnerable road users sometimes have the mistaken belief that the road is safer. In reality, all users of the road need to remain vigilant and responsible. There are better and less expensive ways to make a street safer: better crosswalks, improved stoplights, and bike lanes placed on non-arterial streets.
2. Emergency vehicles such as large fire ladder trucks cannot always navigate corners on streets that have been reduced which could violate fire codes.
3. Blocked egress during mass evacuations can cause injury and death.
4. Loss of parking can cause business districts to be decimated with job losses and business closures.
5. Gridlocked boulevards will divert traffic to residential streets which are not intended to handle that load.
6. Due to the increased gridlock, there is more individual vehicle wear and tear, greater overall street noise, and increased vehicle emissions.
7. Many times, a road diet may cause violations of the Americans with Disability Act due to difficult curb cuts and the loss of handicapped parking.
8. Road diets can present already underfunded local and county street departments with more street elements to maintain, stretching their budgets and liability exposure even further.
9. Road diets can create animosity between neighbors in the area.
10. Residents and business owners can have increased distrust of government if the process is forced and not transparent.

If you would like to become more involved in defeating road diets in your city, contact the NMA today at nma@motorists.org.
10 Reasons to Fight Congestion Pricing in New York City (& Everywhere Else)

By New York Member Arthur L. Miller, an attorney specializing in helping truckers and who also writes for www.newyorktruckstop.com. A version of this article originally appeared on that blog.

Editor’s Note: As of late March, both the State Assembly and Senate were poised to move forward with Governor Andrew Cuomo’s budget item of congestion pricing to help pay for a new subway in New York City, making this the first city to use this funding mechanism in the US. Other cities (Los Angeles, Seattle, and Portland, Oregon) have also been considering congestion tolling.

As New York Governor Andrew Cuomo tries to strong-arm the New York Legislature into implementing Cuomo tries to strong-arm the New York Legislature into implementing Congestion Pricing, the MTA has already incurred. To put that in perspective, take the debt that bankrupted Sears and the debt that bankrupted Toys R Us and combine them, and it’s still only one-third of the debt the MTA has right now. $31 billion in debt fixes nothing.

Congestion Pricing Will Fix the Metropolitan Transit Authority

The MTA is an unaccountable quasi-governmental agency that has been mismanaged for decades. Unless the organization is substantially reformed, all “fixes” are nothing more than window dressing. Throwing more money at this organization will only lead to more problems down the road. It is more accurate to call “congestion pricing” a “debt scheme” because the real plan is to use tolling revenue to secure $15 billion in new borrowing, on top of the $38 billion in bond liabilities that the MTA already has incurred. To put that in perspective, take the debt that bankrupted Sears and the debt that bankrupted Toys R Us and combine them, and it’s still only one-third of the debt the MTA has right now. $31 billion in debt fixes nothing.

Congestion Pricing Is Needed Because Congestion Pricing Is Progressive

Drivers Do Not Pay Their Fair Share

Reality: Congestion costs the transportation industry $4.6 billion a year. At Port Authority bridges and tolls, trucks currently pay $85 to $105 depending on vehicle size. The MTA warns that it is due to the removal of traffic lanes,alleyway bridgesand tunnels, that cost is between $28 and $46 per trip. Then there’s New York State’s Highway Use Tax. New York is the only state on the East Coast to charge this tax, which is based on miles driven. On top of that, there is also the IFTAA (International Fuel Tax) which is apportioned based on miles traveled within New York State, and the BP (the International Registration Plan).

Of course, there are fuel taxes collected with each fill-up. Much of that money is supposedly dedicated to improving and maintaining highway infrastructure even though elected officials frequently raid gas tax funding for other programs.

In NYC, there’s also the Commercial Motor Vehicle Tax which imposes up to a $300 per annum fee on each vehicle. And don’t forget about the parking tickets! Motorists paid almost $700 million in parking tickets last year, and there are plenty of other fees and fines. That number is only rising. New York State’s trucking industry pays about $1.2 billion in federal and state roadway taxes.

