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COVER
"Lane Courtesy"

\$5.00 Gasoline?

by James J. Baxter, President, NMA

It was about a year ago when I wrote Buy Oil, an article discussing the rising demand for petroleum products. In the intervening time span unfolding events have made it look like I actually called it right. Those with a longer memory might be saying under their breath "even a blind pig can occasionally find a nut." Regardless of my predictive skills there is little doubt that fuel prices are on their way to historic highs and even a new 55-MPH National Maximum Speed Limit will not stem this trend (a little tongue-in-cheek here).

Will gasoline really reach \$5.00 a gallon? Sure, just don't ask me to say when. These events do not take place in a vacuum and as fuel prices rise countervailing actions accelerate to push fuel prices in the opposite direction. We are already seeing the effects in the auto industry; SUVs stacking up in inventories and customers standing in line to buy hybrids. I'm sure individuals are making moves to use the more economical vehicles they own, combining trips, buying and actually using tire gauges, and perhaps being a little lighter on the throttle foot. Of course, with rising fuel prices we suffer the pandemic of pandering politicians who are going to "fix the problem" with new public policies. In this spirit I'd like to offer a few suggestions on how government can actually reduce fuel consumption and thereby reduce fuel prices and fuel costs.

While we were successful in repealing the worst of the political excesses that emanated from the last oil crisis, e.g. price controls and the 55-MPH Speed Limit, we didn't touch "Right Turn on Red." In one year Right Turn on Red probably saved more fuel than 21 years worth of silly speed limits. Therein lies the strategy that could save millions of gallons of gasoline every single day while saving

time and money for everyone. We need to keep traffic moving.

Fuel consumption is dramatically related to the rate and frequency of acceleration. A car that can cruise down the highway at 70 MPH and obtain 30 MPG can have its fuel economy cut in half in an urban environment. Why? It's the stopping, idling, and then accelerating back to cruising speed that drinks the fuel. Therefore, if the traffic can be kept moving with minimal interruption there will be significant improvements in fuel economy.

Recently, the Institute for Transportation Engineers issued a report card for the condition of traffic signals in the US. Overall, they issued a grade of D minus. They were probably being kind. The same poorly located, poorly maintained, and poorly operated traffic signals that have made red light ticket cameras so popular among ethically challenged public officials are also responsible for wasting huge quantities of gasoline and diesel fuel. Removing unnecessary lights and properly timing and coordinating the remainder would immediately result in a payback in terms of reduced accidents, reduced commute times, reduced air pollution, and reduced fuel consumption. This is such a no-brainer that it is disheartening wondering why it isn't being done.

While in the removing mode, local and state governments should establish solid standards on stop sign installations. For starters, any stop sign that isn't in place to provide needed right-of-way guidance should be jerked out of the ground and recycled into Yield signs that can replace other stop signs in rural and low traffic locations. Any stop sign installed for speed control or to disrupt,

continued on page three



## NMA Washington Report

by Robert Talley, NMA Lobbyist

One of the more pressing motorist-related debates currently underway in Washington D.C. is the effort to turn drivers' licenses into a national ID card. The House-passed provision, the **REAL ID Act**, is part of the *Supplemental Spending provision for the funding of military operations overseas*. This effort is cloaked under the guise of homeland security. We are concerned that this initiative would change the driver's license into a national I.D. card that would create extensive red tape and perpetuate enforcement abuses.

NMA has joined a coalition of entities with an objective to prevent the Senate from passing a similar provision and ultimately to prevent the provision from becoming law. We have brought to the coalition a critical new justification for arguing our collective objective—the interests of motorists and drivers and the practical impact that the proposal would have on them. This had been completely lacking prior to our involvement. We have had a measure of success and the outlook is improving, but the pressure to address this issue has shamefully been injected into the debate over funding overseas

military operations which has been sidetracked into a debate over the immigration policy of the United States.

The coalition continues to press its case that the creation of a national ID is inappropriate and as the NMA has argued, state-based drivers' licenses are the wrong mechanism to pursue the overriding objective. We have endorsed a bipartisan Senate amendment that would provide a bias against the REAL ID Act when it is considered in the Conference Committee: the legislative process where the House-passed legislation will be merged with the Senate provisions, prior to becoming law.

The REAL ID Act is not the only area of concern at this time. The expanding threat of governmental intervention into our daily lives in the name of "homeland security" continues unabated. Most recently, the House of Representatives Homeland Security Committee began consideration of a proposal by the administration to require tracking devices in all commercial vehicles. These devices would enable the government to determine, at any time, the exact location and movement of any commercial vehicle.

The step from tracking commercial vehicles to tracking passenger vehicles is not particularly large when you consider that many commercial fleets include a percentage of passenger vehicles. Indeed, many passenger vehicles already carry GPS tracking systems as part of a security package or a navigation system.

However, once the government justifies the need to establish a system for tracking vehicles using commercial vehicles as the "hook," the step to a system for tracking all vehicles is incrementally miniscule. As this technology enters into widespread use, there is little to stop law enforcement or insurers from seeking access to the information. This potential application is extremely disturbing—speed traps based on satellite data?

