

HELP IS ON THE WAY

The Ore. Motorcycle Riders Assoc. some 3 thousand strong, voted at a recent Board of Directors meeting to attempt to repeal the Ore. m/c helmet law. Check the Oct. issue of The Bike News article on the helmet law by Teresa Warren.

From Jack Zektzer, Chairman-Committee on Traffic Law Modernization, Seattle, Wash: "I have sent up a case challenging the validity of the helmet law to the U.S. Supreme Court (case #75-5337), but expect that it is merely a useless exercise. I expect much more from Congress".

How To Beat A Helmet Ticket

(or at least give it a good try !)

The U.S. Dept. of Transportation's blackmail threats of withholding federal highway money have made helmet law repeal very difficult. The courts, intended as "watchdogs" of the legislature, are often prejudiced, causing them to discriminate against motorcyclists. When courts don't do their job properly, responsibility for justice reverts back to the people.(JURY) Plead not guilty and demand a jury trial on every ticket. We recommend you have at least 2 witnesses with you when you get the ticket-they also make good company in court. Under the U.S. Constitution's Fifth Amendment do not admit whether you were wearing a helmet or not.

Some city courts have had jury trials, but most occur in District court. Your rights to a jury trial is guaranteed by the Constitution's Sixth Amendment.* If you are denied your right to a jury trial, sue them by filing a civil rights action suit against the judge and his wife in federal court (district) under U.S. Code, Title 42, sections 1983, 1985, and 1986.

We also recommend you conduct your trial defense Pro Se (act as your own attorney) rather than hiring an expensive lawyer who probably knows far less about helmets than you do. There are law books in your public library and quite often the Public Defenders Office will advise you on specifics.

The jury has the absolute right to determine if the law is constitutional, as well as whether or not you broke the law, as illustrated in the very first U.S. Supreme Court jury trial, Georgia v/s Brailsford, 3 U.S.(3 Dall.) 1).

Surprised judges are learning that Juries, having all the evidence, usually return a "not guilty" verdict. They consider this a great opportunity to stop the federal government's interference with states' powers.

When the Jury can't reach a unanimous guilty verdict, the court will dismiss the case. You only have to really convince one Juror & you'll NEVER have to pay that ticket. This makes the helmet law unenforceable, and gives you a lever for helmet law repeal at the city and state level!

* "In all criminal prosecutions, the accused shall enjoy the right

Wanted:

75-76

ABATE Area Coordinators - ABATE of Oregon has grown in the past year and shall continue. However, we must avoid becoming too centralized - we must reach throughout the state to be really effective. One proven way to further our growth is to establish area chapters with the purpose of establishing "grass-roots" involvement by motorcyclists in their own local areas. Examples would be attendance at City Council meetings and boards of supervisors meetings on matters of local interest to motorcyclists. City and County governments pay much more attention to the residents of their own area than the do "outside interests".

Area Coordinators can actively undertake the establishing of ABATE Chapters in his or her area. We are going to move ahead rapidly to develop such local chapters in all areas of the state. These chapters can become very effective in influencing the Legislative votes of both our state and federal representatives. All motorcycle enthusiasts are encouraged to take an active part in the development of such chapters.

Local chapters will have meetings at their convenience to discuss new developments and to plan courses of action on problem items. The meetings will be generally informal in nature and devoted basically to motorcyclists problems. Some guidelines follow:

1. Each chapter will be issued a charter from ABATE of Oregon. This will provide them with proper credentials for whatever involvement is deemed necessary.
2. Local chapters will act as separate entities and will be basically self-sufficient in most respects. The ABATE membership cards will be issued after the local chapter sends the money and application forms to the main office of ABATE. We will maintain a record of both new memberships and renewals.
3. Chapters are encouraged to conduct events or whatever is deemed appropriate to raise additional funds. This will offset the expenses of their stationery, postage, and any telephone charges. Chapters will be able to make full use of the monthly newsletter for any advertising or area chapter needs.
4. Area chapters, once established, will allow for regular meetings and in the process will educate bikers in our goals and organize them as well.
5. One of the major goals of area coordinators and area chapters is to recruit new members. We must unite in sufficient numbers to be HEARD at the State Capitol in Salem.
6. Each chapter will draw up it's own rules and by-laws as they see fit except:
 - a. No one will be refused membership in ABATE of Oregon.