Fair Share? Truckers pay about 35 percent of all taxes paid by New York motorists even though trucks only drive about seven percent of the total state-wide vehicle miles traveled. The typical five-axis tractor-trailer pays $20 to $30 per trip (Continued on Page 5)

Traffic Engineering

Level of Service: Measuring Traffic Congestion

According to the latest census, 85 percent of all Americans travel to work by single passenger car or by truck. Since World War II, land use and American culture have been built around driving cars from suburban sprawl to shopping mall design, the US is automobile-centric and has been since the construction of the interstate highway system was authorized by the Federal Aid Highway Act of 1956, signed by President Eisenhower. Person’s ability to plan and the building’s open hours. If you have a home, you can deliver your deliveries to your customers’ door, and the customer requests delivery time the customer requests delivery time. These are dictated by the consumer. Lawmakers say the funding from congestion pricing will help pay for the failing subway system. More poor, but also businesses, and ultimately the consumer. Lawmakers want the effort to apply accessibility to transportation and land use decisions. Those metrics are also expected to improve modal choice and vehicle-miles traveled.

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Who drive into the zone are not the 10 biggest lies congestion pricing supporters use to sell this scheme.

Congestion Pricing Is Progressive

Tolls and user fees are extremely regressive. Here is what the Internal Revenue Service says about regressive taxes:

A regressive tax may at first appear to be a fair way of taxing citizens because everyone, regardless of income level pays the same dollar amount. By taking a closer look, it is easy to see that such a tax causes lower-income people to pay a larger share of their income than wealthier people pay: Tough true regressive taxes are not used on income taxes income taxes income taxes income taxes. They are used as taxes on tobacco, alcohol, gasoline, jewelry, perfume, and travel. User fees often are considered regressive because they tax a larger percentage of income from low-income groups than from high-income groups. These include fees for licenses, parking, admission to museums and parks, and tolls for roads, bridges, and tunnels.”

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Don’t Take a Seat Belt Citation Sitting Down

By An NMA Maine Member

For the first time in about fifteen years, I recently had to dust off my NMA ticket fighting materials (I tried half a dozen non-functional cassette players before finally listening to my “Guerrilla Ticket Fighter” tape in my car) to contest a seat belt citation. I am always grateful for member accounts of such efforts in Driving Freedoms and hope my experience might prove helpful.

Maine has a primary enforcement seat belt law, which I was accused of violating last spring; this was the sole offense for which I was stopped. As soon as I saw the lights behind me, my actions were automatic, informed by prior experience and NMA advice: I pulled to a safe area out of traffic and kept my hands in view on the steering wheel. The stop was brief and was completed without my saying a word. I contested the charge and nearly throughout the nine months following the receipt of a trial date, scheduled for three months later received notification of a trial date, scheduled for six months after the stop. On the day of trial, the courtroom was busy, with multiple municipalities represented by multiple cops. I did not recognize the issuing officer, but I assumed he was there, so my hope for easy dismissal dimmed. I had prepared motions for dismissal, which included the fact that the fine amount on the ticket did not match the amount prescribed in the statute. I also had a series of cross-examination questions—hoping to discredit the officer—related to traffic conditions and a vehicle-type discrepancy on the ticket. Because the citation was issued on the last day of the month, I was prepared to ask if ticket quota pressure may have been involved. I wore a suit, referred to notes, and generally tried to look serious. I expected to lose.

After preliminary instructions from the judge, we were instructed to speak to the issuing officers directly. I had expected to speak to a representative of the district attorney’s office, but I got in a line and was directed to the officer. He asked what I was looking for, and he suggested a filing, which cost more than the citation amount. I asked if he had checked my record at any point, which has been clean for a long time. I then asked if I was polite and cooperative during the stop. He said I was, and he flipped through some papers and showed me he had specifically noted that I was polite and never said anything during the stop. I asked him if we could just have the charge go away. He said it looked like I had done my homework, and also that he had worked the previous night and was tired. He agreed to dismissal. He added it was so long ago he did not remember the stop. He further explained he had been on a “grant detail,” during which he received overtime for specifically pursuing the offense(s) for which the grant money is provided.

Thank you to the NMA and all its members.