We are working to educate the committee as to the real perils of initiating this program. At a minimum, if we are unable to prevent further progress on this issue in Congress, there must be clear parameters regarding the use of data developed under such a program to prevent intrusion into the rights of drivers. 🙏

## Gasoline?

*continued from page two*

divert, and inconvenience motorists should be eliminated. In so doing, we would realize the same kind of benefits derived from improving traffic signal lights. Again, the costs would be insignificant and in the long run there would be direct savings by avoiding

counterproductive stop sign installations.

Finally, just think how higher, more reasonable speed limits that actually reflect current traffic speeds could smooth traffic flow, especially when coordinated with properly timed traffic lights. I know that in these times it's considered radical to suggest that

traffic laws in general and speed limits in particular actually condone what most normal responsible people are doing, but we really ought to give it a try. Maybe, with \$5.00 a gallon gasoline, it might seem like a worthwhile experiment. 🙏

# NHTSA Targeting Speeders

## by Eric Skrum, Managing Editor

The National Highway Traffic Safety Administration (NHTSA) wants to "crack down" on speeders in 2005 and 2006. And, they aren't the only ones. All the usual suspects (Federal Highway Administration, Federal Motor Carrier Safety Administration, the Governors Highway Safety Association, and Advocates for Highway and Auto Safety) are lining up and saying it's about time officials focused on this "major safety problem."

Why is NHTSA and company focussing on speeding when we have the lowest fatality rates in the history of our nation? For the answer to that question, motorists should look to photo enforcement and the amount of money it can make.

Officials have been salivating over photo enforcement for years. However, the ghost of "Big Brother" made implementation difficult. So, how do you get the public to docilely accept it?

The answer: Implement it in stages. The slippery slope is a tactic they have used successfully numerous times in the past.

Safety officials decided to start with red light cameras. "Everybody" could agree that red light runners were dangerous and deserved all the penalties and punishments you could throw at them. If you put up a camera, these individuals could be easily caught and given everything they deserve. Lives are at stake and we need to put a stop to these people now before they kill again!

How can anyone argue against this?

Once red light cameras became commonplace, officials assumed the skids were greased for photo radar. If anyone complained about "Big Brother," officials can point to the intersection cameras and claim it is the same technology. How can the public argue against the use of radar cameras when the public approved the red light

cameras? Combine this argument with streams of *bogus data* implying that speeders are making our highways a scene of carnage, and photo radar should be a sure thing.

That's the gist of their overall plan. This brings me to why they are rushing to implement "stage two." A phenomenon is occurring on which none of the safety officials planned. **The public is catching on.** Not only have studies shown that red light cameras *make intersections more dangerous*, the public is also becoming anti-camera.

This means NHTSA and company have to make a push for photo radar before more states act against the devices. Already, there is a growing list of states that are becoming anti-camera. Wisconsin and New Jersey have long banned photo enforcement. A proposed ban is currently moving quickly through both the Texas and the Ohio legislatures. Furthermore, Utah, Indiana, and New Hampshire recently rejected legislation that would have allowed the use of cameras in their

state. Even Virginia, which had one of the first red light camera programs in the country, will be removing its cameras later this summer.

All this adds up to the fact that NHTSA sees the opportunity for photo radar dwindling quickly. They need to make a concentrated push before more information emerges about photo enforcement, and they are gearing up to make this a year of ticket writing that we haven't seen since the 55 mph National Maximum Speed Limit.

They aren't the only ones gearing up though. The NMA has positioned itself as the most prominent anti-red light camera organization in the country. We are going to do the same with photo radar. Our Washington D.C. lobbyist, Robert Tally, will also be working on this issue.

It isn't going to be easy, but we have more tools at our disposal than ever before. Expect updates from the NMA concerning its ongoing efforts against photo enforcement and how you can help in your area. 📧

### Red Light Camera Recap

In the last issue, we focused on red light camera legislation. Here's an update on a number of related bills:

**Indiana**—SB 570 would have established a "pilot" program for ticket cameras. Although defeated in committee, it was brought back for consideration. It didn't fare any better the second time and was quickly killed.

**New Hampshire**—HB 679 would have permitted red light cameras. It was defeated and can't be proposed as a bill for another two years.

**Utah**—HB 219 would have removed restrictions on photo enforcement. This bill has been defeated!

In all three cases, the NMA was active in providing critical information against the devices. There are also significant bills of note in the following legislatures.