Now it's up to you - jump up and get things going in your area. How? 1. find a place for a meeting - some ones garage, a church basement, city park etc. (get a buddie to help-it's always easier when you're not alone). 2. pick a time and date. 3. draw up a flyer (8 1/2 x 11) with the necessary information - send it to us and we'll print as many copies as you need and mail them back to you to pass out, put up in shops stores, etc. I'll also be in the monthly newsletter. 4. sit down with the interested riders that attend and get organized. We'll send you a package that should get you on your way. OK - we've helped you as much as we can up to this point. Get busy there in Salem, Medford, Eugene, K-Falls, LaGrande - wherever you are!

"Petition for the REPEAL or REVISION of the Oregon MANDATORY HELMET LAW"

BY, OF, and FOR: the people of the state of Oregon.

TO: Our legislative and lawmaking bodies, elected state and local representatives.

TO WIT: and residents of the State of Oregon being guaranteed a government of the people, by the people, and for the people do hereby submit our signatures for these changes in accordance with the Constitution of this country.....

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MAIL ALL PETITIONS TO ABATE OF Oregon, 2424 SW Jefferson Rd., Portland, 97201.

* A Brotherhood Against Totalitarian Enactments *

Letters :

We continue to urge everyone to write your legislators-it's the best thing you've got going right now.

We've been getting these responses: From Jennings Randolph; "The m/c helmet standard raises questions of individual rights & the authority of the Federal Govt. as well as to the intent of Congress when it passed the Hwy. Safety Act. Having your thoughts will be helpful to me in resolving this question".

From Mark Hatfield; "I value your opinion concerning the bills before the Congress dealing with m/c helmet regulations & I will keep it in mind as we study the legislation I encourage you to write again about any issues of importance to you".

From James Howard; "Thank you for your letter in support of H.R 3869. The subcommittee just completed hearings & a great deal of testimony was relieved supporting your view. Rest assured that your thoughts will receive every consideration".

From James Abourezk; "I appreciate hearing your views and hope that you will continue to share them with me".

From Bob Packwood; "Thanks for your card urging my support of H.R. 3869. When this legislation reaches the Senate for consideration, you may be sure I will keep your comments in mind"

— Helmet Trial —

Dec 75?

A Wyandotte Co. District Jury hung up 7-1 for dismissal in the trial of Ted Oakes (ABATE of Kans.) & Harold Flack-charged w/ violating the Kansas City ordinance requiring helmets to be worn. As told to Judge Burns by the jury foreman-"The 7 of us thought that this was a great opportunity to stop the encroachment of the federal govt. on states rights"

Oakes said the helmet law discriminates against motorcyclists and that the law does not specify (as in Ore.) that helmets must be worn on the head. Ted was wearing his on his right knee & Harold was holding his on his hand.

This case was dismissed after 180 days as required by Kansas law, after no retrial was scheduled.

In 1973, Kansas' 1st full year with the newest helmet law, m/c fatalities almost doubled-to 42 from the previous yrs. total of 22, while registrations were up only 12%. Kansas m/c fatalities more than doubled after the very 1st helmet law was passed in 1967!

Proposed rules by the Federal Environmental Protection Agency, drafted to go into effect Jan. 1, 1978 will probably kill the two-stroke motorcycle. The rules, as yet, do not apply to off-road motorcycles.

We are now able to get ABATE patches (no minimum). They are available for ABATE members for one (1) dollar each. They will be ordered on a monthly basis-in other words we will amass the orders and send them in once a month.

There are also two types of tee-shirts available-they go for \$3.50 each. Be sure when ordering to state desired size(s). S,M,L, & XL.

1. ABATE (white tee-shirt with the ABATE eagle (9") on front.
2. LAWS ARE FOR BUCKS-NOT PROTECTION (yellow tee-shirt with blue uncle sam pointing a gun at you, holding a helmet with a screw in it. (9" high).

If we were to get a large enough order on the shirts, we could get as much as \$1.00 off the cost-how much will depend on the size of the order.

ATTENTION-----JEFF HAYES-----

who joined ABATE of Oregon Sept. 20th
at Elkhorn-- where are you????? Your
mail is being returned to us-- can any
one help locate our fellow member? His
address was given as-1640 E. Pacific,
Albany, Ore.

As most of you know, we incorporated our charter of ABA⁷E on August 22, held our first meeting August 26 when we elected the present Board of Directors: Luke Metcalfe, Chairman; Gene Wolford; Vic Saban, Tres.; Don Kelly; and Nancy Christopher, Secretary. Stated at that time was our intention to hold a general election in January, those offices to be held for a one-year duration. By necessity, these elections must be held at a meeting-this will be done Tuesday Jan. 6th 1976. The meeting will be held at 215 S.E. ASH Portland. We are also searching for people interested in acting as area representatives in other parts of the state-your help is needed to attain our goals.

75-76
WRITE THESE PEOPLE - WRITE YOUR LAWMAKERS!

