

Legislative Update for Chatham County CBA – Feb 2010

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NC State Issues:

- The NC General Assembly will reconvene on Wednesday, May 12, 2010 at 12:00 noon. The State CBA annual Lobby Day will be on Wednesday, May 19, 2010. Please plan to attend if you can.

Other State Issues:

- **PROPOSED LEGISLATION TO LET MICHIGAN RIDERS BUY PERMITS TO RIDE HELMETLESS** - Motorcyclists in Michigan would be able to buy a permit to ride without a helmet if a newly-introduced bill becomes law. It would apply to riders who are 21 years or older, have been licensed to operate a motorcycle for at least two years or completed a safety class, and have at least \$20,000 in health insurance. The \$100-a-year permit would make helmets optional. Any passenger over 21 years riding with a permit holder wouldn't need a helmet. State Representative Richard LeBlanc (D-Westland) said wearing a helmet should be a personal choice. LeBlanc told Capitol News Service of the Macomb Daily newspaper that he's been involved with the issue since the 1970s when he started riding a motorcycle, adding that he introduced the bill because he believes that wearing a helmet should be a personal choice. The bill is pending in the House Committee on Regulatory Reform, though ABATE of Michigan reportedly does not support the legislation and is dedicated to working with their new governor to repeal the existing helmet law with no fees, additional insurance or stickers. Michigan riders, spearheaded by ABATE and the Confederation of Clubs of Michigan, succeeded in passing helmet repeal legislation twice since 2006 only to have both bills vetoed by outgoing Gov. Jennifer Granholm.

- Myrtle Beach Helmet Law - SC State High Court heard arguments on the Myrtle Beach Helmet Law yesterday. The Pro Rally Businesses are joining with a ticket recipient to fight that the law is invalid and contradicts state law.

Federal Issues (Reported by the MRF www.MRF.org)

- **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) Passed the full House vote on April 2nd. In the Senate Health committee. Title: To require that limitations and restrictions on coverage under group health plans be timely disclosed to group health plan sponsors and timely communicated to participants and beneficiaries under such plans in a form that is easily understandable. Sponsor: Rep Burgess, Michael C. [TX-26] (introduced 3/3/2009) Cosponsors (1) 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.

- **Right to Repair Act HR 2057** - a bipartisan bill called the Right to Repair Act of 2009 has just 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. Although similar legislation has been introduced in previous Congresses but not voted on, it takes on additional urgency in these tough economic times, especially with the closing of many auto dealerships. Currently some manufactures only make diagnostic tools and software available to their dealerships, severely limiting repair opportunities for consumers. Enter HR 2057, introduced by Edolphus Towns (D-NY), which would require car manufacturers make the tools and diagnostic information needed to repair their vehicles available to independent repair shops on the same basis that they make them available to their dealer-operated shops. Basic consumer choice in vehicle repairs means more fair market competition, which helps keep repairs affordable. Enactment of the Right to Repair Act of 2009 would be a win both for small businesses and consumers at a time when both need a boost. Although HR 2057 does have a greater likelihood of passage this Congress than similar bills have in the past, it still has a long way to go before being signed into law. 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.

International Issues

- **EUROPE SLAPPING RICH DRIVERS WITH MASSIVE TRAFFIC FINES** - European countries are increasingly pegging speeding fines to income as a way to punish wealthy scofflaws who would otherwise ignore tickets. Advocates say a \$290,000 (euro 203,180.83) speeding ticket slapped on a millionaire Ferrari driver in Switzerland was a fair and well-deserved example of the trend. Germany, France, Austria and the Nordic countries also issue punishments based on a person's wealth. In Germany the maximum fine can be as much as \$16 million compared to only \$1 million in Switzerland. A Frenchman was fined 70,000 francs after being caught on a highway doing 151 miles (243 kilometers) an hour. Only Finland regularly hands out similarly hefty fines to speeding drivers, with the current record believed to be a euro 170,000 (then about \$190,000) ticket in 2004. The Swiss court appeared to set a new world record when it levied the nearly quarter million dollar fine in November, describing the speeder as a "traffic thug" in their verdict as they took into account his prior traffic record as well as his \$20 million in personal wealth. Swiss voters approved a 2007 penal law overhaul that let judges hand down fines based on personal income and wealth for moderate misdemeanors including excessive speeding and drunk driving. The nationalist Swiss People's Party wants to reverse the 2007 penal code changes, saying the current law could lead to "ridiculously low" penalties without any possibility of jail time for poor people who are caught driving drunk or speeding.

Awareness is our best defense. Please stay involved legislatively.