

# Legislative Update for Chatham County CBA – December 2012

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

## NC State Issues:

- **30 January 2013: 2013-2014 NC General Assembly Convenes Regular Session**
- **6 February 2013: CBA/ABATE of NC Lobby Day**

## Federal Issues:

### **MRF Legislative Agenda for 2013:**

- Transportation Equity Act (TEA) upcoming reauthorization (the Highway Bill) - closely monitor for any action that would positively or negatively impact motorcycles, motorcycling, and motorcyclists; oppose any motorcycling-related federal blackmails or federal sanctions contained in the bill; seek to include House Resolution 904 language to ban motorcycle specific roadblock federal grant funding
- Pursue continuation of the National Highway Traffic Safety Administration's (NHTSA) lobbying ban within individual states
- Pursue reinstatement of the Motorcycle Advisory Council (MAC) to advise the Federal Highway Administration
- Oppose the adoption of the SAE Roadside Sound Test as a national enforcement standard, this is considered by our SSMRO's to be a state-by-state issue at this time
- Closely monitor the developing health care act for motorcycling specific discrimination; monitor HIPAA (Health Insurance Portability and Accountability Act) for motorcycling specific discrimination
- NHTSA motorcycle-specific checkpoint grant program - MRF to carry out a full effort to cut off specified use of funding for this motorcycle-based discriminatory practice, while encouraging states to pass their own anti-checkpoint laws
- Continue monitoring the Federal Crash Causation study and the MSF Naturalistic study
- Strongly oppose any federal standard proposing stamping and certifying of motorcycle exhaust systems
- Continue to oppose federal agency activity regarding EPA Sound Emission User studies and the encouragement of state activity with federal resources-again deemed to be a state by state issue
- Work to discourage ALL forms of distracted driving, oppose any related funding blackmails, watch this issue closely for motorcycle specific discriminatory language
- Continue promotion of the Right to Repair Act, continue Right to Repair coalition activities
- Continue participation at the federal level where the definition of a motorcycle is under review
- MRF will oppose any motorcycling, motorcycle, or motorcyclist-based discriminatory legislation or rules proposed by the U.S. Congress or by a federal agency
- MRF to oppose any motorcyclist profiling legislation or rules this upcoming congressional session
- Continue participation in motorcycle related activity in the European Union, United Nations, and Canada
- MRF to fiercely oppose any mandatory helmet or apparel requirements
- MRF to encourage additional federal research of E15 fuel related to use in a motorcycle prior to any recommendations; continue to seek recommendations on its use from motorcycle original equipment manufacturers
- MRF to actively pursue inclusion of motorcycles in ongoing Intelligent Transportations System (ITS) emerging technologies
- Pursue safer roadway design strategies at the federal level, include safer cable barrier research similar to European improvements in the discussion
- Continue to promote our theme of crash avoidance versus safer crashing, using the principles of House Resolution 1498 urging NHTSA to focus on crash prevention and rider education
- MRF to pursue limiting funding of the Center for Disease Control (CDC) for their increasing involvement in motorcycling safety issues
- Pursue CDC lobbying ban, seek to remove any references where CDC suggests motorcycle crashes are preventable injury events
- MRF to monitor private organizations that oppose the legislative agenda or mission of the MRF and investigate their funding sources to make certain they are not receiving federal tax dollars
- MRF to monitor public organizations for funding sources when in opposition to our legislative agenda or mission, respond appropriately if they receive federal tax dollars

**NOW HEAR THIS!** - A flurry of scientific and medical studies lately have identified an inordinate amount of hearing loss in motorcyclists, due not to "loud pipes" but rather to air rushing past our ears at deafening intensities at highway speeds. After accelerating, most of the sound that a rider hears isn't engine noise, it is wind noise, and audiologists admit that even helmets do not provide much protection against hearing loss caused by wind buffeting in and around a helmet. Indeed, acoustical engineers say that audible wind noise inside a helmet can reach rock-concert levels as high as 115 decibels, and the National Institute for Occupational Safety and Health warns that exposure to noise at 100 decibels is safe for only 15 minutes and permanent hearing loss can result from prolonged exposure -- so motorcycle riders in particular should pay attention to the warning signs: a ringing sound in the ears immediately after exposure, and hearing voices and other sounds as muffled. Noise-induced hearing loss isn't reversible, but it is preventable. While even the most expensive helmet won't provide significant protection against noise, an inexpensive pair of

foam earplugs, readily available at drug stores, can reduce sound levels by 20 to 25 decibels. However, this simple solution may also be illegal. Even though riders have come to recognize that noise can be a serious health issue, many U.S. jurisdictions prohibit the use of earplugs, and one long road trip could take a rider through numerous changes in state and local laws. Just ask Aid to Injured Motorcyclists (A.I.M.) Attorney Ralph C. Buss whose client, a truck driver from Michigan, was pulled over while riding his motorcycle in Ohio and given a ticket for wearing protective ear plugs! The rider contacted ABATE of Ohio seeking assistance, and while ABATE looks into modifying the existing law to make allowances for motorcyclists to wear ear protection, they referred the motorcyclist to attorney Buss regarding the citation, which is a moving violation that in addition to a fine carries a 2 point penalty that could put his CDL and livelihood in jeopardy if he's found guilty. Although some states like California have changed their laws to allow riders to use hearing protectors, and Maryland allows custom-made earplugs only, most passed such laws years ago to thwart the use of stereo headphones while driving. The codes do not distinguish between earphones and earplugs; one being used for audio equipment and the other used for hearing protection -- so without case law to establish legislative intent, obsolete laws like Ohio's need to be rectified, which according to Buss "is exactly why motorcyclists need organizations like ABATE to not only watchdog the legislature, working to pass pro-motorcycle laws and prevent anti-bike bills from passing, but also to clean-up old laws that need to take into consideration both motorcycles and motorcyclists."

**Washington, D.C.:** **Self-driving cars would be allowed to operate** on Washington, D.C., roads under the Autonomous Vehicle Act of 2012 (B-931), introduced by Councilwoman Mary M. Cheh (D-Ward 3). The bill would authorize autonomous vehicles, which are self-driving cars, to operate on the roads in the district, establish a system for taxing users of autonomous vehicles based on vehicle miles traveled -- 1.875 cents per mile -- require the district Department of Motor Vehicles to create an autonomous vehicle designation for registration, titling and operation permit purposes, and establish safe operating protocols for such vehicles.

**Awareness is our best defense. Please stay involved legislatively.**

