

The Million Buck Three Dollar Bill Motorcycle Study

A professor at the University of Southern California got a piece of your money and used part of it to count tatoos on 899 LA motorcycle accident victims. Of course he didn't count tatoos on the car drivers who in over 50% of the accidents violated the ROW of the bikers, claiming they couldn't see the bikes. You can get your copy of the preliminary report titled, *Motorcycle Accident Cause Factors and Identification Countermeasures*, DOT HS 804 096, January 1979, by writing DOT, NHTSA, Document Section, Washington, DC, 20590.

The report claims that of the 54 deaths in the 899 accidents, 23% were wearing helmets. This implies helmets save lives. However, last month I reported that motorcycle fatality rates increased more from 1977 to 1978 in states with the law than without. The professor could be selecting his accidents and also data taken in LA with its *unique* traffic problems, ought not to be applied nationwide.

The study takes up much space reporting what days of the week and what hours bikers have accidents. All this is a waste, who uses it and what for?

Conspicuity (why not visibility?) takes up a lot of space. It is this report that makes the significant change in the DOT litany, from the auto driver *saying* he didn't see the motorcycle to: the auto driver didn't see the motorcycle. Let's look at this. The report says 62 of the drivers were questioned if they ever had motorcycle experience. None had. Therefore, concludes the authors, "—the motorcycle was an unfamiliar as well as inconspicuous *target*." (Underline mine.) Target is right, but targets aren't inconspicuous. Does a driver have to have ridden a motorcycle to see one? If the car driver hasn't driven a greyhound bus, does it mean he can't see them? What is happening is drivers of larger vehicles are more aggressive toward drivers of smaller vehicles in general. It's a bluff game with a few losers, as car drivers know from bus and truck drivers violating their right of way.

Another big factor in this report is the "in depth" often demeaning interrogation

of the motorcycle accident victim, yet not in depth study of the 50% of the car drivers who violated the bikers right of way. Here's an example. The authors give a breakdown of the bikers' riding experience. But nothing is given about the car drivers' experience. They claim it is difficult to get an accurate story from the bikers because they exaggerate! Quote: "It would be an incredible situation for the accident involved motorcycle rider to respond with, 'No I don't know nuthin' (*sic*) about bikes, I've never ridden a motorcycle before in my whole life.' A more likely situation is the rider tries to 'shuck and jive' (*sic*) the interviewer with great dirt bike experience." No language like this was used on the 50% of the drivers who said they couldn't see the motorcycle. Why didn't the report state, "It would be an incredible situation if the automobile driver said, 'yeah I seen the bum but I hit em anyway.'" It is more likely the auto driver will "shuck and jive" the interviewer about why he can't see a motorcycle.

If two vehicles hit, one violating the others right of way with the driver claiming he didn't see the other vehicle, which would you investigate for eyesight? Logically you'd investigate the one who says he can't see. But not so these tax paid university investigators. In Section H they investigated the *bikers* eyesight. They claim that 54 victims should have been wearing prescription lens and weren't. Not a word about how many drivers who couldn't see the motorcycle should have been wearing glasses and weren't.

In Section F, the investigators studied the precrash attention of the bikers, how many were diverted, etc. They also listed the "stress" of the bikers, family conflict, etc. But the stress and the precrash attention of the drivers who hit the bikes? Nothing. But if you want to know such trivia as why 60% of the riders weren't wearing helmets, see table H-4.1, or what color the helmets were, table H-10.1. Rider occupation? Table E-3.1. Education? Table E-4.1., etc.

The report criticizes bikers because they didn't take proper evasive action to

avoid the cars making illegal left turns in front of them. Yet the authors stated that the average precrash speed was 30 mph and the average time to avoid the accident was 1.9 seconds! And in the 1.9 seconds, you have to guess whether the car will stop, speed up, turn, or continue. The fact is, almost no drivers receive any training for emergency conditions except policemen. Before we start trying to teach bikers how to evade cars making illegal left turns in front of them, why not just make sure they have training available on the level of the average new driver.

One table in the book deserves attention and it got very little. Only 54% of the accident victims had a motorcycle drivers endorsement. This implies a lot of totally unqualified riders on probably borrowed bikes are getting into accidents. This needs to be exposed. Perhaps it should be illegal to loan or sell a bike (or car) to an unlicensed applicant. You could do worse than demanding of your elected officials to do something about unlicensed riders.

This report is misguided, with essentially only the table regarding drivers licenses of any use. The restricted study area is obviously not representative of US. There is opportunity for selection of accidents. The lack of investigating the eye sight of drivers who say they can't see a big bike, while fully investigating the bikers' eyes, is a fault that's not likely to be changed. One might argue that the report is about bikers, not drivers, but look at the title again, accident *cause* factors and *countermeasures*. Surely the eye sight of the drivers that hit the motorcycles is a major cause factor and the countermeasure is better vision standards for drivers!

