

Legislative Update for Chatham County CBA – July 2010

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NC State Issues:

- **S 12. BAN MOBILE PHONE USE WHILE DRIVING** – Makes using a mobile phone or accessing additional technology unlawful while operating a motor vehicle on a public street or highway or public vehicular area. Narrows the exception for communicating in an emergency situation to communication with (1) an emergency response operator, (2) a hospital, physician's office, or health clinic, (3) a public or privately owned ambulance company or service, (4) a fire department, or (5) a law enforcement agency. Creates exceptions for (1) communication by any of the following while in the performance of their official duties a) a law enforcement officer, (b) a member of a fire department, or (c) the operator of a public or private ambulance and (2) use of a hands-free mobile telephone to make a call and not for the purpose of accessing additional technology. Makes drivers, other than bus drivers, over 18 years old who are not subject to 20-137.3 (unlawful use of a mobile phone by persons under 18 years of age) that violate this statute subject to a \$100 fine, in addition to court costs. Effective December 1, 2009, and applies to offenses committed on or after that date. Senate committee substitute changes effective date to 1 December 2010 and appropriates \$10,000 to NCDOT to implement act. **A committee substitute for this bill - which revised the effective date and added an appropriation received a favorable report from the Senate Judiciary II Committee and was referred to Senate Appropriations.**

S 181. DRIVERS LICENSES CHANGE EXPIR./8 YEARS TO 65 – Increases the age cap of persons receiving an 8-year driver's license from 54 to 65 years of age. Permits persons who are at least 18 years old, but less than 65 years old (was, less than 54 years old), to be issued or renewed a drivers license that expires on the licensee's birthday, in the eighth year after the license was issued or renewed. Effective January 1, 2010, and applies to any drivers license issued on or after that date. Senate amendment changes effective date to 1 January 2011. This bill passed the Senate on June 24 and received a favorable report from the House Transportation Committee on Wednesday and now resides in House Finance.

If you are ever discriminated against because you are a biker, please fill out the compliant form at the below URL. NCOM is gathering data. http://www.aimncom.com/ncom/ncom_complaint.htm

SOUTH CAROLINA: The (Myrtle Beach) Sun News - Jun. 08, 2010 - The South Carolina Supreme Court today unanimously ruled Myrtle Beach's motorcycle helmet law is invalid because it is superseded by state law. He said the helmet law's repeal takes effect immediately, and he will issue an order that the municipal court dismiss all pending helmet tickets, that all records be expunged for those who have received tickets and paid fines, and that all fines paid be returned to the people who paid them.

RHODE ISLAND: Small state and a big idea: A bill introduced to the Rhode Island Senate recently would require state, city and town buildings to provide designated parking spaces for motorcycles only. There would be one motorcycle space for every 30 auto spaces. Not a bad start! Now, what about the REST of the state, besides public buildings? And wouldn't it be great if this kind of law snowballed around the country?

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.

Awareness is our best defense. Please stay involved legislatively.

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