If you have a traffic ticket story to share or would like to write a letter or email to us regarding this edition of Driving Freedoms, please contact us by email at nma@motorists.org or by mail at 492 W. 2nd Street, Wausauke, WI 53907. Thank you for your support!

License Renewal and Older Drivers

(Continued from Page 3)

advanced age is not an absolute necessity. Those of us that enjoy driving for its own sake will still struggle with that decision, whether made voluntarily or at the hands of family or state.

I’d like to dedicate a future issue of Driving Freedoms to the topic of advanced-age driving, including licensing requirements and mobility concerns. To do so, I need your help. We have set up a brief online survey—it shouldn’t take more than two or three minutes to complete—designed to provide feedback on the critical licensing issue. Please take a moment to complete the NMA survey at https://tinyurl.com/nma-advanced-age-survey.2019. The stronger the member involvement, the more complete our review of the NMA position on elderly driving will be. The survey includes a link to current licensing standards for each state, information you might find helpful in formulating your responses.

While the survey has space for short essay responses, feel free to email us at nma@motorists.org or write to NMA, 492 W. 2nd St., Wausau, WI 53907 to share more expansive viewpoints about issues we should include in an overall position statement about older drivers.

NMA Washington Report

BY ROBERT TALLEY, NMA CBRISTV

Congress is once again looking into the issue of drunk and drugged driving as federal statistics suggest that the government has not made sufficient progress lowering deaths attributable to impaired drivers. The House Energy and Commerce Committee held a hearing recently seeking testimony on ways to address the problem. Overwhelmingly, the witnesses invited to testify suggested it was time for Congress to require automakers to install technology solutions.

At this time, the technology under discussion would be an ignition interlock device. Such a device requires the driver to blow into a mechanism to start a car. Some states currently require that individuals convicted of a DUI install an ignition interlock device in their vehicles through the requirements vary by state. The difference is that Congress is thinking of making this proposed mandate of ignition interlock technology applicable to all new vehicles and not just those owned by individuals convicted of a DUI.

The federal government is working with private partners on the Driver Alcohol Detection System (DADS) Program. The DADS cooperative research partnership is dedicated to advancing the state of alcohol detection systems for motor vehicles. The basic goal is to develop a non-invasive technology to prevent alcohol-impaired driving. While this research is underway, the state of technology today is not to the point where, as Rep. Darrell Issa (D-FL) suggested, a driver can push a button that can tell whether he is beyond the legal limit of being impaired. This technology may be available as soon as 2023.

Representative Debbie Dingell (D-MI), member of the Energy and Commerce Committee, has introduced legislation to direct the Secretary of Transportation to prescribe a motor vehicle safety standard requiring motor vehicles to be equipped with an ignition interlock device that prevents a vehicle from being operated if the operator is intoxicated. This requirement would be implemented virtually immediately if passed by Congress. The NMA has asked Congress to consider a number of questions associated with the deployment of this technology. For example, how much will this new system cost? Are there false positives? If so, how many and how will sober drivers deal with false positives? Will the government collect data on vehicles that detect efforts that are prevented? What are the privacy protections for drivers? How will the system distinguish between a driver and a passenger? These questions are not answered at this time and are relevant to consideration of the widespread application of the technology. Nevertheless, congressional interest in this issue is very high, and support appears to be relatively widespread.

Also currently under discussion is fixing the ongoing funding shortfall for the national infrastructure. The House Ways and Means Committee held a hearing entitled, “Our Nation’s Crumbling Infrastructure and the Need for Immediate Action.” The hearing was intended to set the stage for potential consideration of a major infrastructure package, a legislative priority for House Democrats.

