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#### NCOM BIKER NEWSBYTES

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#### PENNSYLVANIA MEASURE WOULD LIMIT LEARNER PERMITS

ABATE of Pennsylvania is supporting legislation to limit the number of motorcycle learner's permits allowed before a rider must get a license. "All too often those involved in serious accidents have no motorcycle endorsement on their license," lobbyist Charles Umbenhauer of BikePAC told the National Coalition of Motorcyclists (NCOM), adding that "In most cases this also means they have had no formal motorcycle rider training."

State Representative Seth Grove (R-Dover Township) has introduced legislation aimed at increasing motorcycle safety by requiring riders to get a motorcycle license rather than continuously reapplying for a motorcycle learner's permit.

Currently, an aspiring rider can get a permit after passing a written test, which is good for a year to allow motorcyclists to legally ride and gain experience until they get their motorcycle license. However, some riders reapply to renew the permit year after year rather than getting a full license, Rep. Grove said.

Under Grove's proposal, a rider would only be allowed to reapply for a learner's permit three times in 10 years.

"The purpose is to make people get the license," stated Grove, adding that more motorcyclists taking the skills tests or enrolling in the state's rider training program would mean more trained riders on the road.

If a rider doesn't get a license within 10 years of receiving the first permit, he or she wouldn't be able to get another permit for seven years. The bill was referred to the transportation committee earlier this year and is expected to be addressed this fall.

#### ILLINOIS GOVERNOR SEEKS CHANGES TO RED LIGHT BILL

Illinois motorcyclists who get stuck at red lights will remain stuck a while longer, as Governor Pat Quinn has vetoed legislation that would have made it legal to proceed through a red light that does not detect motorcycles.

However, the bill may yet become law if legislators agree to make some changes. Illinois has what is called an Amendatory Veto, wherein the governor can reject a bill as presented for signing, but with changes requested that, if met, will win his signature.

As written, House Bill 2860 sponsored by Senator Gary Forby (D-Benton) and Representative Daniel Beiser (D-Alton), specifies that motorcyclists could run red lights "after a reasonable period of time." Quinn objected that such wording is too subjective and "its interpretation could vary from individual to individual and county to county." He asked that the bill be changed to specify that the motorcyclist must wait two minutes. Quinn also asked for clarification that motorcyclists would still have to obey signs prohibiting right or left turns on red and would still have to yield to oncoming traffic.

ABATE of Illinois supported the measure when it passed the legislature in May, which is similar to laws enacted in 11 other states. "I was kind of disappointed with what the governor done," said Sen. Forby. "ABATE's going to have to make a decision on whether they want to negotiate with the governor's office or try to override his veto."

The Illinois Legislature has placed the amendatory veto on its calendar for action on October 19.  
**MOTORCYCLE-ONLY CHECKPOINTS CHALLENGED IN NEW YORK**

On Monday, August 29, 2011, Robert "Prospector" Boellner, State Legislative Coordinator for ABATE of New York, Inc., and NCOM Region VIII Director, met with a representative from the New York State Attorney General's office to discuss the ongoing motorcycle-only vehicle checkpoints.

Since May 2008, ABATE has publicly expressed its opposition to New York State's tactic of conducting highway roadblocks which divert only motorcyclists from the state's roadways for the purpose of conducting "safety checks".

Because motorcycles operated in New York State are already required to pass annual safety inspections, the ongoing New York State Police initiative serves only to harass, intimidate and inconvenience motorcyclists traveling upon the state's roadways. Further, motorcycle-only roadblocks conducted in the name of "safety checks" are a discriminatory and unconstitutional infringement upon an individual's right to travel without interference, and an abuse of discretionary power as acknowledged by the New York State Court of Appeals.

The Office of the Attorney General was reportedly receptive to Prospector's request of an investigation into the actions of the New York State Police, and a reporting mechanism has now been implemented for direct complaints of motorcyclist profiling.

If you, or anyone you know, has been a victim of motorcyclist profiling, Prospector encourages you to call him at (518) 239-4560 for assistance in filing a complaint.

#### **PROFILES OF AMERICA**

In recognition of Sturgis Bike Week, the U.S. Census Bureau posted the following daily "Profile America" feature: **FRIDAY, AUGUST 12: BIGGEST MOTORCYCLE GATHERING** - The small town of Sturgis, South Dakota hosts the world's largest gathering of motorcycles this week -- the 71st Sturgis Rally. Normally home to about 6,600, the town sees its population swell to some 350,000 during the rally. The idea began with just 19 riders taking part in racing and stunt events 71 years ago. Those attending are seeing races, trade shows, and thousands of bikes on display. Mostly, they will share their love of the sense of freedom their motorcycles give them, and take in the scenery of the Black Hills. There are 7.7 million motorcycles registered in the U.S., with California home to about every 10th bike in the country. You can find these and more facts about America from the U.S. Census Bureau, online at [www.census.gov](http://www.census.gov).

Profile America is produced by the Public Information Office of the U.S. Census Bureau. These daily features are available as produced segments, ready to air, on a monthly CD or on the Internet at <http://www.census.gov> (look for "Multimedia Gallery" by the "Newsroom" button).

