

Legislative Update for Chatham County CBA – Jan 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:

- **PENNSYLVANIA NOISE LEGISLATION COULD TURN NOSEY NEIGHBORS INTO NARCS** - House Bill 2104 on noise control was introduced in the Pennsylvania legislature on November 18 and referred to the House Committee on Transportation to consider allowing citizens to report loud vehicles and noisy mufflers to authorities for further action. As introduced, HB 2104 reads; Exhaust systems, mufflers and noise control. (f) Enforcement for violations - (1) A person who reasonably believes that a motor vehicle is in violation of this section may file a complaint, containing the registration plate number, with a magisterial district judge. (2) Based on the information in the complaint, the magisterial district justice may issue a search warrant for the vehicle and shall forward the search warrant and information contained in the complaint to the Pennsylvania State Police for investigation. (3) Upon receipt of the search warrant, the Pennsylvania State Police shall investigate whether the vehicle is in violation of this section and shall take appropriate action to enforce the provisions of this section. (4) A person who files more than one complaint under this section which, after investigation by the Pennsylvania State Police, are determined not to support a violation of this section shall be prohibited from filing any additional complaint under this section for a period of 12 months.

- **S.C. SUPREME COURT COULD RULE ON MYRTLE BEACH HELMET LAWSUITS** - Two lawsuits against Myrtle Beach over the city's helmet law could be heard by the state's high court in the new year. The S.C. Supreme Court clerk sent a letter to Myrtle Beach and the plaintiffs saying the lawsuits filed by business owners and a group of motorcyclists might be heard in the February session. The plaintiffs are suing the city to stop it from enforcing the motorcycle helmet law it imposed last year as part of a package of 15 new ordinances designed to deflect the May motorcycle rallies from the city.

Attorneys for the city, BOOST (Business Owners Organized to Support Tourism) and the 49 riders who protested the city's helmet ordinance on the day it became effective and were ticketed have filed their briefs with the high court, allowing judges to read the issues that will be argued orally if the hearing is slated.

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

JAPANESE MOTORCYCLE EXPORTS DOWN BY HALF - Motorcycle exports from Japan have slumped by over 50%, according to shocking new figures released by the industry watchdog. In October 2009 global exports of motorcycle from Japan were recorded at 41,143 units, compared with the 90,702 units total recorded for the same month of the previous year. The 54.6% export decrease is the twenty-fifth consecutive month that export figures have dropped, according to a recent JAMA report.

AUSTRALIAN BIKERS THREATEN TO SUE PUBS OVER COLORS DISCRIMINATION - Members of at least 21 of the state's "bikie gangs" are preparing to sue the 53 pubs, clubs, hotels and cocktail bars from Wollongong to The Entrance where they are banned if they turn up for a drink wearing club colors or their trademark bikie jewelry. They claim the bars are breaching the Anti-discrimination Act, the Human Rights Commission Act and probably the International Covenant on Civil and Political Rights which has been adopted by Australia. After gauging reaction from the bars, the United Motorcycle Council NSW plans to take action on behalf of all the clubs. The council was formed earlier this year as a reaction to government efforts to ban motorcycle clubs through the strictest anti-gang laws in the world.

Awareness is our best defense. Please stay involved legislatively.

Governmental Trivia:

How many staff members can US House and Senate members hire?

Members of the House of Representatives may hire up to 18 permanent employees for their congressional and district offices. Senators do not have a limit on the amount staff they can hire. A Senator's office, housed in one of three Senate Office Buildings, operates in the same manner as an office in the House of Representatives.

What is the Federal Register?

The *Federal Register* is the daily newspaper of the Federal government. It is a legal newspaper published every business day since 1936 by the National Archives and Records Administration (NARA). It can be as many as 80,000 pages. It is used by our federal government to inform citizens of their rights and obligations and provides access to a wide range of Federal benefits and opportunities for funding. The *Federal Register* contains: Federal Agency Regulations, Proposed Rules and Public Notices, Executive Orders, Proclamations, and Other Presidential Documents. NARA's Office of the Federal Register prepares the *Federal Register* for publication in partnership with the Government Printing Office (GPO). GPO distributes the *Federal Register* in paper, on microfiche, and on the World Wide Web.

Who uses the *Federal Register*? – If you are a lobbyist, reading the *Federal Register* may be vital to you and your customers: If you need to know about the day-to-day operations of the Federal Government, If your business is regulated by a Federal agency, If you are an attorney practicing before a regulatory agency, If your organization attends public hearings or meetings or applies for grants, If you are concerned with Government actions that affect the environment, health care, financial services, exports, education, or other major public policy issues.

How can I use the *Federal Register* to affect Federal rulemaking? - Federal agencies are required to publish notices of proposed rulemaking in the *Federal Register* to enable citizens to participate in the decision making process of the Government. This notice and comment procedure is simple. (1) A proposed rule published in the *Federal Register* notifies the public of a pending regulation. (2) Any person or organization may comment on it directly, either in writing, or orally at a hearing. Many agencies also accept comments online or via e-mail. The comment period varies, but it usually is 30, 60, or 90 days. For each notice, the *Federal Register* gives detailed instructions on how, when, and where a viewpoint may be expressed. In addition, agencies must list the name and telephone number of a person to contact for further information. (3) When agencies publish final regulations in the *Federal Register*, they must address the significant issues raised in comments and discuss any changes made in response to them. Agencies also may use the notice and comment process to stay in contact with constituents and to solicit their views on various policy and program issues.