Until you as taxpayers, demand the government stop wasting our money, such useless reports will continue to be written, resulting in more and more useless, often dangerous, motorcycle regulations and laws.

Ed Armstrong
ABATE of Chicago



reprinted from Kicking Back, June, 1980.

WASHINGTON, D.C.---The Department of Transportation recently released a long-awaited report to Congress on the effects of helmet law repeal in the U. S. The report is based on a study by Harry Hurt, of the University of Southern California, on motorcycle accidents, and on studies performed in three helmet-repeal states (Colorado, Kansas, and South Dakota). It is interesting to note that no similar studies made in non-repeal states were used.

The report places heavy emphasis on the ideas that the repeal of helmet laws is responsible for rising numbers of injuries and deaths, and that injured riders are a "public burden" when they skip out on their hospital bills. (a contention that doesn't stand up even using their own statistics)

The NHTSA's continued "I told you so" stance on these subjects is in conflict with findings presented elsewhere in the report: car drivers are the single most important cause of motorcycle accidents; rider training and driver education are almost nonexistent; and rider licensing exams are for the most part a farce.

This report is being presented to Congress as "everything you ever wanted to know about motorcycle accidents", where in reality it is full of misrepresentations and twisting of statistics.

The report does have some important information to give to Congress, however. For instance, on the cover is a graph which shows "a sharp decline in fatalities beginning around 1966 or 1967 and an alarming increase beginning around 1976. This graph is used as NHTSA's ultimate evidence for the need of helmet laws.... But when separate graphs are prepared for states with and without helmet laws, the two graphs are very similar to each other, and very similar to the overall graph. The rise in fatalities has been experience nationwide and cannot be tied to repeal of helmet laws." (from American Motorcyclist, Aug. 1980, pg. 27.)

Congress needs to have its attention drawn to the fact that this report must be examined with a critical eye, and that it is not an unbiased presentation of the facts. WRITE to your Senators and Congressmen in Washington. This report is going to shape the future of motorcycle safety legislation. We as bikers need to participate in that shaping, and the most direct way we can do it is by WRITING LETTERS to our elected representatives. The best time to do it is RIGHT NOW.

As of July 1, 1980, ABATE of Oregon is operating with a new Board of Directors, made up of two representatives from each Chapter. New officers will be chosen from the Board at their first meeting on July 20. The next newsletter will have a report on that meeting. The new Board Members are:

from Douglas County Chapter: Howard Campbell, Joe Smario
from East Portland Chapter: Sugar Kane Taylor, Preacher Jim McLucas
from River City Chapter: Steve Bishop, Teresa Hepker

At the last meeting of the old Board, a set of Rules of Operation were adopted to supplement the By-laws. These Rules are intended to define duties of officers, make-up and function of the Board of Directors, and the procedures to be used by those people in conducting the business of ABATE. A copy of these Rules will be sent to all members on the mailing list as soon as they get typed, printed, etc., which may take some time, due to busy schedules around the typists.

WESTERVILLE, OHIO--A wave of good news for motorcyclists has settled on the Atlantic Coast as Florida passed a rider education bill, South Carolina repealed its helmet law for those over age 20 and New York has pushed a trail development bill through its Assembly.

The Florida bill states that "instruction in the safe and lawful operation of motorcycles and mopeds" must be made available at every location which now offers driver education. The bill...was approved June 10 and becomes effective July 1, 1981...

The riders of the state can take direct credit for this one," said Gary Winn. "The bill had no special support in the legislature beyond its sponsors, but AMA District 8, the Florida Motorcycle Coalition and ABATE all made sure that the bill got to the Governor this year."

Meanwhile, South Carolina became the first state to repeal its helmet law this year when Gov. Dick Riley signed HB2514 June 16.

After a slow start, the bill moved rapidly through the House and Senate and received heavy support from local motorcyclists, AMA and ABATE. ...South Carolina is the 30th state to make helmet use voluntary, in this case for riders over 20 years of age. The bill was considered twice in the last year.

In New York, Assembly Bill 9975, which proposed the development and maintenance of a state trails system, got halfway to the Governor's desk when the Assembly passed it June 14. The bill must now meet Senate approval.

The Standby Gasoline Rationing Plan which President Carter forwarded to Congress June 12 increases the fuel allotment for motorcycles to 25% of that allowed for automobiles.

The increase is the third such boost since 1978, when the Department of Energy proposed a 10% allotment to motorcycles in the original standby plan...DOE's first plan was rejected by the 95th Congress....

DOE's plan, which sets forth rationing guidelines for the nation's 153 million motor vehicles, is expected to pass Congress easily.... The Plan could be imposed by the President if a 20% shortage of gasoline exists--or is likely to exist--for 30 days.

(Both above articles from AMA Government Relations News, June 22, 1980.)

DRIVING UNDER THE INFLUENCE OF INTOXICANTS

Anything that will affect your physical and mental coordination, including prescription drugs, can be considered to be an intoxicant. Never tell an officer that you have been taking or drinking anything. Your statements can be used against you.

