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NEWS & NOTES

American Motorcyclist Association

July 2006

Has your health care insurance been denied? If so, then let the AMA know.

Earlier this year hundreds of workers at the American Coal Company mine in Galatia, Illinois, were denied health-care coverage for motorcycle-related injuries.

At American Coal, if a worker is injured riding a legally licensed motorcycle on the street, there's no medical coverage. Even if the injury is caused by another driver, the rider could lose. He'd be entirely dependent on the other driver's insurance coverage. And these days, medical bills can quickly overwhelm minimum-coverage policies—if the other driver even has insurance.

The AMA is backing measures in Congress to bar employers from discriminating against motorcyclists and ATV riders in the health-care arena. We need your help in this fight. We need to know if your employer-provided health insurance refuses to cover ATV-related injuries. You don't know? Now is the time to find out, before you get in a crash. Check your policies for "exclusions" that may say motorcycle-related injuries aren't covered. Or ask your plan administrator.

And if you find that you are not covered on your machine by your medical plan, let us know. We need to know the name and address of the company, the name of the health plan. And if you were hurt and the medical plan wouldn't cover the costs, we need to know the details. We need concrete examples to take to Congress to show lawmakers that health discrimination against motorcyclists is happening, is crippling financially, and is intolerable. You can e-mail the information to Legal Affairs Editor Bill Kresnak at bkresnak@ama-cycle.org or mail the info to him at AMA, 13515 Yarmouth Dr., Pickerington, OH 43147.

Louisiana Governor Kathleen Blanco has signed into law a bill that increases penalties for drivers who injure or kill others by committing right-of-way violations. The new law, which was passed quickly due to the grassroots work of ABATE of Louisiana, AMA members, other motorcyclists, and government officials, is consistent with the goals of the AMA's Justice for All campaign, which seeks to address inadequate sentencing of drivers who injure or kill others.

The new law allows courts to impose additional penalties on drivers when they commit a right-of-way violation and cause injury or death. The additional fines can range from \$250 for an injury to \$1,000 for death. Previously, the statewide minimum fine for a right-of-way violation was \$50, even if injury or death resulted.

While the AMA worked to help pass the bill by issuing Action Alerts through the AMA Rapid Response Center, AMA Legislative Affairs Specialist Imre Szauter credited the grassroots efforts of ABATE of Louisiana, led by its president, James "Poet" Sisco, in getting the legislation passed in record time. The bill was introduced March 16 and signed into law on June 5.

The AMA launched the Justice for All campaign in response to numerous instances across the country in which drivers killed or injured motorcyclists and walked away with minor fines. In many cases, state laws do not provide for additional fines beyond a simple ticket for a traffic offense. The Louisiana law addresses that potential injustice. Elsewhere, laws consistent with the Justice for All campaign have been passed this year in Georgia, Iowa, New Hampshire, Oklahoma, West Virginia,

and Wisconsin.

The Illinois Department of Natural Resources (IDNR) Off-highway Vehicle (OHV) Committee met in June and awarded \$861,500 in grants to different projects in the Land of Lincoln.

One acquisition grant was approved for \$556,200 for a 206-acre tract of land - \$444,960 of which was taken from the Federal Recreational Trails Program - the rest from the Illinois IDNR fund. Development grants were awarded to Little Egypt (\$79,600), Williams Hill Pass (\$128,700), Triple H (\$50,700), and Clark County (\$46,300) OHV riding areas.

John Roth was elected Chairman of the Committee and Lance Martin Vice President. AMA member Bud Northrup will continue his role as the representative on the Greenways and Trailways Committee.

South Carolina legislators, in both Houses worked to get S-772 and H-4307 passed this legislative session. S-772 was a bill that dealt with handlebar height restrictions and H-4307 corrected the property tax issue facing Palmetto State motorcycle owners.

Prior to H-4307 passing, motorcycles registered in South Carolina were taxed annually at a 10.5% assessment rate while other private, passenger vehicles such as cars and trucks, were taxed at a 6% assessment rate.

Should Governor Mark Sanford signs H4307 into law, South Carolina motorcyclists will no longer pay higher property tax on their motorcycles than their car and truck counterparts. All will be assessed at 6% annually.

It is anticipated by ABATE of South Carolina that Governor Mark Sanford will sign H-4307 into law as he signed S-772 into law a few weeks ago.

The Bureau of Land Management (BLM) will close nearly half of the Clear Creek Management Area in southern San Benito County, California this summer citing concerns about off-highway vehicle (OHV) enthusiasts and others being exposed to potentially hazardous asbestos.

The closure of 30,000 acres at the Clear Creek is prompted each year by the onset of dry weather and the dust that results, according to the BLM Hollister Field Office. Much of the earth in the 75,000-acre area is laced with naturally occurring asbestos.

OHV riders, campers, and hunters of wild pigs recreate at Clear Creek, which is located about an hour south of Hollister. The closed areas will be identified with large signs and information available at a kiosk in Clear Creek. The restrictions will be in effect from June 1 to October 15.

In addition to asbestos and good OHV trails, Clear Creek is known for the endangered San Benito evening primrose - a rare flower that has spurred more than a year of litigation between anti-access environmentalists and the BLM.

In November, 2004, the California Native Plant Society and the Center for Biological Diversity filed suit against BLM, claiming that the agency's management plan for Clear Creek - which cut the 400 miles of OHV trails by nearly half - did not go far enough to protect the primrose. The flower was declared endangered in 1985.

