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## NEWS & NOTES

American Motorcyclist Association

**April 2007**

**The American Motorcyclist Association (AMA)** announced that bipartisan bills have been introduced in both the U.S. House of Representatives and U.S. Senate that would end health-care discrimination against motorcyclists, ATV enthusiasts, and participants in other legal recreational activities.

US Representatives Michael C. Burgess (R-Texas) and Bart Stupak (D-Michigan) introduced HR1076, "The HIPAA Recreational Injury Technical Correction Act." On the same day, Senators Susan Collins (R-Maine) and Russ Feingold (D-Wisconsin) introduced identical companion legislation, S 616.

The bills seek to bar employers from discriminating against those who take part in activities such as motorcycling, ATV riding, skiing, snowmobiling or horseback riding in the health-insurance programs they offer their workers.

HIPAA originally prohibited employers from denying health-care coverage based on a worker's pre-existing medical conditions or participation in legal activities, such as motorcycling. But later federal bureaucrats reversed the law, writing rules to allow health-insurance discrimination against motorcyclists and others who engage in legal activities like ATV riding, or horseback riding -- employees were guaranteed the right to health-care coverage, but not guaranteed any benefits under those plans.

Motorcyclists were outraged when federal bureaucrats went against the will of Congress, and the AMA immediately lobbied legislators to right this wrong. Others involved in the effort include the All-Terrain Vehicle Association, the American Council of Snowmobile Associations, the American Horse Council, the BlueRibbon Coalition, the Motorcycle Industry Council, Motorcycle Riders Foundation, and the National Ski Areas Association.

Enthusiasts can send letters of support to members of Congress through the AMA Rapid Response Center at [www.AMADirectlink.com](http://www.AMADirectlink.com).

**Bakersfield** AMA Life Member Steve Montgomery is working toward getting more motorcycle parking spots marked off around this California town. Montgomery discussed the proposal with city officials during a regular session of the Planning and Development Committee.

Montgomery's request for designated motorcycle parking is apparently the first such formal one the city has received, officials said.

While the idea was greeted with relatively positive comments, two roadblocks popped up. First, the parking spots would require signs -- something that likely won't be popular with downtown business owners. Second, the signs would cost roughly \$150 to \$200 a piece, planning staffers estimated. The three-member committee voted unanimously to postpone a vote until the next committee meeting April 5. In the meantime, Montgomery will meet with downtown business owners. City staffers will draw up a more precise inventory of possible spots. If you'd like to get involved, you can contact Montgomery at [samonty@pacbell.net](mailto:samonty@pacbell.net).

This is by-in-large a byproduct of the efforts of AMA Life Member and Community Council leader

Wayne Phillips who is already marking the spots in his town of Orinda, CA.

**Washington** State Senator Adam Kline (D-37) has sent word about why he introduced legislation that would greatly impact all off-highway vehicle riding in the Evergreen State. Senator Kline has confirmed many times that he actually wrote the piece that is being circulated (and shown below).

*"I signed on because I have been annoyed, endangered, and angered one too many times by people riding motorized dirt-bikes and other off-road vehicles that have no damn business anywhere. To me, this bill is narrow--it doesn't include those "personal watercraft," seemingly jet-powered little missiles whose only apparent purpose is to risk death and dismemberment for boaters and swimmers, for the amusement of spoiled drunk teenagers.*

*Yes, I am sure there is the occasional responsible person who rides one of these machines on land or water. And yes, like every human being I have been pleasantly surprized to find my stereotypes broken. But why, why, why, do folks insist on motorized "sports"? Those two words are an oxymoron. There is nothing sporting--athletic, physically demanding--about riding any machine anywhere. And it's a damned annoyance to folks who see the outdoors as a place to go for quiet and solitude and self-exploration. I would be happy to ban the use of the internal combustion engine off-road, by anyone without a handicapped sticker, subject to a stiff fine. Maybe we could call this an anti-obesity measure. Please circulate this to all motorized sports enthusiasts, so they can remember never to vote for me."* Adam Kline

Washington OHV Association leaders and other activists are asking for no one to waste their time writing to Senator Kline but put that collective energy into defeating SB 5544. For more information go to [www.wohva.org](http://www.wohva.org).

For those who would still like to express their views in a polite way, Senator Kline can be contacted at 223 John A. Cherberg Building, PO Box 40437, Olympia, WA 98504-0437, (360) 786-7688, Fax: (360) 786-1999. All OHV enthusiasts residing in the 37th Senatorial District of Washington are highly encouraged to do so.

**Georgia** Governor Sonny Perdue sought legislation he believes will help reduce traumatic automobile accidents and provide additional funds for trauma care in the state. State Senator Ronnie Chance, one of the governor's floor leaders in the Senate, will introduce "Super Speeder" legislation.

Preliminary estimates show the Super Speeder legislation could generate as much as \$25 million to \$30 million per year. The additional fees, after administrative costs, will go to the state's general treasury with the intent that the money will be used to fund a trauma care system.

**Arizona** House Bill (HB)2051 to remove the \$150,000 cap from the Motorcycle Safety Fund (MSF) passed the Appropriations Committee about 3 weeks ago and the Rules Committee on 2/27/07. It was immediately put on the schedule for Committee of the Whole (COW) during House Floor session, where amendments could be voted on. As soon as it passes COW, it will go for a Floor Vote of all House members and then on to the Senate for the same process.

For more information on this legislation contact Arizona motorcyclist/lobbyist Bobbi Hartman at [bobbij2@earthlink.net](mailto:bobbij2@earthlink.net).