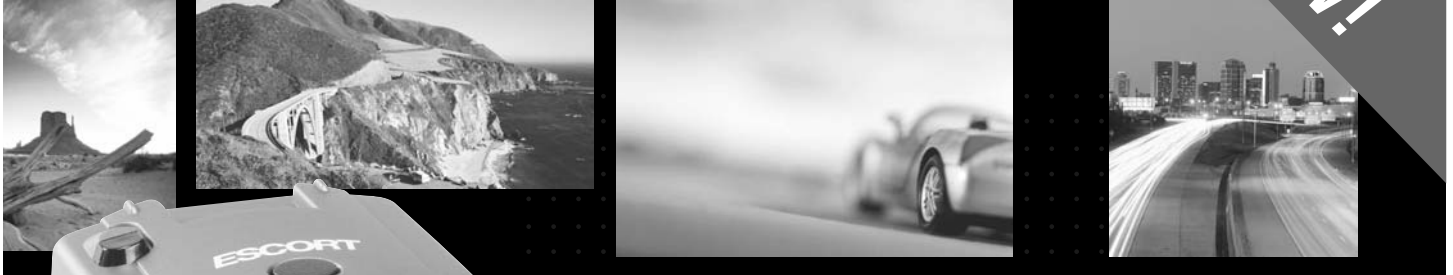
**Texas**—Sponsored by Representative Elkins, HB 259 would close a loophole that allows cities to use cameras. This bill has passed the House and is currently in the Senate.

**Ohio**—Representative Raussen introduced HB 56, which prohibits ticket camera use. This is steadily traveling through various house committees.

In both cases, the NMA is working closely with the bill sponsors to ensure the passing of this very important legislation.

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## Introducing The All New Passport 8500 X50

The Passport 8500 has been hailed as the most revolutionary radar/laser detector ever. Forbes.com said, *"it might be the best radar detector ever made!"* Popular Mechanics called it *"state of the art."* Radartest.com named it *"The World's Best!"*

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## Taking The Fight To Them...

**A**s it stands now, the House Transportation Bill contains all sorts of provisions that would expand tolling. Proposals that would allow higher tolls for peak driving times, let states convert interstates built and maintained with gas taxes into toll roads, and permit tolling to continue indefinitely with no guarantees that revenues are used on roads.

Apparently, our legislators don't feel that paying for roads once is enough—in addition to already high gas taxes they want us paying tolls too! Luckily, there is strong opposition to these measures. Through the work of our D.C. Lobbyist, Rob Talley, the NMA has joined with a number of other national organizations to stop the senseless expansion of tolling.

This is but one of the many initiatives already underway thanks to your support. Rob is busy with numerous efforts to make sure that motorists' concerns are addressed and our rights are safeguarded. We've set an ambitious agenda for legislative work in 2005 and beyond, and we're dedicated to producing results for NMA Members and all motorists.

Despite our well-funded opposition, 2005 has already been a year of many successes for the NMA. Everyday, our positions on key issues like photo enforcement are gaining traction. Our impact is being felt, and it's critically important that we keep our momentum going.

There are even greater achievements ahead of us. Please donate today to show your support for our future progress. We want to be your voice, but we need your help to do it. Please, take a few moments to complete and return the reply form on the opposite page. The NMA is making real progress and with your help, we can do even more! 📧

*For more details on our  
2005 Driving Tour Sweepstakes,  
See the opposite page!*



## The NMA's 2005 Legislative Agenda

### 1. Continue our work to stop the expansion of toll roads.

This is perhaps the worst insult to tax-paying motorists. We've already paid for these roads with our gas-tax dollars, now we're being asked to "pay for" them again. Enough is enough!

### 2. Stop the reinstatement of federal authority over speed limits.

As you probably know, the NMA was the driving force behind the repeal of the National Maximum Speed Limit of 55 mph. We beat the "Double Nickel" once, and we don't ever want to see it again!

### 3. Ensure the highway bill actually deals with our highways!

We'll work to eliminate its anti-motorist provisions, such as funding for speed enforcement, roadblock promotions, primary belt laws, and the purchase of ticket cameras.

### 4. End vehicle emission inspections.

These programs are a proven waste of money, which do not result in air quality improvements. The only "benefit" associated with these tests are the money companies make doing the inspections.

### 5. Prevent the government from suspending a motorist's driver's license for non-driving offenses.

A license is meant to indicate that the holder is capable of driving. This should be its only function. It shouldn't be used to enforce unrelated laws.

### 6. Protect motorists' privacy in light of new technological devices.

It's our intention to pass legislation that prohibits "black box" data or GPS tracking from being used to spy on you!

### 7. Fight government bribes and blackmail.

The federal government uses the promise of financial rewards or the threat of financial sanctions to push its transportation agenda on your state. It's time to stop this unethical practice. 📧

# Your Chance To Win A Trip And Help The NMA

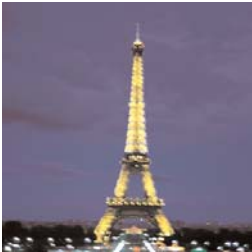
To show support for our efforts, the travel experts at [www.driveeurope.com](http://www.driveeurope.com) have again agreed to donate a terrific driving tour to be given away to one lucky donor. In fact, *you will receive one entry for every \$30 you contribute.*

As an added bonus: If we're able to surpass last year's fundraising totals by the sweepstakes deadline, the people supplying the tour have agreed to donate not one, but two great trips! We'll double your chances of winning!

**The winner of the 2005 sweepstakes will have his or her choice of these three great tours:**

The deadline for entry is June 15, 2005. Don't miss out on your chance. Respond Today!

