

STURGIS - An outdoor advertising company that has operated at the Sturgis Rally since 1999 is suing the city of Sturgis, alleging that its sign ordinance is unconstitutional. Outdoor Mobile Media of Largo, Fla., sells mobile advertising displayed on trucks. It filed the civil lawsuit in state court after the city's new sign ordinance barred such advertising during the motorcycle rally. Advertisement

The ordinance, passed in November of 2003, prohibits signs within the public right of way. City building inspector Mark Mechling said that includes public roads, which the company's drivers travel on when advertising during the rally. Additionally, the ordinance prohibits portable signs, and signs which "interfere with traffic in any way." The maximum penalty for violating the sign ordinance is a \$200 fine and 30 days in jail.

"We felt the streets were congested enough (during the rally) and to roll that advertising up and down the right of way made it even more congested," Mechling said, explaining the city's reasoning for the 33-page ordinance. "Plus, in that situation we felt it could actually pose a public safety hazard."

Outdoor Mobile Media's lawsuit complains that the city's ordinance is "unconstitutionally vague," claiming a violation of First Amendment rights. The company also claims that the ordinance does not specifically prohibit the company's normal advertising activities. "If you read the law itself and then look at the type of vehicle and the type of advertising that we do, it depends on who reads it and who interprets it as to whether or not we would be illegal," Outdoor Mobile Media president Scott Morris said.

Morris said if construction companies, delivery companies, and pizza delivery vehicles are allowed to place their logos and advertising on their company trucks in Sturgis, his company should be able to conduct its normal operations in the city. "They are indiscriminately choosing to ban one form of advertising," Morris said. "If they're allowed to advertise their business on their vehicles, why am I not allowed to advertise on my vehicle?" Sturgis City Attorney Keith Smit declined to comment about the city's arguments in the case. Additionally, Morris said the company was not notified of the ordinance change before entering into an advertising contract with Geico Insurance and Kawasaki Motorcycles. According to state law, local municipalities are required to publish ordinance changes in the legal newspaper after approving the second reading. Once they are published, interested parties have 20 days to refer the changes to a vote. The city published its sign ordinance Nov. 8, 2003, with no referendum issued.

The Outdoor Mobile Media lawsuit asks the Fourth Circuit Court to stop the city from enforcing the ordinance so the company can keep its private contract promises for 2004. The city has until the first part of July to answer Outdoor Mobile Media's legal complaint. Following the city's response, Smit said both entities will be given time to gather evidence to support their arguments. A court date has not been scheduled. cThe Black Hills Pioneer, Newspapers, South Dakota, SD 2004

**Sisters Point of View**

Hey there:

Well I would like to talk about something that concerns all of us who ride. I have been riding for many years now and still am still learning, and experience conditions on the road. I feel the difference between an experience rider and the new riders is that the experience riders have a feel for their machines. It is as much a part of their body as their lungs are. If you know your machine you know when something is wrong with a jerk, pull or a miss beat of the engine. If you know your machine, then you should be able to figure out what is wrong with it and fix it. With this thought in mind is why I am telling the story that follows.

I was in Madison the other day and watched this woman riding her bike. I was scared for her, figured she was either going to cause an accident or get herself hurt bad, if not kill herself. Now do not get me wrong, not ALL women are bad riders but just by the way she was riding you could tell that she was just starting out. I would like to give this advice now, some may or may not take it but for the safety of ALL of US out there I would hope that this advice does not fall on deaf ears.

Riding is great, riding is fun but when you have an inexperienced rider out there it costs all of us, either in money or stereotyping. For in all my years of riding THANK MY GOD I have only went down 3 times and none serious (knock on wood). But some of the riders now might read the book and take their test, this is good that they read the book but nothing can replace experience on the bike. Some may even take the classes which is a great thing, you can always learn something in those classes (I have never went to one but have had men I know that goes to the advance classes and say they learn something new all the time. These men have been riding for many years) but there is nothing in this world that prepares you from reading to classes to out in the big bad world on a bike, on the road with many other automobiles.

My advice is that before you go out into the big bad world of automobiles on your bike take your time, do not rush to hot dog it, or go into places you just are not ready for. Take some back roads, take it easy and get a real good feel for you machine. For that machine is part of your body and if you do not have control and feel comfortable on the machine then it is like part of your body being sick (it just does not work well with the rest of you). Once you feel comfortable and it feels natural just like breathing then you know your ready. Heck I rode for years before I went into a real big city. My first big city was Madison and I was a little taken back and overwhelmed at times. But

believe me if you do not feel comfortable on that machine there will be an accident or cause an accident. You never know it may hurt someone else and not just yourself.

Now I could do a woman type of view thing. But I felt after seeing that one woman riding, it scared me so much that I made sure I was far enough behind her, that if she went down I would not hit her.

Later and as always Ride Safe.

If you would like to comment on this article, please feel free to do so that is why I send in this article is to get other women who ride's point of view out there. So please send Preacher a story or maybe your opinion, heck it can even differ from my point of view that is why we are AMERICAN'S so we can speak our point of view and hopefully not get into trouble for it.

ME (space@maqs.net)

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