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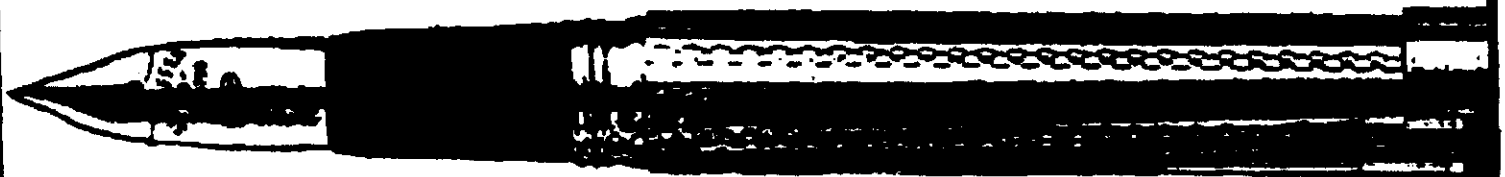


Oregon, Inc.
Let Those Who
Ride Decide!

JANUARY, 1995 NEWSLETTER — edited by G. W. H. & M.B.R.-H. N.E. Portland Chapter

**WELCOME TO
THE NEXT YEAR !!!!!
LET'S GET MOTIVATED, AND
GET SOMETHING DONE!!!!!**

**THERE'S NOTHING MIGHTIER
THAN THE SWORD.
EXCEPT MAYBE, A PEN.**



Freedom Isn't Free . . .
Write to your legislator!

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A.B.A.T.E. of Oregon has over 1,000 members across the State to which newsletters are mailed the first week of every month. In addition, many members have family memberships, which means that the majority of newsletters are read by more than one person.

Our advertising rates are set to allow you the maximum amount of flexibility in purchasing advertising space in our newsletter, and we sell space on a quarterly, half-yearly or yearly basis. Our rates are listed as follows:

BUSINESS CARD	\$33.00	3 months
SIZE:	59.00	6 months
	96.00	12 months
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	104.00	6 months
	173.00	12 months
1/2 PAGE:	87.00	3 months
	165.00	6 months
	260.00	12 months
FULL PAGE:	147.00	3 months
	277.00	6 months
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To allow even more flexibility, your advertisement may be changed each month for the duration of your purchased time. For example, if you run a business card size ad for three months, you can submit three business cards offering month long or limited time specials. Should you purchase ad space for a year, you could change your ad 12 times!!! Advertising copy **MUST BE SUBMITTED BY THE 10TH OF EACH MONTH** in order to appear the following month in the Newsletter and **MUST BE CAMERA READY**. To order your ad in our widely read newsletter, please submit the following information: Firm's name, address, telephone number, city, ZIP code, size of advertisement, time to run, state whether you want the same ad or a different ad copy each month, and name and title of person placing ad. Send it and your first month's ad copy, prepaid to:

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ABATE OF OREGON STATE OFFICERS AS OF JANUARY 1, 1995

COORDINATOR Roger Hendricks 285-4329	SGT-AT-ARMS NORTH Bear
VICE-COORDINATOR NORTH Larry Schalk 774-2479	SGT-AT-ARMS SOUTH Tom Crowl 756-2953
VICE-COORDINATOR SOUTH Chris Vieira 498-2412	SGT-AT-ARMS EAST Brian Stovall 298-1317
NEWSLETTER EDITOR Gordon Hieronimus 253-7343	EDUCATION DIRECTOR Nic Oliver 394-3456
VICE-COORDINATOR EAST Mitch Maxwell 382-7079	PRODUCTS DIRECTOR Angie Jensen 285-4329
TREASURER Joy Hoover 673-1304	PUBLIC RELATIONS DIR. Ken Ray 645-3376
MEMBERSHIP SECRETARY Carolyn "Mother" Meerzo 255-7793	RUN COORDINATOR Roger Hendricks 285-4329
LEGISLATIVE DIRECTOR John Whitaker 788-9964	HISTORIAN Ronna Buckanon 780-3817
SECRETARY Ken Ray 645-3376	

**PHONE NUMBERS ABOVE ARE AREA CODE 503
WELCOME ABOARD NEW OFFICERS!!
LET US KEEP UP THE FIGHT!!!**

Readers should be advised that although A.B.A.T.E. of Oregon supports it's advertisers, it does not guarantee the service of those advertisers.

TABLE OF CONTENTS

APPLICATIONS AND INFORMATION

ABATE Chapter Addresses and Contacts	7-9
ABATE Membership Application	55
ABATE Products Order Form	43
BikePAC Application	9
Membership Classified ads	40
MRF Application	6
State Officers List	2

REPORTS

BikePAC Advisory Board Meeting Minutes	24-25
Chapter Reports	7-9
State Board Meeting Minutes	3-6
MRF Information	20-21/48-50
Canned Food Drive	31

FLYERS AND EVENTS

Mail show	46
Rolling Thunder	15
Valentine Dance	19

IMPORTANT ARTICLES

HELMET STOP REPORT FORM	53-54
A.I.M. Input	32-33
letter from Mel	13
NCOM	26
Run Calendar	45
Hazardous Headgear	34-39
Helmet Law Status	47
ABATE of Washington Press Release	51-52
Road list	44

MAKE A NOTE: CHANGES MADE ON THIS PAGE!

Submission dates to change as of February, 1995 to the 10th of the month so that the newsletter might get to you sooner in the month. Advertising rates will increase in February also. This is in effort to keep up with the rising cost of putting this rag together. If anyone objects to these changes, please contact Gordon (503)-253-7343 before the first of February.

A.B.A.T.E. of Oregon
STATE BOARD MEETING MINUTES
December 10, 1994

The meeting was called to order by Mitch Putman in Eugene at 12:12 pm. Chapter roll call indicated that we had a quorum of 4 voting chapters, 100% of the eligible chapters to vote. Chapters not present included Blue Mountain, Jackson Co., North Coast, Grant Co., if your chapter was not present, please note the ineligibility to vote next month. Eastern Oregon Chapters are excused during winter, if weather is bad.

COORDINATOR'S COMMENTS- None due to length of business in this meeting.

CORRESPONDENCE- Gov. Advisory Board, MRF Newsrelease, MRF about Motorcycle dealers, NCOM press release, Mid Columbia Health Foundation, Competitive edge, OTSEA thanking ABATE for their continued support.

Minutes were read and accepted with one correction.

REPORTS:

EDUCATION DIRECTOR- Nic gave a complete and excellent report on the 26th Annual Safety Conference, which he and Brian Stovall attended. Take action was the title, and was the center of topics. Jackson Co. is being asked to help Sgt Shipley (Medford Chief of Police) with SODA, Southern Oregon Drug Awareness to make Jackson Co. drug free. SODA is a program that is based in Southern Oregon and has hotlines set up called save a friend, to report parties before, during, and after, what do you think of that? Another workshop dealt with the mixed messages the youth are getting, "Don't drink and drive", "it is illegal to drink" (as a minor) and "Drink responsibly". We as a society need to be aware of images we portray in advertising. Day 2 started with the topic of "DRE", Drug Recognition Expert Program. This is how to spot a driver (rider) under the influence of anything. They are going to be trying to change the "Implied Consent" law to include testing of urine, all in the name of "Traffic Safety". Let us all be concerned and watchful of this kind of legislation. Oregon will start training toward this goal in 1995, to include Multnomah, Washington, Clackamas, Marion, Linn and Lane Counties. NHTSA is providing 7 trainers and all material. Included in the training is prosecution and the Judges role. So far the courts have supported this program and the Oregon State Patrol want legislation to support this program, WATCH OUT! Another piece of info was about the

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telephonic search warrant. This can be issued over the phone, which are in the patrol cars, and gives them the "right" to require submission to drug testing, even now!! There is now a definition of a drug, and will be used to make their language usable, here it is-"Any substance which when taken into the human body can impair the ability of the person to operate a vehicle safely". There are seven categories that are defined:

- 1: Central Nervous System Depressants
- 2: Central Nervous System Stimulants
- 3: Hallucinogens
- 4: Phencyclidine(PCP)
- 5: Narcotic Analgesics
- 6: Inhalants
- 7: Cannabis(this includes Marinol, synthetic THC)

Current requirements for DRE officers are, SFST training(16-24 hours), Proficient in DUII(24 hours of training), 8-hour "Drugs that impair Driving", Agency participation. What this boils down to is, that they will pull you over if they think you are under the influence, then go through the battery of tests to prove you are including the basic road side DUII test, "arrest", body search for marks residue, muscle tone and finally a Urine test. When asked what is considered legal(prescription, over the counter) they responded that if you have over the recommended concentration, then that is considered abuse. At the time of questioning, if you can not prove prescribed drugs are prescribed, then they will assume it is in you illegally. What a Crock. Big Brother is watching and soon will be under your skin if we do not stop him.....

On to other subjects, the awareness program is starting out slow again, if you have done a class, turn in your reports so that we can keep a running tally. Nic along with Bull from Central Oregon Chapter, put on a program in Milton-Freewater. Nic submitted a letter of thanks to the Blue Mountain Chapter for their help in presenting the program, good job people.

OTSEA held their bi-monthly conference in Salem, Dec. 3rd. Two points of interest, the main focus is back to basics and the topic of reference points, those we use when driving so we know where we are in relationship to the lane position. Nic asked if there is a way to have non-members of Oregon Educators Association serve

ACCIDENT??

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THIS PROGRAM FOR ITS MEMBERS**

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- Bikers Helping Bikers
- No Recovery = No Fee
- We Make House Calls
- Financial Sponsor of
National Coalition of Motorcyclists

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(800) 531-2424**

on the board, and they decided to look into this possibility. OTSEA presented a letter of thanks to ABATE for becoming a corporate sponsor. Our credibility is improving and the "Hollywood" image is slowly being replaced.

HISTORIAN-Not present.

LEGISLATION DIRECTOR-Not present. John Whitaker spoke up about the importance of passing on all information in dealing with next years legislation. Your chapter must have Key people ready to communicate the whole story. John is starting to track the costs incurred with helmet tickets.

MEMBERSHIP SECRETARY- Total members for Nov.=1793 up 63 from Oct. Total as of 12-1-94 is 1689, down 104 from November, 1994.

NEWSLETTER EDITOR- **Submission date to change from the 15th to the 10th**---make a note. Advertising costs going up in February---make a note. Road list coming along and should be published, what has been submitted soon. Met some goals set in 1992, and will try to meet the rest in 1995. Gordon received an appreciation award from Team Oregon for "special service in the interest of safe motorcycling".

PRODUCTS DIRECTOR- Design submitted to the makers for the 20 year pin, license plate frames are back in stock, and order your products today.

PUBLIC RELATIONS- Talked about how to communicate to various types of people, when talking, speak from their point of view and ways of life.

STATE RUN COORDINATOR-Fossil is a new place in 95, separate M/C camping from the motorhomes. The new spot is up the road from Bear Hollow and is right by the John Day River. DJ's swapmeet people are offering a free spot to us if we want to sell parts for ABATE, all proceeds go to ABATE. The date is March 12, 1995.

