

News For Thought



Legislative Proposal Would Prevent Your Motorcycle From Testifying Against You

Data collected from so-called "Black Box" devices can be used against you in a court of law, and most people don't even realize it.

That's why U.S. Senator Amy Klobuchar (D-MN) is proposing to amend the language of the Driver Privacy Act to protect all information recorded by event data recorders installed on all "motor vehicles", including motorcycles. The way S. 1925 is currently written grants privacy only for data the government "requires" to be collected.

Currently the government does not require "black boxes" on motorcycles, only passenger vehicles, trucks and buses. But some current motorcycle models are equipped with the recording devices. A similar bill in the House (H.R. 2414) is worded that "any data recorded on any event data recorder in an automobile or motorcycle shall be considered the property of the owner of the automobile or motorcycle."

Under current law, insurance companies, law enforcement and auto rental agencies can access the data on the device and can use it as evidence against the driver/owner in legal proceedings. Data recorders collect a wide range of information on crashes, including whether the brakes were applied, the speed at the time of impact, the steering angle, and whether seat belt circuits were shown as "Buckled" or "Unbuckled" at the time of the crash.

Fourteen states have statutes that restrict access to the event data recorder or limit the use of recovered EDR information.

Governors Association Notes Reduced Motorcyclist Fatalities

A recent report by the Governors Highway Safety Association projects that the number of motorcyclist fatalities fell by 7% last year, the second decline in five years, despite an increase in motorcycle sales in 2013.

The report, "Spotlight on Highway Safety," based its findings on motorcyclist fatality counts reported to the GHSA by all 50 states and the District of Columbia for the first nine months of 2013, and indicated that motorcycle fatalities are projected up in 13 states, down in 35 states and D.C., and to remain the same in two states compared with the first nine months of 2012.

Noting bad weather the first six months of 2013, the association projects that the number of motorcyclists killed last year will total 4,610, down from 4,957 in 2012 and nearly identical to the 2011 figure of 4,612.

Meanwhile, new motorcycle sales ended the year with a 1.4% overall increase, up from 452,386 total units in 2012 to 458,972 last year, bringing total U.S. motorcycle registrations to a record 9 million nationwide.

The Governors association also noted that the use of helmets dropped to 60% in 2012 down from 66% in 2011, citing that only 19 states now require helmets for all riders.

New Michigan Law Limits Temporary Motorcycle Permits

Michigan Governor Rick Snyder has signed legislation that encourages motorcycle operators to apply for a full operating endorsement by limiting their ability to obtain temporary training permits.

The move is aimed at improving motorcycle safety standards in the state.

Sponsored by Representative Bradford Jacobsen (R-Oxford), House Bill 4781 allows a motorcyclist to apply for a temporary instruction permit (TIP) only twice during a 10-year period, starting next January. Previously, there was no limit to the number of times a person could be granted a temporary permit, so many operators would apply every riding season as an alternative to obtaining their full cycle endorsement, taking advantage of the loophole in the law to avoid taking required

testing or training.

"This bill will help prevent abuse of the current motorcycle permitting process, ultimately ensuring more motorcyclists are trained to operate their vehicles in the safest manner possible," the governor said.

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Obama Administration's "Grow America Act" Pushes Helmet Laws

The U.S. Department of Transportation (DOT) has sent to Congress a \$302 billion four-year surface transportation reauthorization proposal, the "Generating Renewal, Opportunity, and Work with Accelerated Mobility, Efficiency, and Rebuilding of

Infrastructure and Communities throughout America Act" – or GROW AMERICA Act; President Obama's blueprint for a model transportation bill, which happens to include a push for mandatory motorcycle helmet laws nationwide!

Specifically, buried in the Obama Administration's 350-page proposal, found under "Title IV -- Highway And Motor Vehicle Safety," in SEC. 4004: Amendment to Motorcyclist Safety Grant Criteria, the GROW AMERICA Act would amend Section 405(f) of title 23, United States Code by inserting the following: "SUPPORT ACTIVITY -- The (Transportation) Secretary or the Secretary's designee may engage in activities with States and State legislators to consider proposals related to motorcycle helmet use laws."

The time to act is NOW! This new highway bill is under immediate consideration as the current two-year "Moving Ahead for Progress in the 21st Century Act" (MAP-21) expires in September, but the Highway Trust Fund -- the main funding source for most state and local transportation projects -- is headed toward insolvency and is expected to run out of money as early as July. So contact your Congressional representatives today, and protect your rights for tomorrow!

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Gas Prices Relate To Fatal Motorcycle Accidents

Researchers have found a strong relationship between gasoline prices and motorcycle fatalities: As gas prices rise, so do the number of fatalities, and falling gas prices tend to be mirrored by reduced numbers of motorcycle deaths.

An analysis by the National Safety Council showed a strong correlation between gasoline prices and motorcycle fatalities, charting the trend since 1976. Safety experts speculate that higher gas prices encourage people to use fuel-efficient motorcycles instead of cars.

With new unit sales increasing when gas prices go up, there are more people riding and potentially more inexperienced riders on the road.

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