1. If you HAVE NOT been drinking: go ahead and take the breathalyzer test. Drugs do not show on these tests. If you refuse to take the test, you can lose your license. Some people have trouble doing roadside tests (walk a straight line, touch your nose, etc.) even when they are sober. PRACTICE these tests when you are sober. If you know you can't do them, don't agree to do them for the officer.
2. If you HAVE been drinking: one or two beers will not make you legally intoxicated. Five beers in one hour will show on the breath test and will probably make you legally drunk. Use your own judgement on whether you want to risk convicting yourself with a breath test.

3. If you know you are DRUNK, roll the window down far enough to give him your driver's license, then roll it back up. Keep the door locked. Don't get out unless he tells you that you are under arrest, then get out, lock your car, and get in the police car. Always be polite; the best policy is not to say anything at all. If you refused to do the roadside tests, don't do them at the station, either. They are videotaping your actions, for use as evidence in court.

A recent Supreme Court decision states that, for his own protection, an officer can demand that you get out of the car. You don't have to do it, however, unless he places you under arrest. He does not have the right to search your car; don't give him permission to search it. After your arrest, they can pat you down; at the station you'll have to empty your pockets, and they have the right to do a personal search. Don't forget about that videotape machine. They leave you alone in that room to let you convict yourself by your actions, which are being recorded.

Bail for DUIL is \$305.

RIVER CITY CHAPTER

A bottle drive held June 21 brought in \$96. That is a large pickup load of cans and bottles! It took a few hours on Saturday afternoon to drive around and pick them up, and a couple more hours for Dan and Jean to sort them out. It was a more profitable project than the yard sale, which made almost \$11. July 7 saw the new officers conducting their first meeting of their term. All of them came to the meeting and look like they are going to do a good job this coming year, since all four of them were prepared to do their part.

July 7 saw the new officers conducting their first meeting, and if that first meeting is any indication, we are going to have a good set of officers this year. A committee report from the Lake Run Committee indicated that a place had not yet been decided on, but should be set by next meeting. The last item on the agenda was letter-writing; about a dozen letters were sent off to Senators Hatfield and Packwood, and Rep. Al Ullman, on the subject of the DOT report to Congress on helmet law repeal. Members are all in agreement that writing letters should be an important part of every meeting, and the Secretary comes prepared with paper, pencils and envelopes for the purpose. A stamp fund collection is taken at every meeting to cover the costs of postage.

As of this writing, the WATS line has been in use for 7 weeks, for a total of about two and a half hours time (at \$16 per hour). Costs are at present being paid by River City Chapter, but it is hoped that other chapters will want to share the expense. Things that it is being used for: setting up the 1st meeting of the new Board of Directors, which will be held July 20; coordinating information that is to go in the newsletter; and to pass on information that doesn't want to wait for the mail.

The WATS number is 1-(800)-452-8577. People in Oregon can call in without charge on WEDNESDAY NIGHTS, 7 to 8 p.m. only. If you can't attend a meeting and want to have a say, give us a call.

ABATE of Oregon, P.O. Box 4505, Portland, Oregon 97208. Membership \$10 per year. Board of Directors: Steve Bishop, Howard Campbell, Teresa Hepker, Jim McLucas, Joe Smario, Kane Taylor. Newsletter Editor: Teresa Hepker. Newsletter Submissions c/o Rt. 4, Box 46, The Dalles, Oregon 97058.

ABOUT THE NEWSLETTER: The June Newsletter was mailed the week of June 23. One person in Roseburg got his the week it was mailed; some people in Portland got theirs the week after. Some arrived in The Dalles July 11. Seems like the mail is totally screwed, since all of them were mailed at one time. Given the amount of money involved (almost \$75 to print and mail the June Newsletter) and the time put into it (20 - 25 hours) it's a shame the U.S. Mail can't do a better job.

This newsletter went to the printer on July 14. It takes about a week to be printed and folded, then it must be sent on the bus from The Dalles (where it was written and printed) to Portland (where the newsletter is mailed on a bulk mailing permit). At best, the addressing and mailing requires 4 to 5 days after the printer finishes it. Add mailing time and you can see there is quite a delay between the time it is written and the day you get it.

We are trying to do our best in getting newsletters out. They are pretty irregular (not at all monthly) because only two people are doing all the work involved. If you want to see faster, monthly newsletters, start typing up an article or two every month and sending it in; if you live in Portland, volunteer to help with the addressing and mailing. Encourage your chapter officers to see that chapter reports are sent in. DEADLINE for the next Newsletter is August 15. Please keep that date in mind for submitting reports and articles. We need your participation to keep this newsletter going!

APPLICATION FOR MEMBERSHIP IN ABATE of Oregon

Membership fee is \$10 per year. You receive membership card, patch, and newsletter. Membership is open to everyone.

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