## France



Be dazzled by Paris, the "City of Lights." Explore the best this city has to offer, and take time to also visit Normandy's famed shores and the lovely Loire River valley.

## Germany



Experience Germany's stunning Black Forest. Travel the famed German Autobahn, while enjoying the majesty of one of Europe's most breathtaking natural areas.

## Ireland



Roam the beautiful Irish countryside. Last year's winner enjoyed Ireland's scenery so much that we wanted to give you the option of experiencing it yourself.

**Yes!** I know we've got challenges ahead of us, but I want to do my part to make sure the NMA is well equipped to fight for my rights. I would like to make the following donation:

- \$5,000    
  \$1,000    
  \$500    
  \$250    
  \$100  
 \$75    
  \$50    
  \$30\*    
  Other \$ \_\_\_\_\_

I prefer to write a check (Payable to NMA)

I prefer to use my credit card.

\* You will automatically be entered to win a fantastic European Driving Tour for every increment of \$30 you donate. The more you donate, the greater the chance you'll win!

### Your Information

Name \_\_\_\_\_ Member No. \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

### Credit Card Information

Card Type:  Visa  MasterCard

Card Number \_\_\_\_\_ Exp. Date \_\_\_\_\_

Name On Card \_\_\_\_\_

Signature of Card Holder \_\_\_\_\_

**SLOWER  
TRAFFIC  
KEEP  
RIGHT**

# Lane Courtesy: It's Time

## Drive Right!

The NMA Foundation is asking motorists to **"DRIVE RIGHT"** in June as a part of its annual Lane Courtesy Campaign. In addition to using a new slogan, the NMA Foundation has launched a web site, [www.lanecourtesy.org](http://www.lanecourtesy.org), to push this campaign.

For the third consecutive year, we're promoting this important aspect of driving. Lane courtesy, also called lane discipline, strongly influences highway safety, traffic flow, congestion, and the entire driving environment.

When lane courtesy is ignored, the result is an increase in congestion and frustration. The instances of tailgating, weaving in-and-out of traffic, and speed fluctuations increase—all of which hinder safety. When motorists **DRIVE RIGHT** and yield the left lane, these situations diminish and everyone benefits. Traffic flow increases, fewer accidents occur, and driving can be more enjoyable.

Safety is not the only reason motorists should **DRIVE RIGHT**. There are also state laws requiring slower traffic to keep right. State and Federal agencies spend billions of dollars on campaigns to

promote compliance with speed limits, seat belt usage, and construction zone safety, while lane courtesy is largely ignored. The majority of motorists agree on the need for lane courtesy, so a small investment to promote it would pay major dividends.

The aspect that seems to resonate the most with motorists is left lane hogs who putter along and obstruct traffic. They consistently show disregard for safety and common courtesy. These people use a variety of excuses to justify their poor-driving behavior, including, "I'm driving the speed limit. I shouldn't have to move over."

There is no legitimate excuse for obstructing traffic in the left lane. Just because a motorist is driving the speed limit doesn't mean they are correct to stay in the left lane. Blocking the left lane can cause accidents, hinder emergency vehicles, or interfere with someone responding to a personal emergency.

Please visit [www.lanecourtesy.org](http://www.lanecourtesy.org) to find out what you can do to help promote lane courtesy in your community. 📍

## Left Lane Laws In The News

For the first time in a long time, lane courtesy is in the news. Here are some of the stories being covered.

- There is a new left lane law in **Wyoming**. Senate President Grant Larson sponsored a bill that prohibits vehicles from blocking the far left-hand lane of controlled-access highways. It was signed into law by Governor Dave Freudenthal and will go into effect July 1, 2005.
- The "Road Rage Reduction Act" (HB 157) is in the news in **Florida**. This bill, introduced by Senator Mike Bennett, would make it illegal to hold up traffic in the left lane. The police

will be able to issue a \$60 ticket and four points on your license. This is working its way through the legislature.

- And, lastly, it seems that **Colorado** police are making a concentrated effort to ticket left-lane hogs. This applies only in zones with 65 mph speed limits and higher. The state patrol began to focus on this in January 2005 and have thus far issued 460 tickets. Tickets can be as high as \$41 and put three points on your license.

These are just a few of the places the NMA is going to reach with its lane courtesy message. And, it looks like we will have a very receptive audience. 📍

# For People To Move Over

## Here's To Life In The Fast Lane by Dave Barry, Humor Columnist

How do you rate yourself as a driver?

No, that's a stupid question. You rate yourself above average. It's a well-known fact that all humans consider themselves to be above-average drivers, including primitive Amazonian mud people who have not yet discovered the wheel.

No amount of physical evidence will convince a bad driver that he or she is a bad driver. You take a motorist who, while attempting to pull out of a parking space, mistakes "forward" for "reverse," then, in an effort to correct this error, mistakes the accelerator for the brake and sends his car (an Oldsmobile Cutlass Supreme) lunging across a sidewalk and into a restaurant, attaining a speed of 37 miles per hour by the time it rams the salad bar and is engulfed by a wave of the house dressing (a creamy Italian). Even as the paramedics are tweezing chick peas from the ears of this motorist, he will loudly insist that (a) the restaurant was not there before; and (b) there are PLENTY of people on the road who do not drive as well as he does.