TREASURER-Checking=\$380.50/General Sav.\$24,318.72/Legal=\$1,831.72/M/CED.\$158.22/Bulk Mail=\$1,275.63=GRAND TOTAL=\$27,964.85-The following chapters are on probation for finial reports-Central Oregon, Columbia River, Douglas County, Jackson County, and Salem. Until the financial reports are up to date, your chapters can not vote at the State Board meetings. Contact Joy Hoover (503)673-1304

UNFINISHED BUSINESS- Teleconference hook up is not available at the collage, so we need to look into another spot to meet if we are to go forth in this idea. Legislative phone tree is all but done, need contacts for Jackson and North Coast chapters. Unaccounted for funds- Lincoln County chapter submitted information in a great quantity, so now Joy has to wade through the pile and figure out what all is there. Gary Lechner was present and said how appalled he was at the witch hunt that went on over the whole matter. Tri-folds are remodeled and on their way to the printers. STEAM '95 need a date in late March or early April. Until then we need all the new officers names in each chapter so we can pass on information to them to help them with their jobs. BikePac advisor position will be held by John Whitaker, who is a member of the S.E. Portland Chapter. Donation records from each chapter in regards to charity work, supplies, man hours, and projects done need to be turned into the State PO Box attn:Ken Ray PR Director. Salem accused Nic Oliver of theft and embezzlement last meeting. Gordon Hieronimus took the responsibility of looking into this matter. After going over the avidavits submitted and records turned in prior to the whole mess, Gordon submitted a report to the executive board and found no ground for exposition of Nic. A copy of the draft to be sent to Salem chapter Coordinator via registered mail.

NEW BUSINESS-\$500.00 donated to the Education fund from N.E. Portland Chapter. MRF request for Dealer info to be compiled by "Mother". Question was raised about info cards to be carried dealing with ABATE. Willamette Valley Chapter suggests that all who care write to MADD in opposition to their stand on section 153. AMA Dist. 28 would like to raise money at the May Rally on the steps. Discussed that an event after rally would be a better idea.

Motion-made by Lincoln Co. to give Brian Stovall money to cover cost of a trip in January to the MRF Conference. Y=4-N=0-AB=0-Passed.

Motion-made by Carol(N.E.) to donate \$100.00 to Mid Columbia Health Foundation, earmarked for Condon-Fossil area. Y=4-N=0-AB=0-Passed.

Motion-made by Lincoln Co. to donate \$100.00 to Willamina Tree of Giving. Y=4-N=0-AB=0-Passed.

Motion-made by Bob Avery(Willamette Valley) to cast unanimous ballot for all nominated candidates for State Board Offices(non were contested). Y=4-N=0-A=0 Passed.

Your 1995 State Board Officers are as follows:

POSITION	NAME OF PERSON	GOALS SET FOR OFFICE
COORDINATOR	Roger Hendricks	To see more unity with M/C community.
VICE COORDINATOR N.	Larry Schalk	To learn Coordinators job,
VICE COORDINATOR S.	Chris Viera	To help organization become stronger.
VICE COORDINATOR E.	Mitch Maxwell	Learn more about ABATE and keep communications flowing towards the East side of the state.
SECRETARY	Ken Ray	
HISTORIAN	Ronna Buckanon	
EDUCATION DIRECTOR	Nic Oliver	To expand the program further.
LEGISLATIVE DIRECTOR	John Whitaker	To pass on info so we are politically aware.
NEWSLETTER EDITOR	Gordon Hieronimus	To keep the computer and pass on fresh info, to help all learn what "they" are doing to you.
MEMBERSHIP SECRETARY	Carolyn Meerzo	To keep improving the system.
PRODUCTS DIRECTOR	Angie Jensen	I just enjoy selling ABATE and its products.
PUBLIC RELATIONS	Ken Ray	
STATE RUN COORDINATOR	Rotten Roger	To make a bigger and better event.
TREASURER	Joy Hoover	A good question, just comfortable in position.
SGT. AT ARMS N.	Bear	
SGT. AT ARMS S.	Tom Crowl	Trying to get more involved.
SGT. AT ARMS E.	Brian Stovall	Has something to offer, and wanted an official recognition, also to assist.

Mitch adjourned the meeting at 3:40 pm .
 Minutes submitted by Gordon W. Hieronimus (Temp Secretary).

Next State Board Meeting will be held at Lane Community College January 14, 1995 at 12:00 noon in room 203 in the business Education Bldg.

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(All information treated confidentially.)

Referred by _____ Date _____

MRF# _____ Exp. Date _____

Member was given:

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What talents do you have that might benefit motorcyclists' rights and the MRF? _____

Will you volunteer these talents if the MRF needs your help? Y / N

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CHAPTER REPORTS

Blue Mountain

Meets 3rd Sunday, 3:00 pm

Klondike Pizza, LaGrande

Chapter Address: P.O. Box 242 LaGrande, Or. 97850

Chapter Contact: Bruce Coats (503)963-4622

NO REPORT, FIRST TIME.

Central Oregon

Meets 3rd Wednesday, 7 pm

American Legion Hall, 8th St., Redmond

Chapter address: P.O. Box 1527, Redmond, Or 97756

Chapter contact: Cindy Maxwell (503)382-7079

NO REPORT, FIRST TIME.

Columbia River

Meets 2nd & 4th Sundays, 12:30 pm

Cactus Club & Diner, 8131 N. Denver, Portland

Chapter Address: P.O. Box 11817, Portland, OR 97211

Chapter Contact: Angle, (503)285-4329

NO REPORT, SECOND TIME.

Douglas County

Meets 3rd Sunday at 11:00 am

Round Table Pizza, Roseburg Valley Mall, Roseburg

(Contact Ed Halkyard at (503)673-6120 for info.)

Chapter Address: P.O. Box 61, Roseburg, OR 97457

Chapter Contact: Joy Hoover(503)673-1304

NO REPORT, FIRST TIME.

Grant County

Meets 3rd Saturday, 11:00 am

Stull Residence, 858 E. Main, John Day

Chapter Address: P.O. Box 532, Canyon City, Or. 97820

Chapter Contact: Sherri Stull,(503) 575-0741

Hello Again:

Man a month goes by pretty fast EH! We're that old.

Sherri returned from the State meeting with our charter, making it the real thing. Grant County is the newest and smallest chapter. Right on for us!

Along time ago I wrote a report detailing how as members of an almost exclusive Harley Chapter we had to encourage Jap (bike) riders to join ABATE. More voices, strength in numbers etc. I took a little heat, but not too much. Most people are fair and empathetic. They feel sorry for the guy wearing the helmet riding the rice rocket, double whammy eh!

Well I say again, lets encourage our miss guided rice riding friends to join and help in our (their) fight. And with the prices of even old sporties it's the only way up on two wheels for some.

Which brings me to a question. How will the clunker bill effect my old hog? (46 eat yer hearts out). I'm pretty sure its designed to get rid of old cars (the ones I can wrench) but I'm in the dark.

It was brought to my attention that an ad in a past newsletter contained some statements which may be taken as sexist. This chauvinist couldn't see it. But half our chapters

members as well as officers are female. So the last thing we want to do is alienate the ladies. In fact, I would like to thank all the women who make ABATE work.

Thank you! Keep at it please!

P.S. Peach said it didn't bother her (not much does) she just wanted us to be aware. And CindyLou Central Oregon you lose we've had snow, we've got snow and its falling right now.

I'm outta here -

E.H. Ray

Jackson County

Meets 1st & 3rd Sundays, 11 am

Oreaganos Pizza 828 2nd Ave., Gold Hill

Chapter Address: P.O. Box 1184, Medford, OR 97501

Chapter Contact: Gene Nelson (503)855-7345

NO REPORT, THIRD TIME.

Lincoln County

Meets 1st & 3rd Fridays, 7:30 pm

Moby Dick's Restaurant, Newport

Chapter Address: P.O. Box 665, Newport, OR 97365

Chapter Contact: Vicki Lechner, (503)563-3520

Hi all,

Well this is my last chapter report for 1994. This last year has been a "learning experience" for those of us here in Lincoln County ABATE. Policies/Regulations etc. have never been anything bike enthusiasts enjoy, but we've swallowed them...like a bad pill, and continue to smile.

We've been very busy this last month with holiday projects and with other organizations approaching us at member meetings asking for our fundraising assistance.

Its a real compliment to have other organizations recognize our efforts and abilities to raise funds for worthwhile causes here on the coast. The Women's Crisis Shelter and the Downtown Business Owners group have both approached us this last month. It's my understanding that we may launch a campaign to help the Women's Crisis Shelter currently located in Lincoln City. February is the target date for the big shindig, and I think that it will take place in South County.. at the Yachats Commons.. bands, raffles, an auction and possibly a pie social. If your in the area the week-end before Valentines Day check it out.

I wish our new officers..membership support... in the coming year, as we all know IT HELPS TO HAVE HELP... and I thank last years officers as they did a wonderful job under sometimes difficult situations. I love this organization as its brought me many new friends and a direction to ride... for a good cause. Thank-You all for picking me up when I fell down and encouraging me to ride...on

Ride safe...deb.

North Coast

Meets 1st & 3rd Wednesday, 7:00pm

Pizza Harbor, Seaside

Chapter Address: P.O. Box 468, Seaside, Or 97138

Chapter Contact: Don Smack, (503)738-7156

NO REPORT, SECOND TIME.

N.E. Portland

Meets 1st & 3rd Wednesday, 7:30 pm
Izzy's Pizza, 1307 N.E. 102nd, Portland
Chapter Address: P.O. Box 5792, Portland, OR 97228
Chapter Contact: Rusty Taylor (503) 777-5121

Wasn't the Toy Run GREAT? Everything went so smoothly, even though we met at a new location. All the HARD WORK and TIME the Toy Run Committee put into this event made it all possible. Congratulations to Mark Roberts of Portland for winning the Toy Run Motorcycle. Ride safely on your new bike.

Officer Elections are over and all the positions should be filled. The new Secretary this year will have a report on who the new Officers are next month. I'd like to leave saying something inspiring and motivating to get more people involved and push this organization forward into the future in a positive way. But I'll say this again and hopefully it will work.

ABATE needs you, and we all need ABATE. Both of us, (You and ABATE), need to work together to protect our rights to ride free from mandated laws and personal restrictions. Get involved!!!!!!!!!!!!!!!!!!!!!!

Ride safe
Road Rash

Salem

Meets 2nd & 4th Mondays, 7:00 pm
Pietro's Pizza, 1637 Hawthorne Ave NE
(Call 503- 581-3138 or 503- 581-8637 for information)
Chapter Address: P.O. Box 13957, Salem, OR 97309
Chapter Contact: Ruby Vigil (503)769-7976

NO REPORT, FIRST TIME.

South Coast

Meets 3rd Sunday, 11 am
Gino's Pizza, 1324 Virginia Street, North Bend
Chapter Address: P.O. Box 4175, Coos Bay, OR 97420
Chapter Contact: Tony & Vikki Haines, (503)759-4961

NO REPORT, SECOND TIME.

S.E. Portland

Meets 1st & 3rd Sundays, 12 Noon
The Pizza Baron, S.E. 122nd & Division, Portland
Chapter Address: P.O. Box 90233, Portland, OR 97290
Chapter Contact: Larry Schalk (503)774-2479

Hello;

The Toy Run was wonderful, so it is every year. Except I didn't win the bike. A guy named Mark Roberts won.

