

# News For Thought



## Right-To-Repair Decision Expected From U.S. Copyright Office

In July, the U.S. Copyright Office (USCO) is expected to issue a decision about a vehicle owner's right to alter any of the computer software or code that controls the vehicle's operations. Though the decision is based on briefs filed by agricultural and automotive vehicle manufacturers, it could potentially have implications for motorcycles, ATV, UTV, personal watercraft and other vehicles that use computer software to control ignition, fuel, stability, traction, braking and other vehicle operating systems.

In the briefs, the manufacturers argue that allowing owners, non-manufacturer approved service technicians or anyone but their own designated technicians to view or alter the computer software or codes is not allowed under the anti-circumvention prohibition in Section 1201 of the Digital Millennium Copyright Act (DMCA) which, if applied as manufacturers suggest, restricts vehicle software inspection, repair, and modification. The original intent of the DMCA, however, was more to prevent code copying that could involve copyright infringement.

Every three years, the Librarian of Congress, working with the Copyright Office, hears requests from members of the public whose speech and other rights are affected by the law and considers whether to grant exemptions.

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## Maryland Enacts Ban On Motorcycle-Only Checkpoints

The Maryland legislature has joined a growing list of states to prohibit law enforcement officers from conducting road-side checkpoints that specifically target motorcyclists. H.B. 917, introduced by Maryland Delegate Benjamin

Kramer (D-Wheaton) and companion bill S.B. 716 introduced by state Senator Jamie Raskin (D-Takoma Park) state that "a police officer at a motor vehicle checkpoint may not target only motorcycles for inspection or evaluation."

The bipartisan legislation passed unanimously in the House 137-0 on March 19, and the Senate 47-0 on March 29, and was signed into law on May 12, making Maryland the eighth state to pass a law against motorcycle-only checkpoints, while another 11 states have prohibited such discriminatory roadblocks either on constitutional grounds or by judicial action.

## Kansas Law Creates New "Autocycle" Vehicle Classification

Under a new law in Kansas, "Autocycle" is now defined as a three-wheel motorcycle that has a steering wheel and seating that does not require the operator to straddle or sit astride it. House Bill 2044, signed into law by Governor Sam Brownback on May 7, 2015 after passing the legislature near-unanimously by both chambers, creates the new classification of vehicles which proponents say are neither cars nor motorcycles and need their own classification to protect drivers from breaking the law.

The federal government classifies any vehicle with less than four wheels as a motorcycle, which requires a motorcycle license to operate, but some say the motorcycle license test isn't helpful for operating autocycles because they aren't driven the same way. "It's a requirement that makes absolutely no sense," said Joel Sheltroun, vice president of governmental affairs for Elio Motors, a Phoenix company that plans to start making autocycles in 2016. "My customer base, a lot of them, don't have motorcycle licenses and they're not going to go out and rent a motorcycle, learn how to drive it, go down and take a test just so they can drive our vehicle, especially seniors."

HB 2044 allows drivers to operate an autocycle without a motorcycle endorsement, and Sheltroun said about 18 states are working on legislation for autocycles and six states already passed laws for defining autocycles. Otherwise, out-of-state drivers could run into trouble if they drive into a state where a motorcycle license is required, as drivers would automatically be breaking the law and could face tickets or possibly get their vehicle impounded until they could prove they had a motorcycle license.

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## Wisconsin Acts To Legalize Colored Lighting

The Wisconsin legislature has passed a bill legalizing colored motorcycle lights. Current Wisconsin law (and in most U.S. States) prohibits operating a motor vehicle with lights other than white or amber in front and red in the rear.

The bill's Assembly sponsor, John Jagler (R-Watertown), says colored LED lights are becoming more popular on motorcycles. He says more lights will increase motorcycle visibility, making them safer. Under the bill, people could equip their motorcycles with any color lights aside blue as long as they don't flash or rotate.

The Assembly passed the bill last month. The Senate passed the bill on a voice vote on May 6, sending the measure to Governor Scott Walker.

In the meantime, a similar measure HB3944 would amend the Illinois Vehicle Code to "Provide that a motorcycle may be equipped with auxiliary accent lights, including standard bulb running lights and light emitting diode pods and strips. Provides that the auxiliary accent lights shall not be red or white or oscillating, rotating, or flashing lights. Defines "auxiliary accent light". The measure passed Senate Transportation Committee 16-0 on May 13 and has been placed on the Senate calendar.

## Aussie Cops Drop Term "Criminal Motorcycle Gangs" For P.C. "Outlaw" Tag

Queensland police have dropped the term "criminal motorcycle gangs" for bikies in a sign of a new political climate; quietly reverting to the more widely used "outlaw" tag, the description used by the new Labor police minister.

The term CMG was coined by the former Newman government, which directed police to adopt it from the outset of its legislative and public relations campaign against bikies in 2013. However, the new Palaszczuk Labor government is reviewing the controversial "bikie laws", including anti-association and mandatory sentencing provisions, after pre-election promises to repeal them.

A government source told Guardian Australia that all other Australian police forces, as well as the Australian Crime Commission, refer to the bikies as OMCGs, adding that bikies refer to themselves as outlaw motorcycle clubs, "1%" clubs or simply motorcycle clubs.

## Weird News: Briton Deported For Riding Nude

A British man was to be deported from Cambodia after he was caught riding a motorcycle naked. The 24-year old student from the University of the West of Scotland, was booted out for "violating the beautiful customs and culture" of the country.

He spent the weekend in jail after being caught with two other nude riders, a 22-year-old Finnish woman and a 30-year-old Italian man, appearing in a video posted on YouTube before being stopped by police 50 miles after shedding their clothes. It's been reported they are to be permanently barred from Cambodia for indecent exposure.

Kandal police chief Eav Chamroeun told the Phnom Penh Post: "I think that this was the first time there have been foreign people driving motorcycles naked in Cambodia. Their actions have seriously violated Cambodia's integrity, the beautiful customs and culture of Cambodia, and Cambodian law. We cannot allow them to commit pornography like this in our country."

Sok Phal, head of the Ministry of Interior's immigration department, said: "The General Department of Immigration has asked the leadership of the Ministry of Interior to expel them from the country as punishment."

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