Senator Bob Packwood, 6327 Dirkson Bldg., Wash. D.C. 20510
Senator Mark O. Hatfield, 463 Russell Bldg., Wash. D.C. 20510
Representative Al Ullman, 2207 Rayburn House Bldg., Wash. D.C. 20510
Rep. Bob Duncan, 329 Cannon House Bldg., Wash. D.C. 20510
Rep. Les AuCoin, 330 Cannon House Bldg., Wash. D.C. 20510
Gov. Robert Straub, State Capitol Bldg., Salem, Oregon 97310

"FREE MOTORCYCLING ACT"

Action on Bills HR3869, HR6211, HR6918, S2252 and S2293 is progressing slowly; but, more co-sponsors are joining with their support. We must all continue to write letters to the committee members and our own Congressmen.

Below is a list of the names and addresses of the Congressmen on the different committees that will vote on these bills first.

Wait a minute! If you're thinking, "man I don't even have an envelope!" That's not even necessary. Just rip off a piece of your younger brother or sisters school paper, write your letter (a sample of what you might say is also here for you) then just fold the paper and put the Congressmans address on the outside. Don't forget your return address so he can answer your letter. Now, put a small piece of tape on the bottom of your letter so it'll stay closed, put a stamp on the upper right hand corner and your in business! All it cost if 10¢!!

For HR3869, HR6211, HR6918

"House of Representatives"

Public Works and Transportation Committee

Members:

Jim Wright	Harold Johnson	David Henderson	Ray Roberts
James Howard	Glenn Anderson	Robert Roe	Teno Roncalio
Mike McCormack	James Stanton	Bella Abzug	John Breaux
Gerry Studds	Bo Ginn	Dale Milford	Norman Mineta
Kenneth Holland	Allen Howe	Elliot Levitas	James Oberstar
Jerome Ambro	Henry Nowak	Robert Edgar	Marilyn Lloyd
William Harsha	James Cleveland	Don Clausen	Gene Snyder
John Hammerschmidt	Bud Shuster	William Walsh	Thad Cochran
James Abnor	Gene Taylor	Barry Goldwater, Jr.	Tom Hagedorn
Gary Myers			

Address your letters to: Congressman's name
House Office Building
Washington, D. C. 20510

For S2252, S2293

"U.S. Senate"

Public Works Committee

Members:

Jennings Randolph	Edmund Muskie	Joseph Montoya	Mike Gravel
Lloyd Bentson	Quentin Burdick	John Culver	Robert Morgan
Gary Hart	Howard Baker	James Buckley	Robert Stafford
James McClure	Pete Domenici		

Address your letters to: Senators name
Senate Office Building
Washington, D. C. 20515

after 10/75
2424 S.W. JEFFERSON RD.
PORTLAND, ORE. 97201

Dedicated to
Freedom of
the Road



----- LAST MINUTE NEWS -----

We have pictures from our anti-helmet run at Salem-members developed them (they're almost 5by7) and made little frames for them. We'd like to get a buck for them (stamps would be fine) but would settle for 50¢ (at least the postage and paper would be paid for). All profits (such as they are) will go into the general fund. THIS IS YOUR ORGANIZATION_HELP SUPPORT IT.

This is your newsletter---use it. Send news clippings, articles of interest, news of up-coming events, helpful hints, club projects, you name it-we'll look at it.

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Below is one way we can ALL help-sign up a new member this month--- if each of us were to do so - we'd double our membership! What do you folks think about a membership drive contest among ourselves? We could award a trophy. Or do we let Art Davis, Gene Wolford, and Rick Riley do it alone?????

Here's Why You Should Join Now!

What can you do? Join ABATE OF OREGON. Let's get together in a mass so our voice means something and has the weight and strength of numbers. ABATE is a non-profit organization dedicated to freedom of the road. You as an individual, can help us in our fight to repeal the helmet law and other anti-bike legislation in Oregon.

Let's face it. The people who make the laws are people who know nothing about motorcycles. We have to unite in a common endeavor, and in sufficient numbers to be heard in the state capitol in Salem. We must educate the lawmakers from a position of strength, and in a professional, dignified manner.

DON'T PUT IT OFF -- THE PEOPLE WHO ARE MAKING THE LAWS AREN'T

ABATE OF OREGON
2424 S. W. Jefferson Road
Portland, Oregon 97201

JOIN TODAY!

Here's my \$5.00 for a one year charter membership in ABATE of Oregon. Send me my membership card, decal, and bike law bulletins.

NAME _____ AGE _____

ADDRESS _____

CITY _____ ZIP _____

PHONE _____

COMMENTS: _____