I got so cold at the Toy, Run waiting to go up the hill to the hospital, but when we do start going, a smile comes to my face and I warm up just thinking about what we are about to do. Its a wonderful feeling.

We had elections of our new officers, and they are as follows:

COORDINATOR	Larry Schalk
VICE COOR.	Lee Austin
SECRETARY	Debby May (ME)
MEMBERSHIP	Craig Blair
TREASURER	Elizabeth Eckstrom

SGT. AT ARM	Tony Franklin
#2	Oopy
STATE REP.	Jud Whitcher
LEGISLATIVE	John Whitaker
EDUCATION	Edd Dahl
HISTORIAN	Sue Grady
CANNED FOOD	Glen & Gayle Loaiza
WAYS & MEAN	#1 Ken Skorepia
	#2 Gary Krutsinger

A little different than last year.

We are now planning our 14th. Anniversary Party, and it will be on the 4th of March. On the 21th & 22nd of January, there will be a Bike Show at Jantzen Beach Mall. Look for the flier in the Newsletter or at a Chapter Meeting.

Bye till next month.

ENJOY
DEBBY

Hello S.E. Portland Chapter Members,

S.E. Portland Chapter is on the move. No, were not leaving the state. What I mean is, we are active in many areas.

Currently, plans are being made for our 14th anniversary celebration. We will be using this opportunity to raise money for BikePac's lobbying effort in the Oregon Legislature. ABATE of Oregon has donated \$5000.00 to BikePac's lobbyist fund, but much more will be needed if we are to be successful this year legislatively.

The newly elected U.S. Congress will be the last opportunity to remove the Section 153 Penalties for several years. We must all become more active writing letters and making phone calls. If you don't know how to do either, come to your chapter meeting and find out. We will be writing as a group again this year. If you don't know what the Section 153 Penalties are, then you need to come to a meeting or contact your Chapter Coordinator ASAP.

STEAM (Seminar To Educate And Motivate) is coming up. I would like to see as many members take advantage of this opportunity as possible. The workshops presented at STEAM will give you the tools you need to be better freedom fighters. The tools you receive at STEAM, also will help you in your everyday life. I personally have gained much knowledge through these workshops.

BEST of the West, will be in Boise ID., April 21-23 this year. The closeness of Boise to Portland will make it possible for many members to attend. Those of you that have not yet had the opportunity, if you are interested, I encourage you to make your plans now. S.E. Portland Chapter will be sending several people this year, and one of them could be you.

The Summer Run Committee is gearing up to make Summer Run 1995 even better than last year. The people of Brightwood are looking forward to having us again this year, due to the wonderful relationship we developed.

The Cisco Loaiza Memorial ABATE Canned Food Drive made another donation to the Recovery Inn on the Dec. 17th. We are now collecting food for the next delivery, I hope, in July.

The '94 Shriners Toy Run was the most successful ever. We raised over \$15,000.00 and more than 500 people participated in the Toy Run Parade. Plans are already being made for the '95 Toy Run.

So it is plain to see that a lot is happening this year. We want your input. We need everyone to be involved. We need to set goals for the Chapter. What should they be? This Chapter

is nothing without it's members. We have an obligation, as members, to each other to see that we are all successful.

Attend your chapter meetings, we will all be better off because you did. Remember, united we stand, divided we fall.

Have a Safe New Year,
Larry Schalk
S.E. Portland Chapter Coordinator

Washington County

Meets 2nd & 4th Tuesdays, 8:00 pm
Pizza Hut, 3190 N.W. 185th, Portland
Chapter Address: P.O. Box 830, Cornellus, OR 97113
Chapter Contact: Don Murry (503)693-6465
Bill Ballard (503)640-5461

NO REPORT, SECOND TIME

Willamette Valley

Meets 1st Thursday, 7:00 pm
Red Rooster Restaurant, Garfield between 7th & W. 11th
Chapter address: P.O. Box 23325, Eugene, Or. 97402
Chapter Contact: Bob Avery (503)998-1309
Russ Lax (503) 747-4626

Greetings & Happy New Year,

December was busy!! Casino night fundraiser for our toy run was a great success and a new experience for some of us, though thanks to the old hands who stepped up when they were needed it all worked. Special thanks to Alan Cortes, Bill Foster, and Pappy Brown. Toy run itself wouldn't happen without the able effort of most of the chapter members especially April, Nan and Bob. Trying together the loose ends is often the most difficult job; Think about it, doesn't the success of just about anything depend upon a proper follow through.

Officers meeting was focused on local meeting polices, ie alcohol at meetings, (discouraged; there are lots of good places

to party but the monthly meeting is not one of them). Committees needing volunteers, Public Relations and Legislative, and the need to involve all members to the extent that they are willing and capable in the activities we as an organization take on.

In the future months we hope to have monthly rides; speakers at meetings with information about the laws that affect our rights, not only helmets but the specter of big brother in general.

Don't put off preparing for the future or what you want may not be part of it. Do the maintenance on your ride, write a letter to the editor, introduce yourself to your local legislator, let your input be heard clearly and responsibly. Don't let change be handed to you, or you may not like the out come.

Live Life, Ride Smart
Russ

Yamhill County

Meets 2nd Sunday, 3:00 pm
Westward Ho, McMinnville (3rd Street)
Chapter Address: P.O. Box 1179, McMinnville, OR 97128
Chapter Contact: Kraig, (503)876-5135

Highlights

Hopefully by the time this goes to press our Willamina Tree of Giving run will have been a great success. I for one am hoping for rideable weather as I haven't been on the bike much due to work and snow. Our next meeting will be January 8th at 12:00 noon at 19055 highway 22 near Buell. The meeting will be held in conjunction with our "One More Time" woodcut, so show up and pitch in. Thanks to Kraig for covering for me and calling in the newsletter info. Happy Holidays and best of luck to all in 95!

H.L.V.B. Steve

BikePAC of Oregon is YOUR political action committee in Salem. A PAC is the most effective way to promote YOUR interests to elected officials.

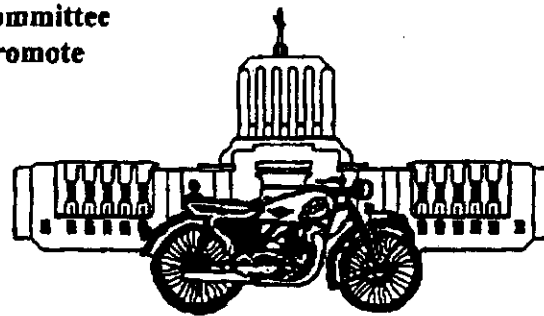
BikePAC listens to Oregon's riders and is currently working with the state legislature on: (1) enhancing Oregon's rider education program and motorist awareness, (2) fair and effective testing and licensing of motorcycle and moped operators, (3) fair insurance coverage for motorcyclists, (4) fair and reasonable access to recreational areas for off-road motorized activities and (5) adult freedom of choice on helmet use.

If these are your goals as well, join BikePAC.

"If you band together and talk as a group...they listen. An awful lot of riders don't belong to anything. They just ride for the heck of it. They don't recognize that somebody is protecting their freedoms. If you want to protect your rights, you've got to be active all the time."

—U.S. Senator Ben Nighthorse Campbell
(D-Colo.)

PAC memberships/contributions (up to \$50 per person per year) are eligible for deduction from your Oregon State Tax Return.



BikePAC of Oregon

P.O. Box 5612, Salem, Oregon 97304

Jack Fassel Executive Director (503) 650-9336	Butch Harbaugh Legislative Director (503) 838-1460	Steve Benson Secretary/Treasurer (503) 399-7514
---	--	---

I'm ready to join. Enclosed is [] \$10 (single member) [] \$15 (couple)

[] Please send more information about BikePAC of Oregon.

Name(s) _____

Street _____ City _____ Zip _____

HELMET LAW DEFENSE

REPRINTED FROM A HANDOUT FROM NORTH SNOHOMISH CHAPTER

The following has been developed to aid in your defense when you have been stopped and ticketed for wearing and "unapproved" helmet. Read the following to the judge as your defense and ask that the charges be dismissed.

YOUR HONOR, I was wearing a motorcycle helmet acquired in a good faith attempt to comply with the State's Mandatory Helmet Law. The helmet, at the time I acquired it, had a "DOT" sticker on the back. Thus, I was improperly ticketed and the case should be dismissed.

THERE ARE TWO ISSUES IN THIS CASE THAT THE STATE MUST PROVE BEYOND A REASONABLE DOUBT

- (1) The helmet I was wearing failed to comply with Federal Law
- (2) I knew my helmet did not comply with Federal Law.

The State Mandatory Helmet Law has incorporated Federal Standards set forth in the National Traffic and Motor Vehicle Safety Act of 1966 and in the Federal Motor Vehicle Safety Standard ("FMVSS") No. 218.

Section 1392(d) of the Safety Act states that once a federal standard is adopted, that federal standard has supremacy...the states may enforce no standards which are not identical to the federal standards.

The "DOT" sticker, on the back of the helmet, raises the presumption that the helmet meets Federal standards.

The Federal Law places a burden on the manufacturer and the seller of certification and compliance with the standards set forth by Federal law, "FMVSS" 218, and not on the user.

National Traffic and Motor Vehicle Safety Act of 1966, Section 1397 (a)(1)(A)

- (1) No person shall-
 - (A) manufacture for sale, sell, offer for sale, or introduce or deliver for introduction in interstate commerce, or import into the United States, any motor vehicle or item of motor vehicle equipment manufactured on or after the date any applicable Federal motor vehicle safety standard takes effect under the subchapter unless it is in conformity with such standard.

Under section 1403, the evidence of certification, with regards to helmets, is a "DOT" sticker on the back of the helmet, FMVSS 218 sec. 5,6, and 1(e).

Federal law only requires the exercise of due care by the user at the time of acquisition. National Safety Act of 1966, Section 1397 (b)

- (2) Paragraph (1) (A) subsection (a) of this section shall not apply to any person who establishes that he did not have reason to know in the exercise of due care that such vehicle or item of motor vehicle equipment is not in conformity with applicable Federal motor vehicle safety standards, or to any person, who, prior such first

purchase, holds a certificate issued by the manufacturer or importer of such motor vehicle or motor vehicle equipment, to the effect that such vehicle or equipment conforms to all applicable Federal motor vehicle safety standards, unless such person knows that such vehicle equipment does not so conform.

Therefore, Federal law only requires good faith compliance and the exercise of due care at the time of acquisition of the helmet. The "DOT" sticker raises the presumption of good faith compliance.

Federal law prohibits the Department of Transportation from establishing a list of approved helmets. And, to my knowledge, there is no list of approved helmets available to the general public published by anyone.

The absence, at the time of the issuing of the citation, of a sticker on the back of the helmet is not evidence of lack of compliance because Federal law does not require that the sticker remain on the helmet. (See NTMVS Act of 1966 and FMVSS 218)

The State must prove beyond a reasonable doubt that my helmet does not meet FMVSS 218 and that I was aware of this fact.

Proof that my helmet does not meet Federal standards requires expert opinion and actual testing of this helmet. A traffic officer lacks the personal knowledge of actual testing and lacks special knowledge, skill, experience, training or education regarding FMVSS 218 and testing procedures.

