

News For Thought



Adults in Kansas Could Be Fined For Kids Riding Without Helmets

Adults could soon be fined in Kansas for allowing minors to go without wearing helmets while driving or riding a motorcycle.

It is already illegal in Kansas for anyone under 18 to operate a motorcycle without wearing a helmet, but currently it is the youngster who gets a ticket. Under provisions of the new Senate bill, it would become illegal for owners of a motorcycle or motorized bicycle to permit a person under 18 to drive or ride on their vehicle without wearing a helmet, so the adult would receive a citation too.

Use of motorcycle helmets has been on the rise nationally, according to the National Highway Traffic Safety Administration (NHTSA), which reported that 67% of motorcyclists wore a helmet in 2009, compared to just 48% in 2005. www.ON-A-BIKE.com

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Oregon Riders Converge On Capitol

Motorcycle club members, independent riders and even non-riders alike came together in solidarity in Portland to protect rights specific to bikers. The first "call to action" by the US Defenders motorcycle group brought out over 70 bikes to the Oregon State

Capitol recently, making a positive statement of unity between clubs and independent riders. Quiet Mike, the Information Officer for US Defenders said he was pleased with the show of bikes, "It was an excellent turnout, the most motorcyclists we've had here for a long time."

US Defenders is a movement formed from within motorcycle clubs from individual states to implement and support motorcycle rights. The grass roots organization is supported through the Confederations of Clubs across the country, and is composed of state "citizen biker manpower" from Motorcycle Clubs and Coalition of Independent Riders (C.O.I.R.) representatives.

Quiet Mike, who also serves as Vice-Chairman for the Oregon Confederation of Clubs said this was a well-planned event. "We set up in the capitol so people could come and meet with their state representative or state senator. Several people set up appointments in advance, and they were able to express their concerns about how bikers' rights are being affected."

Many people were there to discuss helmet laws, others for civil rights where profiling motorcycle club members is concerned, and some brought up that motorcyclist fatalities caused by car drivers should carry more serious charges than just a traffic fine. www.ON-A-BIKE.com

Tennessee "Lemon Law" May Soon Include Motorcycles

Tennessee's "Lemon Law" may soon be extended to include motorcycles, if the legislature takes action on a measure sponsored by Representative Vince Dean, of East Ridge.

Dean says motorcycle buyers should have the same rights as people buying cars and trucks that don't perform properly. He says any mechanical and structural problems can be more dangerous for motorcycle riders.

The measure moved forward in a House Committee in early February, and a companion bill is awaiting consideration in the Senate Transportation Committee. www.ON-A-BIKE.com

Motorcycle Club Will Send Patch Into Space

The South Houston chapter of the Los Carnales / La Familia law enforcement motorcycle organization has been given the opportunity to send items into space on the Space Shuttle Mission STS-134 on July 29th this year.

It will be the first motorcycle club represented in space. The club has developed a special patch for the occasion. It has Los Carnales / La Familia Nation with both the state of Texas and California on it. www.ON-A-BIKE.com

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Washington Bill Addresses Biker Profiling

In a monumental and historical vote, the Washington State House of Representatives passed HB2511 - a bill addressing "Motorcycle Profiling" - by a margin of 96 to 2. This landslide vote provides an indication that legislators are actually getting the idea that profiling is real and needs legislative relief, while the lack of opposition was seen as a silent show of support from Law Enforcement.

During the legislative process, "It was remarkable to hear the legislators mention the organized and well presented information from the motorcycle community," reports Donnie "Mr. Breeze" Landsman, Legislative Affairs Officer for ABATE of Washington.

"Motorcyclists aren't looking for special rights," Landsman said. "We want the same rights that are afforded to every other section of the population as American citizens and as citizens of Washington State. We aren't being given that."

The group found a champion in Rep. Steve Kirby (D-Tacoma) who introduced a bill that would force local law enforcement agencies to adopt a written policy designed to condemn and prevent the profiling of motorcyclists and to institute training to address the issue.

It's illegal to profile minorities, it should be illegal to profile motorcycle riders, the bikers said. The Washington State Patrol uses a training brochure called "Basic Biker 101" that starts with the statement "Bikers are dangerous" and gives instructions on how to gather information about them during traffic stops, according to David Devereaux of the Outsiders Motorcycle Club. To further substantiate their claims of harassment, Devereaux said that when bikers showed up en masse last year their annual "Black Thursday" lobbying day to find sponsors for the anti-profiling bill, state troopers surreptitiously took down all their license plate numbers.

Next, the bill goes over to the Senate for consideration and will be assigned to a hearing committee, most likely Judiciary.

"This has been a very good year for ABATE of Washington and the US Defenders of Washington," said Landsman. "We have worked together to make this happen, and are truly on the same page." www.ON-A-BIKE.com

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S. C. Supreme Court Hears Myrtle Beach Helmet Lawsuits

South Carolina's highest court heard oral arguments Wednesday, February 3 over whether a city can require motorcycle riders to wear helmets, despite the lack of a state law requiring the practice. State law doesn't require riders 21 and older to wear

helmets, but in an effort to get rid of two bike rallies held there each year, the Myrtle Beach city council voted unanimously in 2008 to pass 15 ordinances intended to dissuade bikers from coming to town, including the controversial mandatory helmet law for motorcycle riders and passengers of all ages.

Justices peppered an attorney for the city with questions over what they seemed to view as the intent of the ordinance -- not to make Myrtle Beach's roads safer for bikers, as had been argued, but to drive the bike rallies away from the Grand Strand.

Representing his brother Bart, who leads a pro-bike rally group of business-owners and is challenging a ticket he received for not wearing a helmet, State Representative Thad Viers argued to the five justices that a state law governing traffic ordinances spells out what local governments are allowed to do regarding traffic laws. Viers filed more than 30 pages of briefs containing multiple sections supporting his various legal arguments against the city helmet ordinance.

But Virginia-based A.I.M. Attorney (Aid to Injured Motorcyclists) Tom McGrath, who argued before the court representing 49 helmet law protesters who were ticketed, filed a much shorter brief, saying, among other things, that most of the arguments don't matter because the city's ordinance is at odds with state law, and for that reason alone it should be tossed out.

"The gist of the city's arguments is that it has the right to do whatever it wants to do as long as it declares something to be a public nuisance and decides to abate it," McGrath's brief begins. "...If the ordinances conflict with state law, the ordinances are void. If the ordinances are void, their underlying merits are irrelevant."

Now it remains up to the State Supreme Court to decide the issues, and it may take months to render a ruling. McGrath has his hopes up; "Based on the questions the Justices asked the attorney for the City it seems the Court likely will render a favorable opinion for freedom. Hopefully, we won't be disappointed." www.ON-A-BIKE.com