

# News For Thought



## Constitutional Right To Do Burnouts

When officials cracked down on motorcyclists doing burnouts at this year's annual Myrtle Beach Spring Rally, a local biker bar made a federal case out of it, literally. Now it will be up to a judge to decide if doing burnouts - revving a motorcycle's engine while applying the front brake to let its back tire spin to create noise and smoke - is a constitutionally-protected right.

Horry County cracked down on burnouts during bike festivals last year, issuing a special event permit to Suck Bang Blow that limited the activity to between noon and 9 p.m. and only at the rear of the bar's building. This year, the county issued a permit that banned burnouts altogether.

SBB, which claims the activity has been a regular feature of bike rally events at the bar since it opened in 1996, obtained a temporary restraining order against the county just before the May rally, allowing the burnouts to continue at least for now.

In a lawsuit filed in state court, SBB claims that burnouts are among several activities patrons participate in while "expressing their manliness and macho, as all males are prone and inclined to do to a greater or lesser degree." The bar says burnouts are "expressive performances to the public" and is protected by the First Amendment.

Horry County, in its response to the lawsuit, calls burnouts a "public nuisance" and says it "is expressly authorized by state statute to abate public nuisances." The county denies that it has violated any Constitutional rights, but since the lawsuit deals with federal rights it should be heard in federal court. A decision could come just in time for next year's rally, with a jury trial scheduled to begin on May 6, 2013. [www.ON-A-BIKE.com](http://www.ON-A-BIKE.com).

## Motorcyclist Fatalities Remain Steady

U.S. motorcyclist fatalities have remained roughly the same over the past three years, following a sharp decline in 2009, according to preliminary data recently released by the Governors Highway Safety Association.

In a May 21 report, the GHSA projects the final tally for 2011 will be very close to the 4,502 fatalities reported for 2010 and the 4,469 deaths in 2009, which represented a dramatic 16% decline from 2008.

Earlier, the National Highway Traffic Safety Administration projected that overall motor vehicle fatalities declined 1.7% in 2011, reaching their lowest level since 1949, but the GHSA says high gas prices are driving more people to ride motorcycles.

Motorcycle deaths increased in 26 states for the first nine months of last year, declined in 23 states, and remained unchanged in one. "States with fewer motorcyclist fatalities attributed the decrease to poor cycling weather, reduced motorcycle registrations and motorcycle travel, increased law enforcement, rider training, and motorcycle safety education," according to the GHSA report. "States with more fatalities cited good cycling weather, increased motorcycle registrations and travel, and a return to normal levels after an abnormally low fatality count in 2010."

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## Outdoor Recreation Represents Multi-Billion Dollar Industry

Americans spent over half a trillion dollars enjoying the great outdoors last year, according to a newly released joint study that documents the continued growth and significance of outdoor recreation to the economies of our individual states and the nation overall.

The Motorcycle Industry Council, along with the Recreational Off-Highway Vehicle Association and Specialty Vehicle Institute of America, collaborated with the Western Governors' Association and other outdoor industry groups to fund a report on the combined economic impact of motorized and non-motorized outdoor recreation. The findings of this first-of-a kind study show the outdoor recreation

The full report is titled "A Snapshot of The Economic Impact of Outdoor Recreation," and can be found at [www.westgov.org/reports](http://www.westgov.org/reports). According to MIC Senior Vice President, Government Relations, Kathy Van Kleeck, the MIC will soon release information specific to the motorized recreation sector, and the WGA and the outdoor recreation industry partners will release state-by-state data later in the year. "The state-by-state information will be particularly useful in our government relations efforts to promote motorized recreation and advocate for off-highway vehicle opportunities," said Van Kleeck. [www.ON-A-BIKE.com](http://www.ON-A-BIKE.com).

## NCOM Convention Laps the Circle City

Indianapolis is known for its world famous racetrack, but few people realize that the first race ever ran at the "brickyard" was with motorcycles way back in 1909.

After more than a century, we're still in a race -- but it's not a shiny trophy we're out to win, but our rights as riders.

The 27th annual NCOM Convention was held over Mother's Day weekend, May 10-13, 2012 at the luxurious J W Marriot in Indy, and this yearly gathering drew bikers' rights activists from across the country to discuss topics of concern to all riders; such as biker discrimination, motorcycle-only roadblocks, and mobilizing motorcyclists to advocate motorcycle-friendly legislation and defeat anti-biking bills. Early motorcyclists didn't face many restrictions on themselves or their machines, and our goal as grass roots activists over the years has been to maintain our Freedom of the Road, while promoting a pro-motorcycling agenda to make roads safer for future riders.

The National Coalition of Motorcyclists (NCOM) is solely sponsored by the Aid to Injured Motorcyclists (A.I.M.) nationwide legal services program and serves as an umbrella organization for more than 2,000 NCOM Member clubs, organizations and associations worldwide, representing well over a quarter of a million politically active motorcyclists. NCOM has successfully outreached to numerous segments of the motorcycling community in an effort to unite for our rights, both legal and legislatively, and has become a unifying voice amongst North America's motorcycle rights organizations (MROs), motorcycle clubs, women riders, religious riding organizations, touring groups, trikers, sportbikers, and minority motorcyclists.

All motorcyclists are welcome to attend the NCOM Convention, hosted this year by the Indiana Confederation of Clubs, and encouraged to participate in the many meetings, seminars and group discussions that focused on legislative efforts and litigation techniques to benefit our right to ride.

During the Silver Spoke Awards Banquet on Saturday evening, several honorees were recognized for their contributions to "Improving The Image of Motorcycling", including; GOVERNMENT: Indiana Governor Mitch Daniels & former Congresswoman Gabrielle "Gabby" Gifford (D-AZ); MEDIA: Jeff "Twitch" Burns - Outsiders M/C and Washington Confederation of Clubs & Jerry "Rotten" Remington - Unchained Brotherhood M/C and WA-COC; COMMERCE: Pastor Ron Baptiste - Covenant Confirmer Ministries M/M and founder of the first Biker Medical Clinic;

LEGAL: John Daugs - South Carolina AIM Attorney; SPECIAL RECOGNITION: Annette Torrez - Chairman of the New Mexico Motorcycle Rights Organization (NMMRO), Gene Mortimore - ABATE of Oregon, and Kimmy Chapman - Publisher of the Biker Information Guide (posthumously); and NCOM's highest honor the Ron Roloff Lifetime Achievement Award was presented to South Dakota State Senator Jim "Putter" Putnam, longtime member of the NCOM Legislative Task Force.

Next year's 28th Annual NCOM Convention will be held May 9-12, 2013 at the Silver Legacy Resort-Casino, 407 N. Virginia St. in Reno, Nevada. For further information, contact NCOM at (800) 525-5355 or visit [www.ON-A-BIKE.com](http://www.ON-A-BIKE.com)

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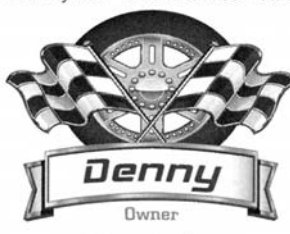
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