Expert opinion is not proper testimony unless my helmet was actually tested. To my knowledge there is no case law in this state to support the use of expert opinion without actual testing when a technical test is required by law to prove compliance with a standard.

If the State proves the helmet did not comply with Federal standards, they still must show I knew the helmet was not in compliance at the time I got it. At the time I acquired the helmet, it possessed a "DOT" sticker on the back and, therefore, I acted in good faith and the State can not prove otherwise. Therefore, I respectfully request that this case be dismissed.

WARNING: BEFORE READING THESE ARGUMENTS TO THE COURT, BE SURE TO PLEAD NOT GUILTY. These defenses will only work if you acquired the helmet with the "DOT" sticker on the back or a label on the inside which indicated that the helmet complied with the "DOT" standards. If the helmet had a label on the inside, everywhere in the argument that it says "sticker on the back", insert the words "label on the inside".

(The very first way to get a dismissal that has been working so far is lack of evidence.)

Editor's area of words

Reprinted from SBU newsletter October 94
Author unknown

I would like to share with you a letter I saw recently at an Indian Motorcycle Club of America;

First they mandated a special Motorcycle license, but I did not have a motorcycle, so I **didn't notice**.

Then they required signal lights and rearview mirrors, but my new bike had those, so I **didn't mind**.

Then they passed "lights on" legislation, but I always rode with my headlight on, so I **was unaffected**.

They closed off most of the wilderness areas to dirt bikes, but I did not ride a dirt bike, so I **remained complacent**.

I became concerned when they banned three wheelers, but I did not own a three wheeler, so I **said nothing**.

Many deplored the MANDATORY HELMET LAW, but I felt safer wearing my helmet, so I **complied**.

Next, they limited horsepower, and eliminated many sports bikes, but I did not ride a sport bike, so I **did nothing**.

Finally they decreed motorcycles dangerous and outlawed them altogether, **BY THEN IT WAS TOO LATE TO DO ANYTHING....**

I think maybe you guys can relate to this.

Everyone you meet knows something you don't know, learn from them!

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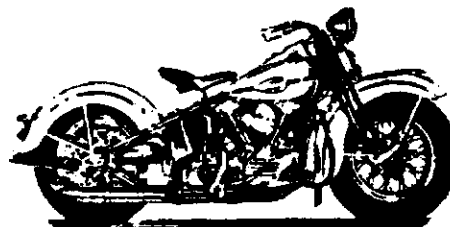
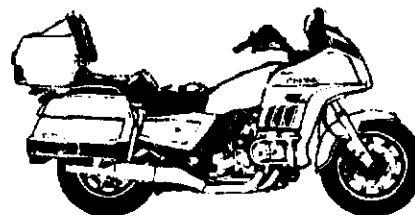
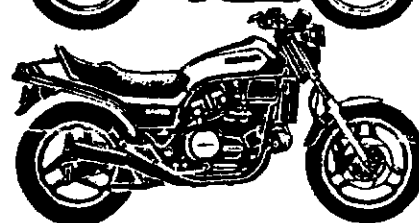
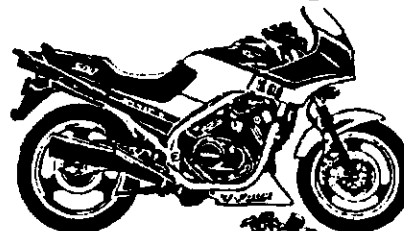
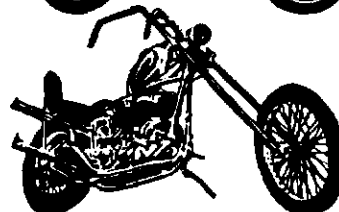
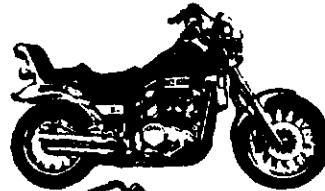
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you!**



Dear Gordon and ABATEMembers:

It is with much surprise that I find myself writing this letter - but then, I have had a lot of surprises lately. Having considered myself to be an apolitical person, I have had very little to do with politics of any nature over the past 10 years. I am surprised to find myself not only a registered voter now, but I'm just as surprised to find myself an active member in the newly formed Willamette Valley Chapter of ABATE.

The reasons I have for joining ABATE of Oregon - other than for a chance to ride with a local group - are for reasons that I think should be important to all motorcycle riders. I am new to the sport of riding - or I should say piloting my own machine. I had never had my own bike before and I always just accepted the rules of riding as they were dictated to me. Being at the controls now provides me with a thrill that "if I have to explain.....". Anyway, I am much more aware of how I want to ride, what is comfortable for me now and my desire to have the right to change my mind in the future. I became a member and supporter of ABATE to help assure me, and other riders, that these freedoms of choice will belong to those that ride. It is for this reason that I feel strongest about joining a group that not only supports and defends the freedom of choice in motorcycling, but that supports and defends the basic freedom of choice in all aspects of American life.

As a new rider on the streets, I have accepted the responsibility for my own safety, but I feel that there is a great need to make other motorists aware of me while I am riding. Most novice riders will tell you, especially if they have taken the Team Oregon Motorcycle Safety Course, that the greatest cause of motorcycle accidents are those caused by other motorists that "did not see you". The fear of this happening to me was enough to keep me out of traffic several weeks after I had gotten my bike. I feel that the most important thing that I can do for ABATE and the sport of motorcycle riding, and the thing that ABATE can do for me is continuing with the education of all motorists using the roads. We must make everyone aware that bikes are on the road, that they have a right to be there, that the riders have all levels

of experience {or inexperience as the case may be} and that it is the responsibility of everyone on the road to take care of each other - whether on a bike or in a car.

Well, those are my reasons for becoming a part of ABATE. If there are others out there in Rider Land that feel the same way that I do, they should get off their seats and support their local ABATE Chapter - or at least mail in that membership application (along with the money) to help support the cause.

Other than that, I hope that everyone in the Willamette Valley Chapter remains as excited as they are right now about their individual and collective support of ABATE of Oregon and the issues at hand. I want to thank everyone who helped get this chapter off and running and especially Russ Lax and Bob Avery for keeping us all under some sort of control. If anyone in this area is interested in participating at our meeting, we meet the first Thursday of each month, 7:00pm at the Rooster Restaurant, 922 Garfield in Eugene. Until then, LET THOSE WHO RIDE DECIDE.

Ponie Ryder

To The Newsletter Editor
or To Whom It May Concern

We would like to thank the members of Grant County Chapter and Blue Mountain Chapter for the warm welcome and fellowship we received on our visit to Eastern Oregon recently. Special thanks to Debbie & Jack Leitner and Nicki & Robie Vandiver of Blue Mountain Chapter for giving us a place to rest our weary bones.

You truly understand the meaning of brotherhood.

Roger Hendricks
Angie Jensen
Larry Schalk

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To all our family and friends,

I admit this is a form letter, but, due to the demands on my time and the fact that Sharon is unable to respond personally, she has asked me to thank you for remembering her in her time of trouble.

Since the last report, Sharon has been in the Salem Hospital on two different occasions. The first was an attempt to control her pain by injecting a nerve block along her spine. She had five injections of Marcaine on the right side and four on the left side. This procedure lasted about 12 hours before the effect wore off and the pain returned.

On the second visit the same doctor went to the next step by installing a plastic tube into her spinal column so that morphine could be injected directly into her spinal fluid. He took away all of her oral pain medications and that night she dreamed of an animal attacking her and pulled the tube completely out of her spine. The doctor was notified and reinstalled the tube the next morning.

After determining that this procedure would do the trick of controlling her pain. Sharon was released to return home to await arrangements to install a morphine pump inside of her abdomen that automatically adds morphine to her spinal fluid. The pump costs about \$10,000 and the operation will cost about \$5,000 more.

After waiting from the 8th of the month till the 21st of November, we were notified that the insurance company would pay for the operation and the pump. The Surgeon's nurse was able to schedule her operation for the 30th of November at 10:00am. It is expected that, barring complications, Sharon will be able to return home on about the 6th or 7th of December.

She will need home health care for a while until she has recovered from the operation and is capable once more of taking charge of her own affairs. I expect that I will be able to return to work at that time.

In short, THANK YOU ALL for thinking about Sharon. She thanks you at this time in this letter; and when she has recovered, she intends to send each of you a personal note of thanks.

UPDATE- December 3, 1994

Sharon is home from the hospital now, and is still under the weather from the combination of oral pain meds and the drugs being injected by the pump.

There is still considerable pain, but Sharon can lay down in bed again, which she has not been able to do for months. We are seeing improvement

in the amount of pain she has to endure, and predict that in a couple of weeks she will be back to 85-90% of her old self. She will still have to use a walker to prevent falling. She could sustain considerable damage if she were to have an accident like that, but may not realize it.

We will have to be very careful in the future to protect her.

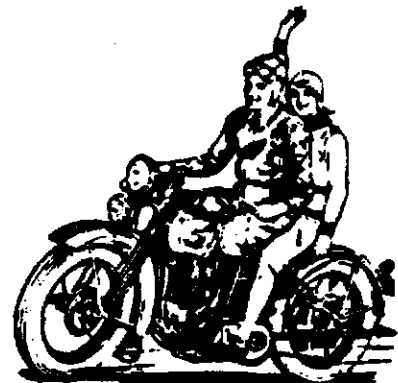
HOWEVER!! We are grateful to our family and friends who have kept in touch throughout this ordeal. We are grateful to the doctors who used their expertise and influence to help our insurance company decide that this operation was necessary and that they should pay for it. We are thankful that our insurance company covered the operation. We are thankful that I work for a company that, through negotiation with the union, agreed to spend the money for an adequate insurance plan.

Mostly, we are thankful that our heavenly Father provided all of these blessings for us when we needed it most. Now we can enjoy each other's company relatively pain free during our wedding anniversary, Dec. 17th, and the Holiday Season. Sharon is not out of the woods yet. She still has a critical problem with her pulmonary fibrosis. That is another battle for us to fight and we will fight it together, just as we did this one.

This has been a rough fight for Sharon. Her strength is in need of being replenished. She needs your continued love and support during this time of rebuilding. She has demonstrated great endurance during her time of trouble but she is tired. If you can think of something to cheer her up, send it to her or phone her. Due to her lung problem, we ask that you call ahead before visiting. We can not take a chance that she might catch the flu or some other respiratory problem.

We take these closing moments to thank all of you out there and, although we will stay home this year, we both hope you can go to visit other friends and family this Christmas season. May the spirit of Christmas be upon everybody and may you all have a great New Year.

The Salem Oregon Yeagers
Mel and Sharon



The Sturm, Ruger and Co. Reaction

These are letters submitted to the newsletter in response to the December 1994 newsletter article.

If you would like to respond to the "In many cases, employers or unions have cut off coverage for injuries from any motorcycle accident." article please write to :

William B. Ruger Jr., President
Sturm, Ruger and Co.
411 Sunapee St.
Newport, NH 03773

November 14, 1994

Sturm, Ruger & Company Inc.
Attn: William B. Ruger

Dear Mr. Ruger:

My mother gave me my first Ruger handgun when I was 14 years old. That was 24 years ago; two years before I purchased my first motorcycle. I now own six Ruger products and have been recommending these items for years. I am happy with their performance and would not part with them. However, I will be buying no more Ruger products due to your company's stand on HEALTH INSURANCE TO MOTORCYCLISTS in you employ.