#### **6 MILLIONTH MOTORCYCLIST GRADUATES FROM RIDER TRAINING**

The Motorcycle Safety Foundation recently graduated its six millionth RiderCourse student, a milestone reached through the ongoing efforts of nearly 10,000 RiderCoaches at more than 2,000 training sites worldwide.

"We have RiderCourses across the nation and around the globe, often during weekdays, and virtually every weekend of the year," said Robert Gladden, vice president of the Motorcycle Safety Foundation, adding that a wide variety of MSF RiderCourses are available in every state to provide motorcyclists everywhere with lifelong learning opportunities.

"From the Basic RiderCourse to a much more advanced day on the track, from standard motorcycles to scooters to three-wheel motorcycles, from small bikes to large, we cover it all," said Dr. Ray Ochs, MSF director of training systems.

In addition, the MSF collaborates with safety professionals worldwide. For example, the MSF is currently helping establish rider training in the Hashemite Kingdom of Jordan. The MSF works with all branches of the U.S. Armed Services to support riders in the military. And the Foundation also works with world champion road racers on track-based programs that improve rider safety everywhere.

"The MSF is still best known for its world renowned Basic RiderCourse, the best first motorcycle ride for any new street rider and the cornerstone of the MSF's Essential CORE curriculum," said Tim Buche, president of the MSF. "We want all riders to start with the BRC, then continue their education with the Basic Bike Bonding, Street RiderCourses and more." Founded in 1973, the MSF is a not-for-profit organization sponsored by BMW, BRP, Ducati, Harley-Davidson, Honda, Kawasaki, KTM, Piaggio, Suzuki, Triumph, Victory and Yamaha to promote safety through rider training and education, operator licensing tests and public information programs.

For safety information or to enroll in the RiderCourse nearest you, visit [www.msf-usa.org](http://www.msf-usa.org) or call (800) 446-9227.

#### FLORIDA COPS USE SECRET FILES ON BIKERS TO LOBBY AGAINST GUN LAW

Florida law-enforcement officials dipped into secret intelligence files to lobby against legislation that would have allowed holders of concealed-weapons permits to carry their guns openly. Newly released records show that a staff lobbyist for the Orange County Sheriff's Office handed out restricted photos of bikers with valid concealed weapons permits to lawmakers as examples of the sort of people who might scare away tourists if they displayed their pistols.

"I actually stopped by every one of you guy's office this morning and dropped off ... photographs of some biker outlaw gang guys that have concealed firearm permits. Those are the ones we're worried about carrying," sheriff's Capt. Mike Fewless told the state Senate Judiciary Committee on April 12, 2011. "Please defeat this terrible bill."

After the provision allowing open carry of firearms was removed from the bill, the state Senate voted against the measure, prompting accusations of fear-mongering by law-enforcement officials and raising concerns about police misuse of confidential files for political goals. All together, Fewless obtained photographs and other information for 17 "outlaw bikers" from the Orange sheriff's Intelligence Squad, an undercover unit that investigates "motorcycle gangs, white supremacy groups and organized crime," specifically asking for pictures of "One Percenters", state attorney's records show. Seven of the eight photos of members of the Mongols, Outcasts, Outlaws, Pagans and Warlocks motorcycle clubs came originally from the state Driver and Vehicle Identification (DAVID) system, which Federal law classifies as "highly restricted personal information." None of the bikers had felony records and all were eligible for concealed-weapon permits recognized by Florida and 34 other states.

The motorcyclists are now represented by Aid to Injured Motorcyclists (A.I.M.) Attorney Jerry Theophilopoulos, who said he is planning to file a lawsuit against the sheriff's office. "The only way to police the police when they break the law is to file a lawsuit, and we are prepared to get justice for all concealed weapon permit holders in this state," according to "Jerry T", who serves as legal counsel for the Confederations of Clubs in Florida and advises ABATE of Florida on legal matters.

#### DRIVING WHILE BIKER

From the Gunny's Sack, a monthly newsletter from Oregon A.I.M. Chief of Staff Gunny Hutcheson, members of the Henchmen MC have hired a lawyer to put the San Jose Police department on notice that harassment is not going to be tolerated without a fight.

They've filed an official complaint with the city's Office of the Independent Police Auditor alleging that the police are illegally profiling them, and the city's code enforcement unit is digging up zoning beefs to run them out of town. They say officers routinely pull them over, sometimes photographing their tattoos, based solely on their bad-boy reputations.

The Henchmen's complaint is not the first time a motorcycle club in San Jose has fought the law using the law. Five years ago, the Hells Angels won \$1.8 million after suing police and sheriff's deputies for illegally raiding the club's headquarters and members' homes to link a bouncer, charged with killing a drunken bar patron, to the biker club. A jury acquitted the bouncer and a federal court sided with the Hells Angels.

“This kind of thing has come to a halt in Washington with their recent biker anti-profiling law, thanks to the Washington Confederation of Clubs and A.I.M. Attorney Marty Fox,” writes Gunny, “Fighting harassment by using a lawyer and the court system.”

QUOTABLE QUOTE: “The Constitution is not an instrument for the government to restrain the people; it is an instrument for the people to restrain the government - lest it come to dominate our lives and interests.”

Patrick Henry (1736-1799) American Patriot and Founding Father