And the scary thing is: He's right! There are LOTS of worse drivers out there! In fact, a whopping 93 percent of all drivers are below average. And if you believe this is statistically impossible, you have not spent much time watching motorists whipping around on our nation's highways. Certainly you have never driven in my state, Florida, which automatically issues a driver's license to every new arrival, including stranded whales. We have so many motorists driving into buildings down here that in some

areas you're safer standing in the middle of the street, where they're less likely to hit you.

But getting back to your driving ability: I can tell from the perceptive way you're reading this article that you truly are above average. So am I, of course. I took Drivers Education at Pleasantville (N.Y.) High School; we did our road training in a 1962 Plymouth Inertia, creeping around greater Pleasantville at minus two miles per hour, signaling our turns and always maintaining a Safe Following Distance. This class taught me many important driving lessons, the main one being that if you ever find yourself stuck behind a drivers-ed car, you MUST get past it, no matter how many innocent lives you endanger.

Anyway, since you and I are such superior drivers, I wanted to share with you an excellent idea that was sent in to me by Florida motorist Damara Hutchins, who is also above average. She begins by noting the annoying behavior of certain motorists, especially the ones who drift along in the left, or "passing," lane, mile after clueless mile, never passing anybody, and also never noticing the line of motorists behind them flashing their lights, honking their horns, making explicit hand gestures, firing marine flares, etc. This is not a problem in Europe. If you get into the passing lane in Europe, you'd better pass immediately and get back over, because otherwise you will need surgery to have Ferrari grill shards removed from your buttocks.

So anyway, here is Damara Hutchins' idea: powerful bumper-mounted sucker-dart guns. You

would shoot these at other motorists when they did something stupid. Ideally, you could fire several different colors of darts, to indicate the type of infraction. This would be a big help to the police, who could use the darts as evidence:

OFFICER: Sir, do you know why I pulled you over?

MOTORIST: No, why?

OFFICER: I count 17 red sucker darts on your rear bumper, which means you've been blocking the left lane.

MOTORIST: But I'm going the speed limit!

OFFICER (sighing): Sir, we only pretend that's the speed limit. In good weather and light traffic, the real speed limit is about 10 miles per hour faster, which is the speed 80 percent of the other drivers are going. If you don't want to go that fast, you need to get over, OK? Also, I count five yellow darts, indicating you swerved between lanes while dialing your cellphone; and one brown dart you got for driving a Pontiac Aztek, a vehicle ugly enough to cause retinal damage.

MOTORIST: Will I get a ticket?

OFFICER: I'm giving you a warning on those infractions, sir. But I'm afraid I have to cite you for the green dart.

MOTORIST: What's that for?

OFFICER: Flagrant nose-picking.

Of course only good drivers would be allowed to participate in the car-dart program; otherwise, we'd wind up with darts all over pedestrians, salad bars, etc. But assuming we can work out the details, I think this is a terrific idea. If you agree, get out of my way. 🏠

**SLOWER  
TRAFFIC  
KEEP  
RIGHT**



## Speed Traps Do Exist

### by John Holevoet, Director of Development

This isn't news to NMA members, but it appears that others need to be better informed. It's not unusual for NMA staff monitoring [www.speedtrap.org](http://www.speedtrap.org) to receive dozens of emails disputing the existence of speed traps. After all, they argue, speed enforcement is about safety, not money.

It might be easier just to delete these messages as they come in, but typically someone from the NMA responds and tries to educate these misguided souls. There is no shortage of glaringly obvious speed traps, which makes it easy to prove our point.

Coburg, Oregon is such a place. In fact, Coburg may be one of the most infamous speed traps ever! This small Oregon town is located just off a busy stretch of Interstate 5. Despite much higher average speeds, Oregon remains the only western state to still have an interstate speed limit of 65 mph. This gives the Coburg Police plenty of victims from which to choose.

The town's former police chief, Mike Hudson, is largely responsible for turning this quiet rural town into an object of loathing for out-of-town motorists. Hudson's officers have written millions of dollars worth of speeding tickets. Money that was then used to fund the town's and police department's extravagant spending, including Chief Hudson's annual salary of \$125,000 (more than the superintendent of the Oregon State Police earns).

The department also purchased a variety of novelties and sophisticated gear that was far beyond the needs of a town with fewer than 1,000 people. Chief Hudson's new "toys" included Heckler & Koch MP5 machine guns with silencers, customized BMW motorcycles, wristwatches with the Coburg police emblem, and baseball-style photo cards of the chief and his fellow officers, and more. The

department even spent \$20,000 to lease a computer simulator that trains officers on how to handle armed confrontations, even though the town has reported just ten violent crimes in the last three years.

The town did absolutely everything to maximize ticket revenue. It switched distributors for its citation books so no one would question why such a small department needed so many. One of the town's seven officers started writing out tickets before he even left the police station and tried to requisition a "rubber stamp" for his signature.