Helmet use and eye protection are not the issue. If a rider in your employ is within the law in the state he is traveling in, you should honor your insurance commitment, should the occasion arise. Try researching the actual "burden" motorcyclist create in health care statistics. It is quite small.

How would your company like to be held liable if a person damaged themselves while using a Ruger product without eye protection, gloves, steeltoed shoes or hearing protection or one of any personal protective equipment item you can think of. All of which are optional and not required by law.

I notice that "sports" related injuries are

no longer excluded in you modified policy. Motorcycling is a sport as well as a lifestyle. My experience is that as people age and continue to participate in sports, many injuries occur that hamper their performance at work. My guess is that this creates far more of a "burden" on the insurance industry than does motorcycling.

In any further discussions I have concerning Ruger products, I will have to relate your stand on insurance for motorcyclists. You may have a considerable amount of customers who also ride. I know that when I read your company's stand at my last local ABATE meeting there were some negative reactions.

Please consider how your arbitrary exclusion of some policy holders may affect families and quality of life. Thank you for your time.

Joseph L. Whitty
AMA # 426397
NRA # BVX1757T
ABATE # 1927

cc:
American Motorcycling Assn.
ABATE of Oregon
ABATE of Oregon, Jackson County Chapter
ABATE of New Hampshire
ABATE of Connecticut
National Coalition of Motorcyclists
Motorcycle Riders Foundation
Bike PAC of Oregon
Sam Hochberg, Attorney at Law
National Rifle Association



To the Editor:

They never give up do they? Well that's fine, neither do I and I like to hit 'em where it hurts the most - right in their big fat wallets!!

Now is the time Brothers and Sisters to sit on your *****. And while your sitting there, **WRITE LETTERS** to these people and companies who are discriminating against you!! Let 'em know that if they are going to decide what you can and cannot legally do on your off time that you are not going to support them by buying their products!!

Keep on with the articles concerning companies that want to tell me how to live my life and I'll keep on with the letter writing and **NOT** giving them my money and brow beating them about what low-lives they are!!

Still riding,
Phil

12/5/94

William B. Ruger Jr., President
Sturm, Ruger and Co.
411 Sunapee St.
Newport, NH 03773

Sir,

I have just finished reading an article published (reprinted from American Motorcyclist Oct. 94) in the A.B.A.T.E. of Oregon, Inc. newsletter concerning your company's health-insurance plan regarding employees who ride motorcycles. I hope that this information is incorrect.

As an avid shooter and firearm enthusiast I presently own and shoot the Ruger 10-22 rifle, 22 automatic pistol, P-85 and 357 New Model Blackhawk. I have found your firearms to be of excellent workmanship and quality and enjoy using them.

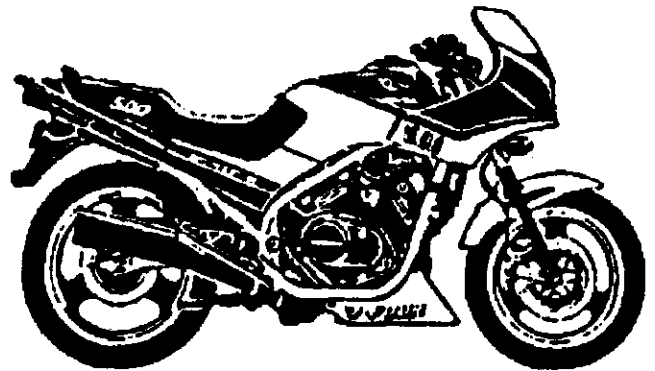
In a time when many wold restrict the rights of others to enjoy their legal hobbies, be it firearms, motorcycles or whatever, I cannot believe a company doing business in the United States of America would discriminate against it's employees because of their legal life style i.e. riding motorcycles.

Here in the state of Washington we voted out the anti-gun politicians and are striving to have the mandatory helmet law for motorcyclists repealed. To many people, shooter and motorcyclists included, both have a lot to do with one thing - **FREEDOM OF CHOICE.**

I am very interested in the name of your present insurance carrier and if the information in this article is accurate, I will never again support your company with my purchase of firearms.

Anxiously waiting your reply,
Phil Hearron

cc:
A.B.A.T.E. of OR
A.B.A.T.E. of WA
A.B.A.T.E. of ID



ROLLING THUNDER VII



POW-MIA
"We Will Never Forget"

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Nashville, TN, NJ
08663

Washington, D.C.
Memorial Day Weekend
May 28, 1995

WWI 3,350
WWII 78,777
KOREA 8,172
Vietnam 2,259
Persian Gulf 41

Assembly Area: North Pentagon Parking Lot 6 am.

Leaving: 12 noon for the ride through Washington, D.C. to the Vietnam Veterans Memorial to pay our respects to our brothers and sisters, and for the accounting of all POW-MIA's

Reflecting Pool: Speeches and music at the Reflecting Pool. For the return of our POW-MIA's that our government has abandoned. This is a demonstration for our POW-MIA's. If you love your freedom fight for theirs.

Leaving Knoxville: Outing only May 25 at 9 AM for more info call Greasy 808-674-0790

RUN FOR THE WALL: Leaving 9 AM Friday May 17 from TA truck stop at Intersection I-15 & I-10 in Ontario, CA. For information, time of departure & arrival in states along the run from CA. to Washington, D.C. Call George 808-688-3498 or John 808-837-0790

Last year we had 140,000 + riders. Will you help us increase support for our Brothers POW-MIA? All Veterans organizations and citizens are welcome. If you don't see us at the Vietnam Veterans Memorial at 12 noon.

After the Run "Everyone Please go to the Reflecting Pool"

No Attitudes: Confirmed

Arlo	808-388-5438 (NJ)	Don	808-781-2412 (NJ)	Casino	808-982-8831 (NJ)
Greasy	808-674-0790 (NY)	Jack	801-845-7058 (MD)	John	215-888-1848 (PA)
Joe	718-388-3838 (NY)	Eugene	812-748-8237 (GA)	Rusty	517-288-7288 (NC)
Phil	518-888-8822 (NY)	Bob	803-822-2461 (NH)	Ardu	203-888-4120 (CT)
Jim	814-784-7167 (NY)	Bob	801-363-2910 (UT)	Phil	818-888-3039 (NC)
Tony	804-878-8882 (VA)	Gl	614-428-5418 (Canada)	Lee	808-882-8173 (VA)
Jerry	703-887-8838 (VA)	Dave	219-322-7703 (IN)	Buzz	317-482-8388 (IN)

PLEASE COPY AND REDISTRIBUTE

A TAIL OF THE BLUES.

The story you are about to read is true. I hope that it will be useful for those of you that are involved in legal battles of your own.

The 21st of May, 1994 was the 18th birthday of my youngest son Bill. To celebrate, my wife and I decided to take him and his girlfriend out to dinner. It was after 10:00 pm when we returned home, but it was such a beautiful spring evening I thought I would go for a ride. It was nearly 11:00 by the time I had changed and was rolling down S.E. 82nd Ave.

As I traveled north on 82nd just past S.E. Duke St. I could sense someone watching me. That someone turned out to be Officer Peter Gill of the Portland Police. He stayed behind me as we sat out the light at Woodstock. I didn't feel like being followed any farther, so at the first opportunity I made a left turn from 82nd onto S.E. Ramona St. You would have thought I had just robbed a bank or something by the way I was pursued onto Ramona; red lights and siren - the works. Of course I stopped, after all I had done absolutely nothing wrong, or so I thought.

After an initial confrontation over whether I had the right to know why I had been detained, I

finally learned what horrendous crime I had committed. I had a blue dot in my tail light. No, I am not kidding. A blue dot is considered prohibited lighting, according to Officer Gill. Evidently, this was more serious than I had first imagined, because within a very short time, Officer Gill was supported by an additional 3 police officers.

You have no idea how it feels to be alone, on a dark street, and be confronted by 4 complete strangers with guns and clubs. It is important to know that the police have a great deal of latitude when they feel their lives may be threatened. Remember Rodney King? I think I reacted in a normal way. I got an attitude. Now I was Pissed! Now we have 5 people on S.E. Ramona with an attitude.

During the 45 minutes that I was detained I was (1) threatened with having my motorcycle impounded, (2) asked to search my motorcycle (no way), (3) had personal property taken without permission and (4) was searched for weapons (I told them I had nothing). Harsh treatment you say, well after all I did have a blue dot in my tail light. Finally my property was returned and I was released.

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Preacher Jim: Owner, Professional Gemcutter (Member, Columbia River Chapter)

I was very angry over what had happened, but I wasn't sure what I wanted to do about it. I thought about filing a complaint with the police, but it would be my word against theirs; besides I have little faith in the outcome when police investigate police. I decided to just fight the citation in court.

The court date for my trial was at 9:00 am, Nov. 14th, 1994. I had nearly 6 months to prepare my case. First I learned exactly what the ordinance said. As far as I could tell, my blue dot was perfectly legal. The only reference to blue was the one prohibiting blue lights; I did not have a blue light so therefore I was not guilty. Now all I had to do was convince a judge of that. Next, I contacted Sam Hochberg, the AIM attorney, to get his expert advice. Sam gave me several good ideas about how to develop my defense. Sam also explained the procedure I should follow in court. This is what I did.

1. Obtained a copy of ORS 816.360 (the statute that I was cited for) " Use Of Prohibited Lighting ".
2. Obtained a copy of the " Issuing Officers Affidavit "(sworn written statement about what occurred).

3. Developed a list of questions to ask Officer Gill at the trial.

4. I built a mock-up of my tail/stop light using the lens that was on my bike when I was cited.

5. By measuring the lens and the blue dot I determined the areas of both.

6. Lastly I developed a list of points I wanted to make in my defense.

The day of my trial came and although nervous, I felt well prepared. Judge David L Smedema called my case, and Officer Gill gave his version of what happened. Officer Gill's testimony was basically like his sworn statement. " Observed defendant north bound on 82nd from Woodstock. Defendants tail Light had a blue dot lens in the center of the tail /brake light lens. Blue dot shows blue and when brake is applied it changes the tail / brake light color to a reddish -purple."

OFFICER GILL CROSS EXAMINATION

Q. COULD YOU TELL ME WHAT OCCURRED TO BRING YOUR ATTENTION TO THE LIGHT IN QUESTION?

A. I NOTICED THE REDDISH - PURPLE GLOW.

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Q. IN ORS 816.360 IS THERE ANYTHING THAT SPECIFICALLY RESTRICTS THE USE OF BLUE DOT ORNAMENTATION?

A. NO.

Q. IN ORS 816.360 IS THERE ANY REFERENCE TO BLUE DOTS WHATSOEVER?

A. NO.

Q. ARE THERE ANY ORDINANCES, THAT YOU KNOW OF, THAT SPECIFICALLY RESTRICT OR PROHIBIT THE USE OF BLUE DOT ORNAMENTATION IN VEHICLE LIGHTING ?

A. NO.

It was now my turn to present evidence. I started with the mock-up tail light I had built. The Judge had the clerk dim the lights in the courtroom. I turned on the tail light and pointed it at the Judge.

