

Legislative Update for Chatham County CBA – August 2010

Vinny Neuman – Legislative Coordinator – NCRider2010@gmail.com (919) 522-4922 www.NCRider.com

NC State Issues:

I sent out an election update from Paul Wilms via email.

Federal Issues:

- **US House Bill 1253 – HIPAA loophole fix.** – Forces insurance companies to tell you if they will not cover your medical expenses for injuries received in what they consider “dangerous” activities. (motorcycling is one of them) Latest Major Action: 4/1/2009 Referred to Senate committee. Status: House voted: 422-3 in favor. Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

- **US House Bill HR 2057 - Right to Repair Act** - a bipartisan bill called the Right to Repair Act of 2009 has been introduced in the House of Representatives that would, in fact, make it cheaper and easier for millions of consumers to have their cars and motorcycles repaired. Latest Major Action: 4/22/2009 Referred to House committee. Status: Referred to the House Committee on Energy and Commerce. Rep. David Price (Western Wake), Rep. Bob Etheridge (Chatham), and Rep. Brad Miller are already co-sponsors. We are good on this one.

MOTORCYCLE-ONLY CHECKPOINTS CHALLENGED BY NY LAW FIRM - Since 2007, the New York State Police, along with other county and local police departments, have been conducting motorcycle-only police checkpoints on the roadways of New York State, often targeting major motorcycle events. Authorities claim that the purpose of these stops, at which they issue numerous tickets for helmet and exhaust pipe violations, is to advance motorcycle safety. “Being a motorcycle rider myself, as well as the Aid to Injured Motorcyclists (A.I.M.) Attorney for New York State, I was asked by ABATE of New York to contest this infringement on the rights of motorcyclists,” said Mitch Proner, who then advised the State Police and municipal authorities of his intent to file suit on behalf of ABATE and the National Coalition of Motorcyclists if the discriminatory roadblocks continued. “My letter was ignored and consequently, with the help of then-President of ABATE, Robert “Prospector” Boellner, I found class representatives to bring my action against the New York State Police as well as the other municipal agencies and elected officials participating in these stops,” explains Proner. In the first lawsuit of its kind in the United States, the NYC law firm of Proner and Proner is challenging the constitutionality of this unwarranted police action on First, Fourth, Fifth and Fourteenth Amendment grounds in the Federal Court for Northern District of New York.

MC-Only checkpoints - Recently, the National Highway Traffic Safety Administration (NHTSA) has asked for applications from law enforcement outfits to apply for a new pot of taxpayer money designated for pulling motorcyclists off the road to lecture them about safety. The MRF strongly opposes this sort of discrimination against motorcyclists. “Pulling over law-abiding motorcyclists does not make anyone safer and is huge waste of taxpayer money,” said Jeff Hennie, Vice President for Government Relations and Public Affairs for the MRF. NHTSA’s request for applications asks law enforcement officials to submit plans similar to what New York State Police did last summer. They set up outside big public motorcycle gatherings and pulled every single motorcyclist over to the side of the road to lecture them about safety, drinking and riding, proper tire inflation, and so on. The MRF feels there are much more productive and less discriminatory ways to promote safety for motorcyclists, and is disappointed that this approach was decided upon behind closed doors by a group of federal employees who apparently did not consult anyone in the motorcycling community for their input and expertise in motorcycle safety. This particular project is limited to five law enforcement agencies, and total funding is capped at \$350,000. In these tough economic times, that’s a ton of money. The deadline for applications is August 13, and to the MRF’s knowledge, no applications have yet been submitted. The MRF will be investigating to determine if NHTSA and the federal government have legal jurisdiction to fund states to single out one particular type of vehicle for clearly discriminatory practices over other vehicles, and will be working diligently to see that these proposed grants are never awarded. The MRF encourages you to contact U.S. Secretary of Transportation Ray LaHood today to voice your displeasure, either by phone: 202-366-4000 or by email: <http://ntl.custhelp.com/cgi-bin/ntl.cfg/php/enduser/ask.php>

Awareness is our best defense. Please stay involved legislatively.

Read DocSki's blog: <http://docskivnv.bravejournal.com>