With such blatant abuses taking place, complaints soon reached the ear of State Representative Floyd Prozanski. Prozanski investigated and

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#### *The town did absolutely everything to maximize ticket revenue.*

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discovered that Coburg's officers were sending most of their tickets into municipal court in an effort to keep the maximum amount of money from each ticket.

In response, he drafted House Bill 2733 to stop towns like Coburg from fleecing responsible motorists. Prozanski's bill restricts municipal courts to only hearing cases that are generated within their community, thus eliminating a large part of the incentive the officers in Coburg have to ticketing people on I-5.

The governor signed the legislation, which has become known as the "Coburg law," in July 2003, although it didn't take effect until January 2004. Coburg's Police Department spent the intervening months writing thousands of tickets—a total of 3,913 worth over \$1 million in fines.

After the law took effect, Coburg's ticket revenue slowed to a trickle and

the town plunged into a financial crisis. The City Council fired staff in the face of a \$500,000 deficit. Even Chief Hudson was pushed into resigning, although he did get an overly generous \$120,000 severance package.

Teetering on the brink of insolvency hasn't stopped the Coubrug's leadership from searching for a way to tap back into their former ticket-writing gold mine. They've annexed 26 acres on the east side of I-5 to bring the speed trap back under municipal jurisdiction, and the town's police are on a pace to write more than \$700,000 in traffic tickets on the interstate this year.

Floyd Prozanski, who is now a state senator, hasn't given up on his crusade to put an end to this speed trap. New legislation, Senate Bill 295, is intended to kill the profit motive for Oregon municipalities to ticket motorists on interstate highways. Also, he is looking into still other ways to curb Coburg's abusive behavior permanently.

This includes reviewing a Missouri law that states any city, town, or village that receives more than 45 percent of its revenue from traffic fines on state highways must forfeit fines over that amount to the state for schools. "I'm not set right now at 45 percent," Prozanski said. "I think that might be too high." It's good to know we have some public servants who are concerned with protecting motorists. If you live in Oregon, feel free to contact Senator Prozanski and thank him for his efforts. 🙏

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NMA and you'll get an  
extra three months  
of membership*

**FREE!**

## Do As We Say, Not As We Do

by Eric Skrum, Managing Editor

Over four years ago, we wrote an *NMAF NEWS* article about Acme Rent-A-Car in Connecticut. The company was using a global positioning satellite system to track their vehicles. This wouldn't be so unusual if they hadn't been using it to track their customers' speed. Each time the client exceeded the speed limit for more than two minutes, Acme would automatically charge them \$150. If the renter had used a debit or charge card, the \$150 fee was automatically processed without the customer's knowledge.

The Connecticut Attorney General Office took Acme to court saying Acme's actions were illegal. The case reached the Connecticut Supreme Court and in April, it upheld the decision of lower courts, which prohibited companies from fining customers for speeding.

This is great news for motorists as it

prevents other rental companies from gouging their clients in the same manner. It also brought to light some very interesting quotes that highlight the government's hypocrisy when it comes to the speeding ticket racket.

First, Acme's attorney, Max Brunswick, trotted out safety as a justification for his client's actions. He said, "They didn't do this to make money on the fees. They did it to hold speeding down to prevent accidents..."

Sound familiar? Keep reading... It gets better.

In response State Attorney General Blumenthal said, "The state can't condone speeding, but it condemns moneymaking schemes designed as safety measures."

Isn't that the whole foundation of speed limits and speeding tickets? Every day, the NMA confronts government officials with the idea that speeding tickets are nothing but a

revenue generator. Their response? Same justification as Acme's. Safety, not money, motivates their actions.

"You cannot secretly track drivers' speeds and gouge them under the guise of safety or vehicle expense," state Attorney General Richard Blumenthal said. "No logic or law warrants a private company ambushing consumers with a \$150 fee for exceeding a random speed limit."

If you substitute "private company" with the word "government," Blumenthal makes our argument for us. This is the same line of reasoning the NMA has used against arbitrarily low speed limits used to generate revenue.

Apparently Connecticut won't stand for any competition when it comes to exploiting motorists. Only the state is allowed to ambush people with unwarranted fees "for exceeding a random speed limit." ☞

## Not Driving? No Problem!

The day has finally come, and motorists throughout Canada and the United States should take note. Korylea Lebray, a 25-year-old Edmonton, Alberta woman has been charged in relation to a March 7th pedestrian hit-and-run, even though she wasn't driving the vehicle.

Using the same provision that allows police to issue photo radar and red light camera tickets, prosecutors say they can now charge otherwise innocent vehicle owners for crimes committed with their automobiles.

The victim, an 85-year-old man, was jaywalking when Lebray's Honda Accord struck him. The

driver of the Honda reportedly drove off without checking on the welfare of the man. He remains in serious, but stable condition at a local hospital. A concerned citizen followed the Honda for a few blocks and then saw two males running from the car.

The police continue to seek information on the male suspect they believe was driving the car when the hit-and-run occurred, but this hasn't stopped them from charging the car's owner.