" Your honor, this is a mock-up of a tail/stop light exactly the same as found on my 1991 Harley Davidson Motorcycle. This is the very lens that was on my motorcycle when I was cited. The power source is 12 Volts from this battery charger." Then I pointed my light at Officer Gill.

Q. IS THIS LIGHT A FACTUAL REPRESENTATION OF THE TAIL LIGHT YOU OBSERVED ON MY MOTORCYCLE?

A. YES.

I then switched on the stop light. I first pointed it at the Judge and then at Officer Gill.

Q. OFFICER, IS THIS LIGHT A FACTUAL REPRESENTATION OF THE STOP LIGHT YOU OBSERVED ON MY MOTORCYCLE?

A. IT LOOKED MORE BLUISH AT NIGHT, MAYBE ITS BECAUSE I AM TOO CLOSE.

Q. IS IT A FACTUAL REPRESENTATION OF THE LIGHT?

A. YES

"Thank you.....Your honor, I would like to make a statement."(The lights in the courtroom were brought back up.)

1) IT IS MY BELIEF THAT THE VEHICLE CODE PROHIBITING THE USE OF LIGHTING OTHER THAN RED FROM BEING DISPLAYED FROM THE REAR OF A PRIVATE VEHICLE WAS WRITTEN TO ASSURE THAT PRIVATE VEHICLES WOULD NOT BE CONFUSED WITH EMERGENCY VEHICLES DUE TO LIGHTING.

2) IF THIS PREMISE IS CORRECT, THEN I THINK IT IS CLEAR THAT THERE IS NO WAY THAT MY MOTORCYCLE CAN BE CONFUSED WITH AN EMERGENCY OR POLICE VEHICLE DUE TO BLUE LIGHTING.

3) THE BLUE DOT LENS AS IT HAS BEEN REFERRED TO IS SIMPLY AN ORNAMENTAL

BLUE GLASS JEWEL INSET INTO A RED TAIL/STOP LIGHT LENS.

4) THE BLUE DOT PORTION OF THE LENS IS EQUAL TO 3.46% OF THE EXTREME REAR PORTION OF THE LENS OR 1.03% OF THE TOTAL SURFACE AREA OF THE TAIL/STOP LIGHT LENS.

5) I MAINTAIN THAT THE TAIL/STOP LIGHT IS A RED LIGHT WITH A BLUE DOT OF ORNAMENTATION, AND WHEN ILLUMINATED THE BLUE DOT DOES NOT CHANGE THE COLOR OF THE RED LENS SIGNIFICANTLY.

6) THEREFORE I FEEL THAT THE ORDINANCE UNDER WHICH I HAVE BEEN CHARGED IS VAGUE AND UNCLEAR AND DOES NOT RESTRICT THE USE OF BLUE DOT ORNAMENTATION.

7) THE RED LENS WITH THE BLUE DOT ORNAMENTATION WAS PURCHASED AT A LOCAL MOTORCYCLE SWAP MEET. SIMILAR LENS ARE AVAILABLE IN MOTORCYCLE SHOPS IN THIS AREA AND THROUGH MAIL-ORDER CATALOGS.

8) AT THE TIME OF PURCHASE I WAS NOT INFORMED OF ANY APPLICABLE LAWS CONCERNING THE USE OF THE LENS

9) I FEEL THAT AS A CONSUMER, I SHOULD NOT BE LIABLE FOR VIOLATING ANY LAWS CONCERNING THIS PRODUCT, SINCE THE PRODUCT WAS PURCHASED LEGALLY IN THIS STATE.

" Thank you That is all I want to say your honor"

Judge Smedema, said finally after a long pause, that my consumer argument was not valid because consumers are responsible for knowledge of the laws and to comply with them. He did agree that the ordinance was written to eliminate confusion between emergency and private vehicles. He continued by saying that he felt my motorcycle could not be confused with emergency vehicles and that he was convinced that the blue dot was for ornamentation only. He cautioned me against the use of the blue dot saying that the decision of this court would not necessarily preclude me from being cited under the same statute. He said " Another judge may not feel the same way as I do. I find you not guilty."

The decision restored my faith in the court system. I think it is important to note, that the decision for any of you to use blue dots is yours, this case does not set any sort of precedent, so be prepared. I was told by many people that blue dots were illegal, but nobody could tell me why, or by what statute. I was told by others that, it would be impossible to win this case, including one person who works for DMV and has been

consulted in similar cases. I hope this story encourages people to fight for their rights, no matter what it takes, always question authority.

When the authorities read this; and make no mistake they read this newsletter, I hope some of them will rethink the way they treat "honest" citizens. If the police can no longer tell the good guys from the bad guys then maybe they should try a different line of work. I also hope that those within the "system" will decide that the police should use their resources more responsibly. Is it wise to use 3 patrol cars and 4 police officers to make a traffic stop for illegal lighting? Treat people with respect and you will be respected. I think that is all we are asking for. Isn't it odd that we have to ask for respect from our own employees?

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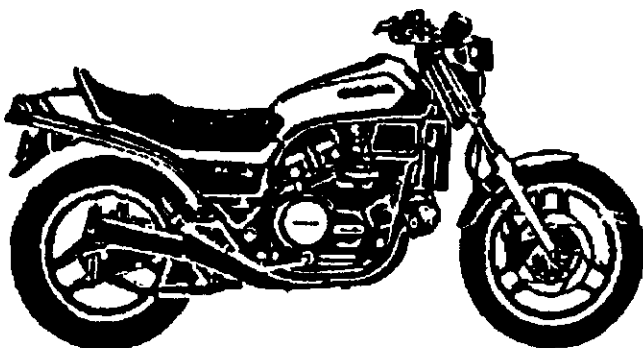
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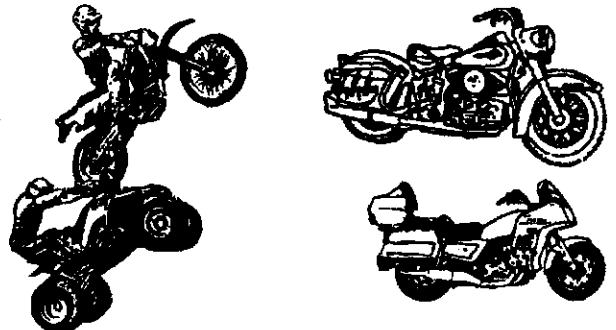
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FOR IMMEDIATE RELEASE
November 15, 1994

Contact: Wayne Curtin
Phone: 202-546-0983

NEW SENATE MAJORITY LOOKS POSITIVE FOR MOTORCYCLISTS' RIGHTS

WASHINGTON, D.C... Wasting no time, and basking in the Republican victories of November 8, Senator Phil Gramm (R- Tex.) said "the American people have sent a message with their votes and the message is less government and more freedom." During the past twenty years, those words have often been spoken by motorcyclists' rights advocates.

In major races across the country, motorcyclists played an active role in the election of candidates supportive of motorcyclists rights. According to Wayne Curtin, Motorcycle Riders Foundation's vice president of government relations, "our issues may not be in the mainstream of American politics. However, motorcyclists' rights activists have been saying for years that state and federal governments should back off their over-regulating excess. It is pleasing to hear a influential majority member of the U.S. Senate echo that philosophy."

Congresswoman Olympia Snowe (R-Maine), the primary sponsor of legislation to remove federal mandates from highway funding statutes, won election to the U.S. Senate by campaigning heavily on the issue of less government. Fred Thompson helped lead Tennessee Republican's sweep of both senate seats and the governor's mansion. Senator-elect Thompson defeated Rep. Jim Cooper, the primary House sponsor of the federal helmet law passed in 1991, by campaigning in favor of less government. He proposes making Congress a part-time job, only meeting for six months. Motorcyclists were actively involved in both Snowe's and Thompson's campaigns.

>>>>>> MORE >>>>>>

Along with Snowe and Thompson, motorcyclists in Pennsylvania, Oklahoma, Minnesota, Wyoming and several other states contributed volunteers and funding for the election of senators who support repeal of the federal helmet law mandates. According to Curtin, "with the election of Rep. Snowe, Mr. Thompson and four other cosponsors of H.R. 799 and the re-election of all eight incumbent cosponsors of S. 295 we have a potential of 32 or more original cosponsors when a bill is introduced in early 1995."

Even as Senator John Chafee (R-R.I.) prepares to assume chairmanship of the Environment and Public Works Committee, he was given a warning of what his party will be expecting of him. At a televised news conference on November 9th, Senator Gramm, Chairman of the National Republican Senatorial Committee and chief architect of the Republican victory, stated, "The views of John Chafee were not endorsed last night. He should look at it and get onboard." All week long leading Republicans and political observers kept referring to the voters demand for "less government and more freedom."

"I believe that the philosophy of motorcyclists has always been less government and more freedom," Curtin answered regarding the contribution motorcyclists made to the outcome of the 1994 elections. Curtin continued saying, "motorcyclists' rights organizations have demonstrated their commitment to inform their members and to work with other groups to turn out the vote. If the outcome of this election is indicative of the changes we are going to see in Congress, then the sacrifices and hard work by motorcyclists will have paid off."

--30--

Cosponsors of S. 295 and H.R. 799 Who Will Be Senators in the 104th Congress

<u>Re-elected Senators</u>	<u>Returning Senators Not Up For Re-election</u>	<u>Senators-Elect</u>
William Roth, R-Del.	Max Baucus, D-Mont.	Judd Gregg, R-N.H.
Connie Mack, R-Fla.	Hank Brown, R-Colo.	Dirk Kempthorne, R-Idaho
Richard Lugar, R-Ind.	Ben Campbell, D-Colo.	Patrick Leahy, D-Vt.
Conrad Burns, R-Mont.	Dan Coats, R-Ind.	Carol Moseley-Braun, D-Ill.
Kent Conrad, D-N.D.	William Cohen, R-Maine	Frank Markowski, R-Alaska
James Jeffords, R-Vt.	Larry Craig, R-Idaho	Don Nickles, R-Okla.
Herb Kohl, D-Wis.	Byron Dorgan, D-N.D.	Alan Simpson, R-Wyo.
Orrin Hatch, R-Utah	Russ Feingold, D-Wis.	Robert Smith, R-N.H.
	Charles Grassley, R-Iowa	Strom Thurmond, R-S.C.

The Motorcycle Riders Foundation, incorporated in 1987, is a membership based national motorcyclists' rights organization headquartered in Washington D.C. The MRF is involved in federal and state legislation and regulations, motorcycling safety education, training, licensing and public awareness. The MRF provides members and state motorcyclists' rights organizations with direction and information to protect motorcyclists rights.

A.B.A.T.E. of Oregon Inc.

BYLAWS

This is a copy of the bylaws, with the addition of 3D, adding the Vice-Coordinator East position to the State Executive Board as per vote November Board meeting. This must be run in our newsletter at least once before a vote to amend the bylaws can take place. DD

1. There is only one qualification for membership, that being the payment of dues established by the State Board of Directors. No group or class is required to join. No group or class is denied membership.

2. The election of State Officers of the State Board of Directors shall be held at the last meeting of each year by the voting membership of the State Board of Directors. The number of State Officers of the State Board of Directors shall be at least, but not be limited to, five.

