

Legislative Update for Chatham County CBA – June 2009

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State Issues:

- **House Bill 839** – Helmet choice for riders over 21 years of age. Passed the Transportation committee by 9-7 with an amendment to allow freedom of choice under 45 MPH. Rep. Ron Sutton, Chair of JIII committee would not allow the bill to be heard in his committee. Therefore the bill is dead for the 2009 - 2010 legislative session.

Related story: - Missouri's helmet bill passed the House and Senate and is sitting on the Governor's desk.

The bill allows riders 21 and over to choose whether they want to wear a helmet or not. However, everyone is required to wear a helmet when on an interstate highway. They will go back next session to get that removed.

- **House Bill 920 - No passengers under 16 years of age on a motorcycle.** Introduced by Rep. Van Braxton (Dem) from Kinston. He's an insurance agent. Only on sponsor – Bill did not make cross-over so it is dead for the 2009-2010 legislative session.

- **Alamance County NC House Representative Cary Allred (Rep) resigned his position on Friday, May 29th.** He was a House member for 20 years and also served in the Senate at one time.

- **House Bill 67** – Introduced by Rep. Nelson Cole (D) - **This bill mandates that license tags be displayed horizontally.** Some choppers have them vertically. This will result in a class 2 misdemeanor offense if passed (NC G.S. 14-3.1 = \$100 fine). They want to make sure that traffic cameras get a good pic of the offender's plate. Any covering or alteration of a license plate will fall under this new bill. Passed the House. Currently in the Senate Transportation committee.

- **Senate Bill 64 - Motorcycle learners' permit changes** – Change the duration from 18 months to 6 months lessening the time someone has to learn to ride. It also limits it to one renewal. It also requires someone have a car drivers permit or license to get a motorcycle permit. This bill discriminates against motorcycle riders therefore, the CBA will oppose this bill. Passed the Senate – Currently in the House JIII committee.

- **House Bill 166 – A bill to increase the allowable speed of a scooter or moped of less than 50 cc from 30 MPH to 50 MPH.** Introduced by Rep. Cary Allred (Rep) of Alamance County who just happens to own a moped and scooter retail store. Currently sitting in the House Transportation committee. Sponsor (Allred) resigned on 5-29-09 – This bill is dead and didn't make crossover.

- **House Bill 238 – Licensing moped riders** – Rep. Melanie Goodwin (D-Richmond 66) who has introduced a bill calling for moped operators to be licensed. The bill says, "It shall be unlawful for any person who is 16 years of age or older to operate a moped ... upon any public street or highway of this State without being licensed as a driver pursuant to G.S. 20-1.1." If passed, it would become effective Dec. 1. Currently sitting in the House Transportation committee.

- **House Bill 310 – Registration and insurance of moped** - Introduced by Rep. Nelson Cole (D) moped operators will have to have insurance like car drivers and they will not be able to travel on roads with a higher speed limit than the recommended maximum speed declared by the manufacturer. Currently sitting in the House Transportation committee.

- **House Bill 68 / Senate Bill 12 - BAN MOBILE PHONE USE WHILE DRIVING.** Filed 1/28/09 by Sen Dannelly (D). TO MAKE USING A MOBILE PHONE OR ACCESSING ADDITIONAL TECHNOLOGY UNLAWFUL WHILE OPERATING A MOTOR VEHICLE ON A PUBLIC STREET OR HIGHWAY OR PUBLIC VEHICULAR AREA. In House transportation committee but didn't make crossover – This bill is dead.

- **House Bill 9 / Senate Bill 96 - Similar to S-22 - BAN TEXTING WHILE DRIVING.** Filed 2/2/09 Sen. Forrester / Rep. Nelson Cole (D). TO make it unlawful to use additional technology associated with a mobile phone while operating a vehicle on a public street or highway or public vehicular area. Passed House – On Senate calendar for 6/9/09

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. (motorcycle could be one of them) Passed the full House vote on April 2nd. In the Senate Health committee.

- **RIGHT TO REPAIR BILL REINTRODUCED HR 2057** - Earlier this spring, in announcing the government's blueprint for saving the big three automakers, President Obama said, "The United States government will stand behind your (car) warranty." While it's unlikely many car owners would trust the federal government with an engine overhaul, 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 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. (The legislation expressly protects manufacturer trade secrets from public disclosure.) Basic consumer choice in vehicle repairs means more fair market competition, which helps keep repairs affordable. In addition to the economic and convenience issues connected with this legislation, it is well known that vehicles that are well maintained operate cleaner and more fuel efficiently. 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. **ACTION ALERT: The MRF asks that you contact your US Representative to ask that he/she co-sponsor this important piece of legislation.**

- **MRF's “Bikers Inside the Beltway” Lobby Day is on Thursday, May 14th.** 75 riders from 16 states attended the Lobby Day.

- **The 24th Annual National Coalition of Motorcyclists (NCOM) Convention, held in Reno, NV May 7-10, 2009.** - The NCOM Convention, which was hosted by the Northern Nevada Confederation of Clubs, presented an opportunity for motorcyclists of every background to find common ground and focus on issues of concern to all motorcyclists. Riders learn, teach and share with one another, and coordinate with likeminded individuals and groups to forge relationships and foster communications. Nearly 1,400 motorcyclists attended the Convention, and conventioners represented almost all major patch holding motorcycle clubs, as well as a wide array of motorcycling-oriented organizations and associations, including a majority of State Motorcyclists Rights Organizations across the country. The NCOM Convention featured educational seminars covering such diverse topics as Biker Rights and Civil Liberties post-9/11 and the Federal Trademark Seizure threat where all club insignia are put at risk, combating Anti-Biker Discrimination, Christian Unity, Women in Motorcycling, and a host of other legislative, judicial, and lifestyle issues. NCOM also broke special ground this year with the first presentation of a seminar entitled, "The World Of Sport Bikes", which focused on issues and concerns specific to the Sport Bike Community.

News:

- **MAN FAKES KIDNAPPING TO FIND STOLEN MOTORCYCLE** - After hours of searching for a toddler whose father claimed he was attacked by motorcycle thieves who abducted the child, police arrested the Florida man for fabricating the kidnapping to get police to launch an intensive search for his stolen motorcycle. According to The Gainesville Sun newspaper, deputies took the 37-year old man away in handcuffs for filing a false report after his story unraveled during the manhunt and police learned that the 1-year old was safe with his mother. Officers believe the man was the victim of thieves who posed as interested buyers and then took his gold-and-black Yamaha, so he told his wife to take their son out of day care and he then called police to report that the child had been taken. "His thinking was if they thought my child was missing, there would be a more intensive search than for the motorcycle," a Sheriff's Office spokesman told the paper. The bike and the thieves are still at large.

- **Motorcycle Industry Council's (MIC) latest survey suggests that the number of motorcycles owned and used in America has grown 19 percent since 2003, to a total of 10.4 million.** The study suggests that fuel prices, environmental concerns, and convenience might be a few of the reasons why numbers are increasing.

Awareness is our best defense. Please stay involved legislatively