Lebray's unwillingness to help police find the man who is actually responsible for the hit-and-run is disturbing and unacceptable. However, she has not been charged

with obstructing justice or hindering a police investigation, instead she has been directly charged with failing to remain at the scene of a collision, even though there is no evidence to suggest she was ever at the scene!

The case marks a disturbing legal development in which unjust photo enforcement laws are being used as a justification for even more unreasonable prosecutions.

This comes at a time when Alberta is considering expanding photo radar's use outside of urban jurisdictions. As photo enforcement spreads, there is no doubt that the judicial abuses it encourages will do the same. ☞

## News From Around The Country

**A**t the time of printing, the legislative information is correct. To track the progress of these bills or for contact information for your legislators, you can visit the **Speak Out!** section of the NMA web site at [www.motorists.org/speakout/state.html](http://www.motorists.org/speakout/state.html).

You can also find NMA positions on any of these topics that you can use when contacting your legislators on these issues at [www.motorists.org/issues/index.html](http://www.motorists.org/issues/index.html).

### Arizona

The Arizona State Senate rejected a bill that would have required the department of transportation to set speed limits at or below the speed 85 percent of drivers are traveling. This action comes even though the 85th percentile is recognized as the safest level at which to set the speed limit.

### California

Some city officials would like to make San Francisco the first city in the nation to charge drivers for driving in its downtown. The San Francisco Transportation Authority has applied for federal aid to study the effects of the proposal, which faces strong opposition from the public.

The California DMV has released a new study on ignition interlock devices, a mechanism used to prevent drivers whose blood alcohol level is near the legal limit from starting their cars. The study stated ignition devices have no statistically significant effect in preventing subsequent drunk driving convictions. These devices were also found to increase their users' general crash risks by up to 130 percent!

### District of Columbia

D.C. is trying to sell the idea of red light cameras with a new ad campaign. The Metropolitan Police Department has turned to Flash, "the world's fastest man," who claims the District's photo enforcement even "slows him down."

### Illinois

Speed camera vans will patrol highway work zones in July and take pictures of drivers violating the 45 mph speed limit, announced the Illinois DOT. Fortunately, there will be signs posted to warn drivers that photo radar is being used.

### Iowa

On July 1, highway speed limits will change from 65 mph to 70 mph in Iowa. Governor Tom Vilsack signed the bill that allowed the speed limit change, as well as double the fines for speeding. This increase in fines is expected to bring seven million dollars in revenue to the state.

### Massachusetts

New screens are being used on highways to obscure accidents and keep traffic moving. These seven-foot-tall by 10-foot-wide screens are made of piping and vinyl material. They have been in use for about a year and seem to reduce congestion caused by motorists who gawk at accidents.

### Minnesota

The good news is Minnesota's Department of Transportation is going to raise the speed limit from 55 mph to 60 mph on some urban and rural state roads. The bad news is this change is being used to justify serious speed enforcement efforts on these roads.

### North Dakota

SB 2200 would prohibit insurance companies from using information from the "black box" to set insurance rates. The black box is a device that stores a variety of information, such as vehicle speed and occupant seat belt use. The measure also requires car dealers to better inform buyers about their vehicles' black boxes.

### Oregon

Portland school zones will be monitored for eight weeks starting April 4, with photo radar. The National

Highway Traffic Safety Administration (NHTSA) is using Portland to test the effect of photo radar in school zones. The citation for speeding in a school zone starts at \$390. This is the first of many similar tests NHTSA would like to perform.

### Pennsylvania

After years of feet dragging on the part of Pennsylvania Turnpike officials, motorists can now drive a uniform 65 mph on the road, except in mountainous areas. The new speed limit went into effect shortly before the start of Memorial Day weekend.

### Tennessee

The Tennessee Department of Transportation is reducing the speed limit to 55 mph for commercial trucks in Shelby County. The DOT is lowering speed limits to reduce vehicle emissions, despite the fact that experience has shown that posted speed limits have little effect on actual travel speeds.

### Texas

A recent study by the Texas Transportation Institute has found that carpool lanes that are not separated from regular lanes with a physical barrier increase accidents by over 40 percent. The problem occurs when other motorists try to merge into the carpool lane at a much slower speed and the carpool motorists cannot slow down in time to avoid an accident.

### Vermont

If HB 421 is approved, motorcyclists would be restricted as to which roads and trails they can use in Vermont. It would also require motorcycle event sponsors to get a permit from each city through which a rally or ride would travel. Failure to comply with road restrictions would result in a fine of up to \$1000 plus costs incurred by the city. 📧



## MEMBERS WRITE

*Your letters are welcomed and appreciated. This is a forum for diverse opinions, different perspectives, and personal experiences. Letters may be edited for length or clarity. Letters should not exceed 300 words in length. Full-length articles will also be considered for publication in the NMAF NEWS. Articles should not exceed 600 words in length. Positions and opinions expressed in letters and NMA member-authored articles are those of the author and do not necessarily reflect NMA Foundation policies or objectives. To submit, you can email us at [nma@motorists.org](mailto:nma@motorists.org) or mail to our NMA Foundation Office.*

I realize we have plenty of motorist issues to keep us all busy, but I would like to mention one that I have not heard much talk about but has been on my mind for awhile, and that is the use of unmarked highway patrol cars.