Several hearings last year produced no conclusion to the suit. The BLM is slated to file a report with the Federal Court in San Jose about how the primrose is being protected at the end of June. The suit will proceed based on the report.

The Federation of European Motorcyclists Associations (FEMA), for each of the past ten

years, organizes an event presenting the European Union (EU) legislators with a message about the role of motorcycles and scooters in the transportation system. This social event also seeks to raise the awareness about the needs of citizens in areas related to mobility and safety, by providing the EU legislators with a "hands on" experience of motorcycling.

The EU is currently addressing the mid-term review of the White Paper on Transport Policy, which enunciates the high-level political objectives in transport from 2006 to 2010. To mark the 10th anniversary of the "MEP Motorcycle Ride", FEMA is contributing to the debate by promoting the socio-cultural image of motorcycles and scooters, focusing on mobility and leisure, safety and accessibility.

The event will take place on the June 19, 2006 at the prestigious Autoworld Museum in the Parc du Cinquanteenaire, Brussels. A buffet dinner will be accompanied by the display of motorcycles and scooters as well as past and present pro-mobility material.

To show the effects of the 3rd Directive on Driving Licenses and accessibility to the vehicles, qualified instructors of the Motorcycle Council Belgium will perform the new driving license practical test maneuvers.

The US House of Representatives passed legislation officially recognizing the right to ride pack and saddle stock animals on Federal public lands.

HR-586, the Right-to-Ride Livestock on Federal Lands Act of 2005 preserves the use and access of pack and saddle stock animals on public lands, including wilderness areas, national monuments, and other areas administered by the National Park Service, the Bureau of Land Management, the United States Fish and Wildlife Service, or the Forest Service where there is a historical tradition of such use.

"The American public has a right to utilize the lands they own for multiple uses," said Representative Barbara Cubin, R-WY. "Passing this bill makes it clear that horseback riders have a right to enjoy pack and saddle use in America's backcountry."

Wisconsin Governor Jim Doyle signed the Roadway Users Responsibility Act designated SB-528 on May 26, 2006. It will now become Wisconsin Act 464 when published by the Secretary Of State in the Wisconsin State Journal and will take effect on the first day of the 4th month beginning after publication. That will be October 1st.

This new law will: allow motorcyclists to proceed through a vehicle actuated red light after 45 seconds of the signal failing to recognize a motorcycle; increase the penalties for right-of-way violations; require that a motorcycle awareness class be taught in all driver education classes in the state; require that a person who violates the right-of-way of a motorcyclist and causes a crash to attend a Share the Road class and; and allow a graduate of the basic rider course obtain a motorcycle endorsement without holding an instruction (learners) permit.

Many components of this new law are consistent with the AMA's Justice for All campaign and championed by ABATE of Wisconsin, concerned motorcyclists, and AMA members.

New York's Senate and Assembly have recently filed legislation to repeal the ATV registration requirement. Bills numbered S7742 and A11527 have been introduced in both houses.

All concerned riders are being asked to contact their State Senator and Assembly member to ask

them to become co-sponsors of these bills.

The Registration Repeal bills are available for viewing at:

<http://assembly.state.ny.us/leg/?bn=A11527> and <http://assembly.state.ny.us/leg/?bn=S07742>.

Please contact Alex Ernst, Albany Government Relations Director, NYSORVA Inc., PO Box 250, Clarksville, NY 12041, 518-768-8192, www.nysorva.org if you have any questions.

The Rhode Island Trails Advisory Committee is soliciting proposals for properties to be acquired or developed for motorized recreational vehicle use. Proposals can include sale, recreational easement, or lease of suitable sites.

The Rhode Island Off-Highway Vehicle Association notes that there is a demand for safe, legal areas for motorized off-highway riding in Rhode Island, and there currently is no public place in the state for riders to go. RIOHVA supports effective regulation of any proposed off-highway public access, and says that the group advocates working in harmony with the environment and neighbors in utilizing any proposed public site.

The 16-member Trails Advisory Committee, made up of recreational trail users and representatives of Department of Environmental Management (DEM), the RI Department of Transportation (DOT), RIOHVA, and the RI Department of Administration, has awarded \$4.5 million in grants since the start of the program in 1993.

Under an interagency cooperative agreement, DEM administers the grant program with funds made available by DOT and the Federal Highway Administration through the Recreational Trails Program continually championed by the American Motorcyclist Association. The grants support trail development and improvement projects, as well as trail construction and maintenance equipment. To date, no grant funds have been awarded for off-highway motorized vehicle trails in Rhode Island, although grants have been awarded for such trails in other states.

Guidelines for proposals are available by contacting Richard Tierney of DEM's Division of Planning and Development at 222-2776 ext. 4310. Proposals should be sent to the RI Trails Advisory Committee, c/o Richard Tierney at DEM/s Division of Planning and Development, 235 Promenade Street, Providence, RI 02908.

The American Motorcyclist Association encourages all Off-highway motorcycle and ATV riders to fill out the 2006 Off-Highway Issue Survey. The survey is located in the Government Relations section of American Motorcyclist's July 2006 issue.

This survey, coupled with the upcoming Road Rider Issue Survey (in the August issue) is extremely helpful in allowing the AMA Government Relations Department know where to focus our efforts and what issues are effecting you as a rider. Every two years the AMA Government Relations Department surveys the Association's members to assist in establishing government relations policies and priorities.

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 cook@ama-cycle.org.