**A Colorado** bill that would require kids under 18 to wear helmets is working its way through the legislature. House Bill (HB)1117 passed on an initial vote through the House. Proposed penalties

would be steep with fines of \$125, including \$10 for the Colorado Traumatic Brain Injury Trust Fund, plus 3 points on a driver's license.

**Malaysian** police have seized about 2,000 motorcycles nationwide, mostly from young riders, involved in various offences over a period of five days. About 75 percent of the offenders were between 20 and 25 years old and failed to produce their license and road tax.

Action was also taken against 15 riders for failing to display the "P" stickers (probationary license) on their machines. The detained motorcyclists were taken to the City traffic police headquarters in Jalan Bandar for urine tests.

**AMA Community Council** – Treasure Coast (FL) president Frank Walsh has personally be ensuring that all stop lights in his area will recognize motorcycles.

Like anyone who has sat in the piezoelectrically operated box of a stop light on a motorcycle, for seemingly endless amounts of time, Walsh got fed up with going no where, decided to work with the surrounding municipalities and the county to re-calibrate all stoplights to recognize motorcycles. Walsh, who is a retired municipal worker from New York, spent countless hours volunteering his motorcycle for the calibration work.

Several states have recently enacted legislation that would provide for a positive defense should a motorcycle run these lights, as long as certain conditions are met. For more information on this type of legislation contact AMA Legislative Affairs Specialist Imre Szauter at [isauter@ama-cycle.org](mailto:isauter@ama-cycle.org). For information on recalibrating the nuisance stoplight on your regular route contact the traffic authority in your area.

**Several Massachusetts** communities including Plymouth, Duxbury, Rochester, Mattapoisett, Pembroke and now Carver are working to keep motorcycle drivers safe on the roads in their communities thanks to efforts from the Massachusetts Motorcycle Association (MMA). MMA has been instrumental in raising awareness of motorcyclists through its Motorcycle Safety Project. The group was able to help enact a bill in 2002, which led to Gov. Mitt Romney signing a proclamation in 2005 annually declaring the last week of March through the last week of April as Motorcycle Safety Awareness Period.

In November of 2006 MMA requested a grant from the Auto Insurer's Bureau to help fund the erection of motorcycle awareness signs in Massachusetts communities. Plymouth Rock Assurance Corporation awarded a \$15,000 grant to the MMA to purchase and install 500 2-by-8-foot signs, which read "Check twice - Save a life, MOTORCYCLES ARE EVERYWHERE!!!!!" The signs are constructed of Coroplast, a strong plastic material, in highly visible yellow with black lettering.

Representatives of MMA, and now assisted by the AMA, are seeking permission to install at least one sign per community. Massachusetts is one of the few states where motorcycle registrations have gone up and deaths have gone down. For more information or to get the signs placed in your favorite Massachusetts town contact the MMA at [Claimscote@aol.com](mailto:Claimscote@aol.com).

**Oregon** Senate Bill 49 is an anti-OHV (off-highway vehicle) bill that restricts the size of an ATV/motorcycle by age of the operator. One feature of this bill that has not received much press is that although the bill specifies ATVs, the state uses this acronym for both all-terrain vehicles (four-wheelers) and motorcycles. Therefore, the age restrictions and vehicle size (engine displacement)

restrictions apply to off-road motorcycles also.

Information on how to oppose this poor piece of legislation can be found on [www.omraoffroad.com](http://www.omraoffroad.com) which is the Oregon Motorcycle Riders Association website.

**The Metro Manila**, Philippines Development Authority and local officials recently said plans are being finalized on the compulsory use of daytime running lights for motorcycles to lessen road accidents.

MMDA Chairman Bayani Fernando, mayors and other executives have agreed on the measure at their monthly Metro Manila Council meeting. The resolution compels the use of headlights, adopting a design rule of hard-wired and full beam headlights for motorcycle manufacturers.

The agency's Road Safety Unit under the Traffic Operations Center recorded the highest fatality incidence of 23.60 percent involving 122 motorcycles from January to December last year. There were 113 car accidents with 21.86 percent fatality also in 2006.

**Traffic deaths** dropped substantially in 16 states last year, in many cases reflecting stepped-up enforcement and education campaigns, according to a USA TODAY analysis of statistics reported by the states. Highway fatalities fell by at least 5% in those 16 states. In nine other states, deaths rose by at least that much. Texas and Georgia reported preliminary declines of more than 5%, but traffic safety agencies in those states expect the final totals to rise significantly.

While the fatality numbers are preliminary and unofficial, they show startling drops in some states. Safety officials attribute the declines in part to coordinated programs aimed at careless or reckless driving.

Among other factors cited in states that had drops in traffic fatalities: stiffer drunken-driving laws, police checkpoints aimed at aggressive driving, improved highway design, and graduated license programs and other safety efforts targeting young drivers.

Several states are still collecting data from county and local law enforcement agencies and say their 2006 fatality figures could rise.

States report their highway death numbers to the National Highway Traffic Safety Administration (NHTSA), which analyzes the figures before issuing a preliminary national fatality total. The 2006 total is not likely to show major changes from 2005. Since 1995, the annual total has ranged between 41,000 and 43,000.

In states where fatalities rose substantially, agencies cited increases in pedestrian deaths, aggressive driving, drunken driving and speeding as factors.

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AMA Government Relations *News & Notes* is a monthly service compiled and edited by the AMA Government Relations Staff to keep motorcyclists informed of happenings around the world. We welcome your news & views. Please submit all material to Terry Lee Cook, Grassroots Manager, 13515 Yarmouth Drive, Pickerington, OH 43147; fax 614-856-1920 or e-mail to [tcCook@ama-cycle.org](mailto:tcCook@ama-cycle.org).