Using unmarked police vehicles for traffic enforcement is another symptom of enforcement for revenue, and not safety. If the police truly want traffic to flow at the posted speed limit and behave without aggression, then a clearly marked police car with light bar on top, and a uniformed officer is extremely effective at making that happen. However, if what they want is revenue and easy tickets, then sneaking around in unmarked vehicles is the answer.

Unmarked police vehicles also cause mistrust and misunderstanding between motorists and officers, as more incidents are reported about psychos impersonating police pulling over victims with just a colored dash-mounted light. Unmarked vehicles make sense for detectives and undercover cops, but traffic enforcement calls for clearly marked vehicles and uniformed personnel.

**Terry Lilly**  
**Barboursville, VA**

I just learned that speed bumps are illegal on Army installations, and thought I would pass the information along. Army Regulation

420-72, 1 May 2000, Facilities Engineering/Transportation Infrastructure and Dams, Chapter 2 (Pavements), Paragraph 2-17.b (Safety), reads as follows:

"Safety hazards. Hazardous features such as transverse ridges, speed bumps, or dips on pavement surfaces will not be installed or maintained as a means of controlling or reducing the speed of traffic."

The Army hospital in which I work had speed bumps in its parking lot, until a snow and ice storm during the Christmas holidays when the plowers asked to have them removed. They haven't been replaced, thank goodness. Nobody slowed for the bumps in the morning before the patients arrived. All the early arrival employees simply sped around them.

I don't know if there are other speed bumps at other posts, but now that I know about this regulation, I'll keep my eyes peeled. I hope other NMA members serving in the Army will do the same.

**Eric Berg, MD**  
**Clarksville, TN**

I just got a red-light ticket in Scottsdale, Arizona. Now I don't condone wild driving or running red lights. I know there are others on the road who are not the best of drivers so those who are experienced drivers need to be patient with those who aren't.

My criteria for a summons being

just and/or fair is when given the same situation, would I act differently or would I do the same thing? My answer in this case is that I would do exactly the same thing. I was travelling the 40 mph speed limit. My wife and son were with me. As I was just entering the intersection, the light turned red. If I slammed on the brakes (Chevy Suburban), I could injure my family and possibly the car. **Plus** I'd end up in the **middle** of the intersection, which very easily could create an accident!

I'm sure you know why this happened—the yellow light was extremely short. If it were just one second longer, this would not have happened.

Of course poor Scottsdale would be out of a lot of revenue, as well.

**Andras Nevai**  
**Sedona, AZ** 🏠

**Visit one of the NMA  
web sites for more  
motorist information.**

**[www.motorists.org](http://www.motorists.org)**

**[www.speedtrap.org](http://www.speedtrap.org)**

**[www.roadblock.org](http://www.roadblock.org)**

## The Experts' Corner

**D**o you have a question that only an expert can answer? If so, look no further. We have many NMA members with special fields of expertise. This feature was created to assist members with answers to both practical and technical questions.

This sharing of knowledge is another benefit of belonging to the NMA. Please indicate that you are an NMA member when calling a listed "Expert."

Can you help? Please contact us with your field of expertise and provide us with a contact address.

A telephone number would be very helpful, but is not required. Feel free to list preferred contact times if you do provide a telephone number.

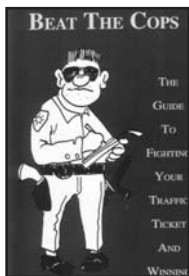
***PLEASE NOTE: This is not intended for listing of commercial business services.***

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**As an NMA member, the Experts' Corner is available to you online at**

**<http://www.motorists.org/join/membersonly/experts.html>**

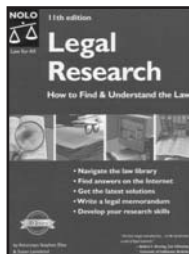
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**Beat The Cops**

NMA Member Alex Carroll has refined and published a great little ticket-fighter's book entitled Beat the Cops. Alex is not a lawyer and the book doesn't read like it was written by one. Its easy reading and casual style convey a lot of good information for anyone who wants to fight his/her ticket. It gives a good overview of the traffic ticket industry and the best strategies of how to avoid getting a traffic ticket. But, its real emphasis is on what to do after you've been stopped and issued a citation.

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Many laws and statutes that you need to prepare your case are state specific, which means that you will have to do the research. This book gives you the basic understanding of how to conduct legal research. The book explains everything in easy-to-understand terms. It also uses many examples to explain its points. The examples are issues that most people have heard of and can relate to such as wills, small claims, and fighting tickets.

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# State Chapter Coordinators and Activists

NATIONAL MOTORISTS ASSOCIATION NEWS

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dedicated volunteers who monitor, publicize, and lobby critical motorists' issues, for you, within your state. They can also provide insights on how to best fight a traffic ticket in your state.

**As an NMA member, the State Chapter Coordinators and Activists are available to you online at <http://www.motorists.org/join/membersonly/sccact.html>**



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