3. The State Executive Board shall be comprised of the following State Officers:

- A. Coordinator
- B. Vice-Coordinator North
- C. Vice-Coordinator South
- ***** D. Vice-Coordinator East
- E. Treasurer
- F. Run Coordinator

4. The State Executive Board has the authority to:

- A. Issue statements on the behalf of the organization.
- B. Expend funds.
- C. Take any action deemed necessary to accomplish the goals of the organization.

5. All members of A.B.A.T.E. of Oregon Inc. shall join and work together for:

- A. Fair motorcycle legislation.
- B. Public awareness programs promoting motorcycling.
- C. Education programs to assist all motorcyclists, especially the young and/or novice rider, to reduce accidents.

6. All funds obtained from membership fees, donations, and organizational benefits shall be used for:

- A. Education, rider and non-rider.
- B. Distribution of information.
- C. Legislative action.
- D. General costs incurred in the

operation of the organization itself, none of which shall go to any member or officer with the exception of reimbursement for out-of-pocket expenditures directly related to A.B.A.T.E. activities authorized by the State Executive Board.

7. The Rules of Operation for A.B.A.T.E. of Oregon Inc. shall be used as the basis for day to day operations.

SUNNY-SIDE UP

"An after thought"

By the time you read this column the Holiday Season will be over, the Thanksgiving bird will be a mere carcass, the Christmas presents will be all opened and the decorations put away till next season. The New Years Eve parties will be only an aspirin or two away. In fact, for most of us life will go back to it's daily grind in our work-a-day world. However, reflecting back to the dude in the red suit and then patent leather shoes, you know, the guy who was on the lead bike at the toy run.

Anyway, my ol'lady gave me a small statue this year, something I've seen and admired for quite sometime. To me this brings to mind the very essence of Christmas, in fact it puts the whole season in clear focus and perfect balance. It even sets the tone for the year ahead. The statue is of Santa Claus, he is holding his hat in both hands positioned on his chest, his beard blends into the white of his hat as he solemnly kneels with reverence before the Christ child there in the manger.

As you start this new year what will be your focus? And to what, or who will your knee bend?

Livin' on the "Sonny-side"
Don Garino

**A.B.A.T.E. - SHRINER TOY RUN.
PO BOX 66788,
PORTLAND, OREGON 97236**

Bike raffle ticket number 02434. It was a winner for Mark Roberts of Portland. A metal worker by trade. A Harley rider by choice. When asked if he would sell his other ride? No way. Congratulations Mark. He is also an official member of A.B.A.T.E.

The other winner was of your generosity. Christopher Lee was presented with a \$5,173.60 electric wheelchair Thursday following the toy run. Ear to ear smiles. Not always easy to get on someone else's 4 year old.

We would like to thank all of you for your participation.

Ticket buyers from Iowa, Canada, Texas and Utah to mention but a few. We sold all 3000 this year.

Those that rode out of snow country into Portland to ride in the parade. Turned out real good. See pictures on page 28-29.

Doing business with any of these business? You should. They support ABATE's Shriners Toy Run.

Some people mentioned too? Well they deserve it.

- Minnehaha Leather Works
- OTTO' Sausage Kitchen & Meat Market
- Rock 'N Rodeo
- Third Dimension Salon
- Hair Force
- Good Godfree Productions
- Langlitz Leather
- ABC Limo
- Atlantis Tatoon
- Latus Motors
- Beaverton Honda
- Builders Square
- Shirley Pearson
- Roxanne Messinger
- Payless Drug Stores
- Columbia Harley Davidson
- Beaverton H.D./ Kawasaki
- Salem H.O.G. Chapter
- Viking Industries
- Cargill Inc. (grain)
- Melody Ballroom

- O.H.S.U.
- Portland Police
- Ironworkers Shopmen's Local 516
- Yamhill Valley Vineyards
- Classic Chauffeur Co. Inc.
- Portland Cable Access
- Mr Sanchez - Ch. 6 Reporter
- Vicki Messinger
- Silver Mountain Prints
- A & J Custom Cycles
- Shepard Wolf (auctioneer)
- Francine West

As always this is probably incomplete. Knowing that you can not remember all that helped, Thanks to all of you.

The committee always needs your help. Big or small. Next year?

We hope to keep making this bigger and better, with your help.

THANKS!

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BIKEPAC MEETING MINUTES

December 3, 1994

The meeting was called to order by Brian Stovall at 2:12 p.m. The Executive Board was all present. The following organizations were also represented: ABATE, AMO, OMRA, and Trailsman, which meant we had the Full Board present.

First Things First

Gordon nominated Brian Stovall for the position of Executive Director for the remainder of Jack Fassell's term. Butch seconded the nomination and the vote was unanimous. Congratulations and thanks to Brian for taking on this position.

Secretary, Treasurer, and Membership Reports

Steve discussed the minutes from last meeting. He also reported that we have \$1,677.38 of which \$821.00 is in the legislative fund and \$856.38 is in the general fund. Teresa said that she mailed 500 pieces with literature and membership applications.

Old Business

Oregon Legislation

1. Thirteen states have passed legislation to mandate the federal government to repeal the section of the ISTEA Act that requires states to have seat belt and helmet laws or else have some of their highway funds redistributed to safety programs. Brian presented a similar piece of legislation and we decided to add it to our list of bills we will be submitting to the Oregon legislature in 1995.

2. Butch told the off-roaders that were present that he needed their input to determine what they want him to lobby for. He also indicated that the off-roaders should contact their

legislators to give them feedback from their constituents thereby making Butch's voice stronger.

3. Butch indicated that we have some friends in the Oregon legislature this term. He named Gene Derfler, Mae Yih, Terry Thompson, and (after a little work) Joan Dukes.

4. We talked about the Buddy Program which has been very successful in other states. It requires that a representative from MRO team up with an Oregon legislator and keep in very frequent contact with that legislator in promoting our rights. The ABATE State Legislative Director for 1995 will be in charge of this program. Each of the ABATE's 15 chapters' Legislative Directors will be asked to be a buddy. Each chapter will ask additional volunteers to be a buddy so as to cover all of the legislators in that chapter's area. Our goal for 1995 is to have a buddy for 50% of the legislators. Each organization represented at the meeting was asked to go back to their organizations to get volunteers for this important program.

5. Teresa has a document which gives information and statistics to back up our position on the helmet law and police discrimination. Teresa will add some information to the document and Larry will help get it printed. We want to have enough copies for each buddy and for their legislator. Gunny asked each organization to encourage their members to send him a stop report when they are pulled over by the police. He is compiling meaningful statistics from these reports. He will modify the form to add the number of policemen and the

time it took for the stop. This will help us quantify the cost to the state for giving helmet tickets.

Federal Legislation

1. With the Republican-controlled Congress, we have more support for an individual's freedom of choice, in general, which is good. However, the new Chairperson of the Senate Transportation Committee is Senator Chafee. He is the one who authored the ISTEA provisions and he's a major supporter of that law. There is little hope that he will even allow hearings on any bills that modify or repeat ISTEA. The good news is that when a new Transportation Act hits the floor of the Senate (likely to happen next fall), it can be amended. So we need a lot of support from ALL the Senators so that we can get ISTEA repealed. In the past we have targeted the committee with our letter-writing campaigns. This year we will be hitting all of the Senators to get a broad-based support that we need for a floor amendment.

2. There is likely to be a similar situation in the House. The subcommittee where anti-ISTEA bills are heard is likely to be chaired by Nick Rayhall. He is also one of the original supporters of ISTEA. He will resist having hearings but might be willing to do it. If he resists, we will again have to target the entire House of Representatives to get a floor amendment.

3. The MRF is encouraging every state to send representatives to Washington, DC, in February or March to put a collective voice behind our concerns for motorcycle education to replace legislation. Brian is ready to go and ABATE is funding his trip. Brian thinks that ABATE should send another person and that it should be a woman. Gordon will take this matter back to the state ABATE meeting (December 10).

Funding

1. Gordon reported that ABATE of Oregon's State Board voted unanimously to donate \$5000 to BikePAC for their lobbyist for 1994 with the provision that all spending be accounted for monthly with a report to the State Board and/or the newsletter. Note that \$5000 is the maximum donation allowed during the calendar year given ABATE's non-PAC status.

2. Everyone was encouraged to go out and get new members.

New Business

1. Larry and Clark reported that AMA is trying to start up District 28 again and they want to raise funds. They are talking about charging \$5 to go to the May Awareness Rally at the capital in Salem. We all thought it was a bad idea to charge for a political rally but if they wanted to have some event afterwards, they could charge for the event.

2. Someone said that HOG would be willing to motivate their members to go to the May Awareness Rally if it were a "freedom" rally. We all agreed that we don't really care what it's called as long as we get as many people there as possible.

Announcements

1. Governor's Motorcycle Safety Advisory Committee Meeting at the State Office Building on December 8, 1994, at 6:30.

2. Butch is going to Arizona to help them get a PAC started. He will be teaching some training sessions.

3. Butch and Brian are part of the 8-person team assigned to bring NCOM and MRF into a close working relationship. This effort begins in Las Vegas.

4. ABATE State Board Meeting on December 10, 1994, at Lane Community College.

NEXT MEETING: Saturday, January 7, 1995, at 12:00 at Izzy's Pizza on the corner of 102nd and NE Halsey in Portland. EVERYONE IS WELCOME TO ATTEND.

Submitted by Cindy Wilson, Acting Secretary



Roger hands check to Brian for the BikePac Lobbyist

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Craig A C Clinch, European Co-ordinator.*

October 19, 1994

Dear Fellow Freedom Fighters!

A short letter to let you know how things are in Europe with some information about the new (and not so new) legislative threats that are being faced by European riders at the moment.

At the NCOM / ICOM Convention in Harrisburg, PA, in May, representatives from European MRO's, all members of the Federation of European Motorcyclists (FEM) explained how legislation from a harmonised Europe is affecting motorcyclists rights in all European countries. We are currently fighting proposals for power limits, noise limits, emission limits, anti modification (tampering) measures and measures which could restrict motorcycle design (external projections). Added to that, there are future proposals for leg protectors, air bags, speed limiters and reflective / protective clothing waiting to be imposed on us.

Since the Convention we have made a number of advances in our fight for freedom. We are still facing problems with the power limit (100BHP) proposal, but we hope to have enough support from the European Parliament to have the proposal delayed while a study is made into the relationship between motorcycle power and accidents. We have already proved that there is no link and have high hopes that a new study will prove our case and finally defeat the proposal.