Potentially transforming this long intractable issue were comments by President Trump in support of raising the gas tax. Also notable is support from the business community. House Transportation Committee leaders are pushing forward a proposal to raise the federal gas tax as a short-term fix for the Highway Trust Fund. The current tax rates, established in 1993, are 18.4 cents and 24.4 cents per gallon respectively for gasoline and diesel. Inflation has risen 74 percent in the meantime. Some members are increasingly interested in a vehicle miles travelled fee as a long-term solution. Other options under discussion include hybrid solutions which would increase the gas tax, establish a federal VMT and even add a tax or fee on electric vehicles to address their use of fuels.
Interview with Richard Diamond, the Force behind TheNewspaper.com

In addition to being the founder and editor of TheNewspaper.com, an excellent daily source of news and opinions on the politics of driving, Richard Diamond has an extensive background in journalism. He has served as a communications leader at the White House Writers Group and managing editor of the Opinion pages at The Washington Times. Richard was on the staff of former House Majority Leader Dick Armey from the mid-1990s to the early 2000s and in that role was instrumental in developing one of the earliest reports on the predatory nature of short yellow lights in photo enforcement.

What year did you start TheNewspaper.com website and why?

I started TheNewspaper.com in 2004 as a simple site to collect news items and documents of interest, mostly about photo enforcement. At the time, the media treated transportation as a purely local issue. Red-light camera companies took advantage of that. They’d go city-to-city, putting on the same show at each stop, singing the praises of cameras. The local TV stations and newspapers would repeat these same talking points over and over, not realizing that other jurisdictions had found the claims were not true.

It soon became clear that just collecting stories was not enough. To cover the important issues, TheNewspaper.com had to do original reporting and expand coverage of issues like tolling and precedent-setting legal cases that affect motorists. The idea was, and is, to lay out the facts so that the rest of the media tends to ignore both the good and the bad.

What do you consider the biggest issues facing motorists today with regards to the politics of driving?

In many ways, the threat has always been the same: The ticketing industry pushes back public policy to protect a massive revenue stream. This industry consists of insurance companies (they like tickets because points mean higher premiums), state highway officials (they balance their budgets with ticket revenue), and the photo enforcement firms that do all of the work.

Vision Zero, for instance, is just a shiny new package that, when you open it up, the same old ideas are inside the box: lowered speed limits, cameras, and just about any technique to increase driver frustration. All of that has the primary goal of increasing the number of tickets issued. It’s the national 55-speed limit arguments used at the local street level.

Do you see any difference in the politics of driving between today and when you started the website?

Media treated transportation as a purely local issue. Red-light camera companies took advantage of that. They’d go city-to-city, putting on the same show at each stop, singing the praises of cameras. The local TV stations and newspapers would repeat these same talking points over and over, not realizing that other jurisdictions had found the claims were not true.

The idea was, and is, to lay out the facts so that the rest of the media tends to ignore both the good and the bad.

What do you think about the industry of issuing traffic tickets?

It’s a function of the posted limit and the driver’s license points. It’s a much better alternative. City officials are looking into many different ideas, and just about any technique to increase driver frustration. All of that has the primary goal of increasing the number of tickets issued. It’s the national 55-speed limit arguments used at the local street level.

From your viewpoint, what are some strategies readers can use when looking into who has interests in local traffic enforcement?

Find as many people who think as you do, especially shop owners who might not want customers hassled on the way to the store. People who show up to city council meetings and make intelligent, calm presentations backed up with facts stand out. Bringing a crowd and having numbers on your side helps overcome resistance. Your job is basically to convince the council that they need to find another way to raise revenue.

As an important independent voice, what should individual motorists and advocates focus their attention on these days?

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With Vision Zero, the battle has gone local. Advocates for motorists need to attend those city council meetings and speak up when there are plans to put obstacles in the road. Point out that traffic calming creates accidents. Great Britain tracked that statistic and reported that “road humps, chicanes, etc.” caused nearly 100 accidents, 25 involving hospitalization, in 2017. I guarantee that’s not something they’ve ever heard before.

There’s always more to the story, and if activists aren’t telling it at the local level, nobody else is going to do it.

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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.

License Renewal and Older Drivers
BY GARY BILLER, PRESIDENT, NMA

The issues surrounding aging drivers—not just driver licensing requirements but also independence and mobility concerns—are drawing attention these days. The baby boomer generation has dominated the roads for several decades, and as they (including me) enter their 60s, 70s, and 80s, the U.S. driver demographic is growing older with them.

Recently I was interviewed by a writer from HowStuffWorks.com about licensing standards for older drivers. His story focused on whether more frequent testing should be required of advanced-age drivers.

