

News For Thought



Sikh Seeks Freedom from Canadian Helmet Law

Baljinder Badesha, a 39-year-old father of four who immigrated to Canada in 1989 and had been an avid motorcyclist in his native India, disputed a \$110 ticket for riding his 2003 Yamaha Shadow motorcycle without a helmet in 2005 as is now in court fighting Ontario's motorcycle helmet law on religious grounds.

With the Ontario Human Rights Commission at his side, Mr. Badesha argued that Ontario's helmet law violates his religious freedom, since Sikhist beliefs prevent him from wearing anything over his turban.

But Ontario Court Judge James Blacklock ruled that while the law prohibiting anyone riding a motorcycle without a helmet does violate his right to freedom of religion, it's justifiable in terms of the benefit that society gains in possible reduced health costs and the possible loss of people's loved ones.

The Crown's case centered on increased costs to the health system should helmet-less Sikh motorcycle riders end up suffering head injuries, though Badesha's attorneys pointed to a study that concluded that, assuming half of all Sikh motorcyclists wear turbans, the increase in serious injuries would be between .43 and 2.83 Sikh riders a year. The study also projected that medical treatment for traumatic brain injuries would increase from \$151,700,000 to \$151,834,685 — a .00005-per-cent overall increase in the province's annual health-care budget.

Badesha has announced that he will appeal the decision, and backed by the local Sikh community he now intends to challenge the constitutionality of the law rather than focusing his fight solely on his ticket. He and his supporters will also lobby politicians to change the law.

Following the ruling, the World Sikh Organization of Canada (WSO) issued a statement expressing disappointment at the court's decision and asserting that wearing a turban doesn't substantially raise the risk either to the rider or to others on the road. The organization pointed to the Sikh motorcyclists in other jurisdictions who have been riding without helmets for many years. India, Hong Kong and Britain exempt Sikhs from wearing motorcycle helmets, as do the Canadian Provinces of Manitoba and British Columbia, where a human-rights challenge precipitated the exemption. Similar challenges have failed in the United States.

"We are confident of winning the battle this time," Badesha said. "We don't believe a helmet is safe. Every day riders with helmets die in road accidents. If I'm supposed to die today, I will die, and nothing can save me." www.ON-A-BIKE.com

Horse Power vs. Horse Sense

While speed and power typically dominate two-wheeled trends, a safety movement may be afoot featuring such hot topics as airbags from Honda, inflatable vests from Dainese, and "uncrashable" bike concepts from BMW.

So it shouldn't seem surprising that "Motorcycle News" is reporting that Honda and Yamaha are working with twelve car manufacturers to test and develop technology intended to "...reduce rear-end shunts, head-on collisions and drivers who turn right across a road in the face of oncoming traffic, a common cause of motorcycle accidents."

The systems, which will begin testing in Japan this month, enable automobiles to

communicate speed and road position to other vehicles, and warn of potential accidents via voice alerts and navigation system messages.

Fueled by government funded safety campaigns and worldwide legislative initiatives, these tests could signal a gradual revolution in motorcycle safety. www.ON-A-BIKE.com

Minnesota Bikers fight tickets for road blocking

A judge has dismissed charges of obstructing legal process and running a stop sign against one of about 60 bikers stopped last summer near St. Joseph, MN for blocking an intersection during a run. The ruling by Stearns County District Court Judge Frank Kundrat comes after one of the other bikers was found not guilty of a stop sign violation after a trial.

Scott Reichert recently took his case to court and was acquitted after the prosecution had presented its case and before Reichert had to put on a defense. Reichert, a member of the club Street Legal, originally considered just paying the fine he told the St. Cloud Times newspaper, but then he saw the police reports that hinted at a possible motive that police wanted to target some of the BPMs.

The July 7 run from the BPM clubhouse was intercepted by as many as 19 law enforcement agents, including members of the state Gang Strike Force and an agent from the Bureau of Alcohol, Tobacco, Firearms and Explosives. The BPMs have been identified as a criminal gang based on criteria established by the Legislature, said Minnesota Gang Strike Force Commander Ron Ryan in defending their actions that day. A report filed in case by the Gang Strike Force cites two examples of criminal activity tied to the BPMs: one incident is from 1971; the other is from 1968.

Reichert and attorneys representing the dozens of bikers stopped that day contend that the officers and sheriff's deputies were looking for more. If that's the case, a box-score review of the stop could be considered a lopsided defeat: The nineteen officers wrote about 60 citations for riders failing to stop at a stop sign and two for riders having a small amount of marijuana. They arrested one biker for disorderly conduct, but found no one wanted on warrants and no illegal weapons.

About five dozen other cases could be headed for separate trials, according to lawyer Stephen O'Brien, the Minnesota Aid to Injured Motorcyclists (A.I.M.) Attorney representing the remaining bikers. www.ON-A-BIKE.com

Weird News: Motorcycles make women's clothes fall off

A new trend is developing: motorcycles and undressing women, reports clutchandchrome.com, citing two recent events that have the mainstream press lending some credence to this possibility.

First, Pamela Anderson made celebrity headlines around the world with her sold out Valentines Day show at a famous Parisian Gentlemen's club Cabaret house Le Crazy Horse. A crowd of over 500 fans paid \$300 to watch the former Baywatch star give a performance that finished on the back of a Harley-Davidson motorcycle.

A few weeks after Ms. Anderson's unique Valentines present, pop star Prince threw a post-Oscar party in his Beverly Hills mansion, which featured room after room of exotic dancers dressed in various themes with one featuring a scantily clad woman enthusiastically using a motorcycle as a prop.

Many industry experts would agree, if this trend of women shedding clothing at the sight of a motorcycle becomes popular, currently struggling two-wheeled sales could see a marked improvement.

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QUOTABLE QUOTE: "For the saddest epitaph which can be carved in memory of a vanished liberty is that it was lost because its possessors failed to stretch forth a saving hand while yet there was time." U.S. Supreme Court Justice George Sutherland (1862-1942)

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