Before I dive into some of the thornier issues that this raises, here’s what I told him, which I quoted in full as the closing for the story: “Safety statistics consistently show that the accident rates of drivers 70 years of age and older are not much different than those in the 55 to 69 age group. By contrast, drivers younger than 35 are at the highest risk of an accident. That indicates a couple of things. One is that experience behind the wheel is one of the most important factors for safety. Another is that state requirements for the renewal of driver’s licenses are reasonable. Those requirements vary by state but generally include more frequent re-sensing and vision tests once a driver reaches 63, 70 or in some cases, 75 years of age. “The NMA doesn’t believe that states need to increase licensing requirements for older drivers beyond current standards. There should be an objective process through which the licensing agency could be petitioned to do an evaluation of a given license holder based on first-hand knowledge of family members, a law enforcement agency, or the courts. In fairness, there should also be an appeal process for the person who is in jeopardy of losing his or her license or having it restricted.”

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

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Driving Freedoms

License Renewal and Older Drivers

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Pennsylvania

Hampton Township council members voted to not participate in an aggressive driving campaign passed by PennDOT, which would have provided grant money to pay for officer overtime. Hampton police Chief Tom Valukovich told the council that he was contacted several times by a state liaison, which is the reason he pitched the idea to the council. Valukovich admitted that the state wants to see citations issued, not warnings, with perhaps as many as two tickets per hour in the campaign timeframe.

South Carolina

A team of reporters from the USA Today Network spent two years investigating the state’s civil asset forfeiture system. They checked more than 3,200 cases from 2014 to 2016 and uncovered that $17 million in cash and property had been seized. Also, 800 instances of police seizures, no related criminal charges could be found. In another 800 seizures, charges didn’t result in convictions, but property was still forfeited. Even though they only comprise 13 percent of the state’s population, black men were involved in 65 percent of forfeitures. The reporters also found that if a person petitioned to have money or property returned, it took 17 months on average for the civil ease to be resolved. The series of articles appeared over a three-week period, which quickly prompted a bipartisan group of 71 lawmakers to sponsor a reform bill. If passed, the new law would provide South Carolina with one of the strongest civil asset forfeiture reformations in the country.

Texas

Beginning in April 2018, the city of Demon started an experiment to lengthen traffic signal yellow lights by one second at one of the city’s red-light camera intersections. A February report to the city council showed a 60 percent drop in RLC violations and a significant drop in the intersection crash rate. The city has now proposed longer yellow lights at two other intersections. Demon hasn’t decided yet whether to renew its contract with Redflex Traffic Systems, which expires July 20.

As of the end of February, more than 160 lawmakers, from both parties, backed two bills to outlaw red-light cameras in the state. Representative Jonathan Strickland, who wrote the House bill recently told the Dallas Morning News, “I suggest all the cities begin planning their budgets without red-light camera revenue…They’re going to come down. It’s just a question of how long.” Unfortunately, in late March, the bill was not voted out of committee after a number of police testified against the bill.

Virginia

In late March, Governor Ralph Northam effectively vetoed the speed cameras in work zone bill SB1521 that was rammed through the legislature without any public feedback. Northam returned the bill to the state Senate with an amendment that would require reconsideration of the program in the 2020 legislative session. The sticking point—the unorthodox funding provision. Currently, the state constitution requires proceeds from all fines collected to go to the Literary Fund, which is used primarily for public education. SB1521 would have sent the fees collected to help fund the state police.

The Governor had also recently submitted a budget amendment that would give lawmakers another chance to pass SB1013 that would end the practice of suspending driver’s licenses of motorists who fail to pay court fines and fees. The bill had earlier passed the Senate but was defeated in a House subcommittee by one vote. Currently, one-sixth of all Virginia motorists pay a suspended license fee due to non-payment.

Washington State

In early February, Seattle opened the Highway 99 tunnel, the longest road tunnel in the contiguous U.S. The two-mile-tunnel, took a decade of planning and work which included a two-year construction delay due to issues with the drilling machine called Bertha. Total cost was $3.3 billion and later this year, tolls will begin, ranging from $1 to $2.25, depending on the time of day.