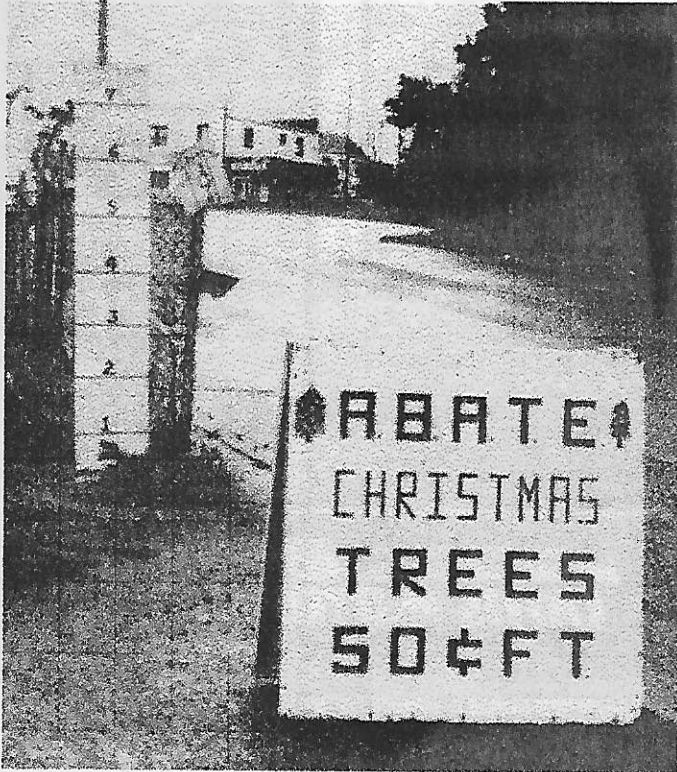
Noise, emission, anti tampering and external projections come as part of a package known as the "Multi Directive". This document which has over 500 pages, threatens to fundamentally change the way motorcycles are constructed and used in Europe. The Multi Directive is due to come before the European Parliament during the Fall, though due to its complexity, we feel the campaign to defeat it could take up to two years.

The root of all our problems seem to be the European Commission, (who propose legislation and run the bureaucracy) who want to restrict and sanitise motorcycling so it is no longer an attractive option for those who would take it up. All freedom of expression and individualism would be destroyed! We are lucky to enjoy the support of the European Parliament, who have been our only friends in the European legislative system, though their power to stop Commission proposals is still quite limited. European National Governments who care about what is happening seem powerless to stop this rising tide of anti motorcycle legislation.

Many of these new European threats have emanated from proposals made by the United Nations Economic Commission for Europe (UNECE) and we have very good reason to fear that the UN is using Europe as a guinea pig for possible future plans to enforce world-wide standards that would destroy the very essence of the machines we enjoy.

Be under no illusion about this, the problems we face in Europe today will be America and Canada's problems tomorrow. All riders groups need to be aware of this and prepare their organisation for the struggle that lies ahead, a struggle that will make the fight against helmet legislation pale in comparison.

Excerpts of "From the forest to the farm to the city lot, Oregon Christmas trees offer variety."



By Christopher Bangs, photo also.

Reprinted from December 9, 1994 News-Times, Newport

Year after year, people swear to themselves that they'll be ready for Christmas when the holiday season comes. Year after year, they fail.

Comfort can be found, however, in the knowledge that no amount of preparation can lead to an early purchase of a Christmas tree. Consequently, Lincoln County residents are going out in droves in the annual hunt for the perfect tree.

Christmas trees have a long history, with roots going deeper in time than does Christianity itself. Ancient Egyptians would bring palm branches into their homes on the shortest day of the year - usually Dec 21- to symbolize life's triumph over death. Druid priests decorated oak trees with golden apples for the winter solstice festivals, also on Dec. 21. Before Christianity was enforced in the 400s, Romans would decorate their homes with

evergreens during the winter festival in honor of Saturnus.

The tradition came to the United States in the country's earliest days, brought over by German mercenaries paid to fight in the Revolutionary War. In 1851, two ox sleds of Christmas trees were brought from the Catskill Mountains into the streets of New York, where the county's first retail Christmas tree lot opened.

Today, more than 35 million Christmas trees are sold from street-side lots or from U-cut farms in the United States alone. In Lincoln County, a variety of such locals offer shoppers the opportunity to buy a tree from the woods, from a groomed-tree U-cut farm, from charitable organizations, from supermarkets and even from a nursery.

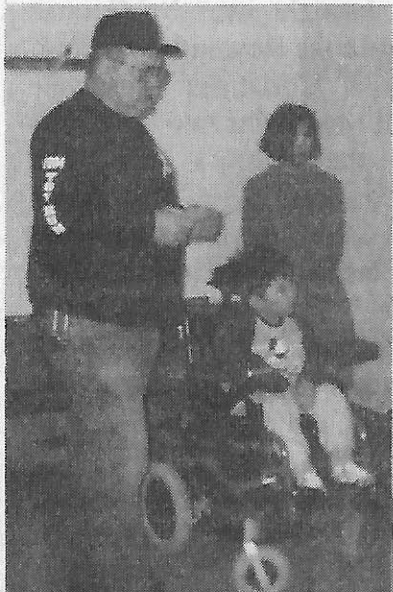
Charitable organizations such as the Boy Scouts of America and the motorcycle club ABATE (A Brother Against Totalitarian Enactments) also have gotten into the act. They sell Christmas trees at reduced prices, using the proceeds for community-related events.

Across town, ABATE "operates" an honor system Christmas tree lot at the public parking lot above Canyon Way Bookstore and Restaurant. The city of Newport lets the group set up there, and gives the organization a business license. The trees, which are unshaped, are cut by the brotherhood at the Newport Airport and stacked along the north end of the parking lot. Since no one operates the lot, people are expected to deposit the money in a lock-box.

ABATE treasurer and incoming coordinator Vicki Lechner said the trees are generally purchased for whatever families can afford. Sometimes people will pay only a fraction of the price, and other people will pay way too much, evening it out. As Christmas gets closer, and organizers think most people already have their trees, announcements will be made offering the trees free to anyone who needs one.

Lechner said ABATE uses the money - usually less than \$200 - to promote motorcycle awareness and safety issues and other community programs. She pointed out that one of the great community benefits of the ABATE Christmas tree lot is that families who cannot afford trees can still get them without being embarrassed about it. Since the lot is not staffed, it is "open" 24 hours daily.

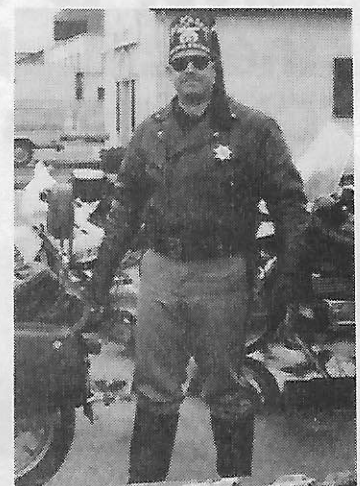
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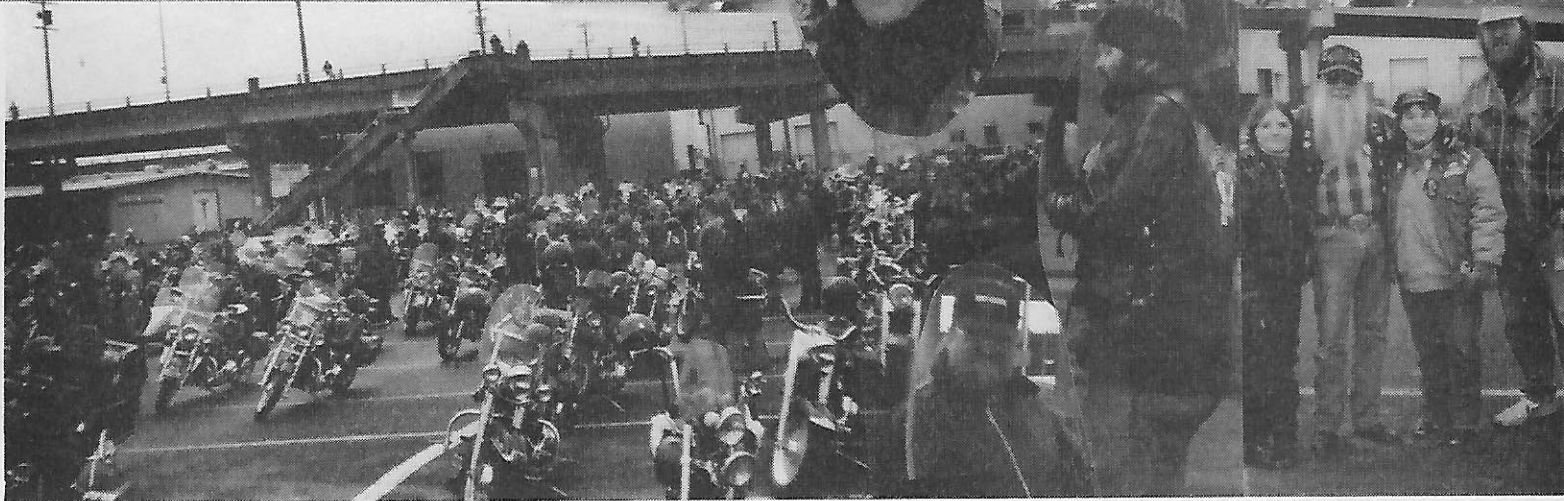
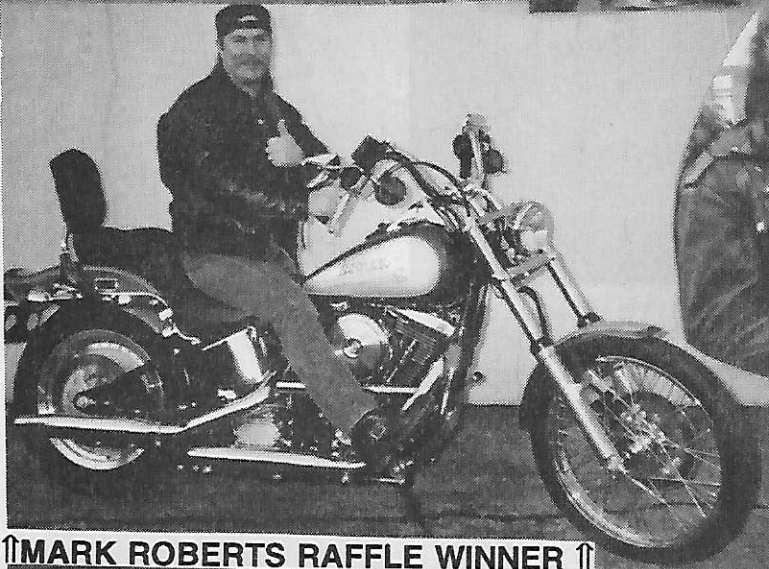
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CISCO LOAIZA MEMORIAL ABATE CANNED FOOD DRIVE

December 17, 1994 Food Drop, Dateline Portland, Oregon

Submitted by W. Glen Loaiza

History

Cisco Loaiza(Lo-i-za) Memorial ABATE Canned Food Drive began in January 1994, after Cisco died on December 22nd 1993. Early in 1993 Cisco was elected Vice Coordinator for the A.B.A.T.E. Canned Food Drive, all donations were destine for the Recovery Inn. Cisco went to his school and began a Canned Food Drive to expand the A.B.A.T.E. effort. He was really involved in A.B.A.T.E. and took this position very serious. After his death a memorial was established to continue the efforts Cisco took to heart. Cisco was only 13 when he took this office. Cisco's parents took over the organization of the Memorial Fund, they attend and expanded the Food Drive to the S.E., N.E. and Columbia River meetings. They collect and store all of the donations. They sell Cisco Loaiza Memorial Patches for \$5.00. All donations and monies collected go to the Can Food Drive that benefit the Recovery Inn.



Canned Food Drive Past

The first delivery of goods was December 1993, donations were some blankets and food, it was only supported by S.E. Portland A.B.A.T.E.. The second drop was August 1994, all of the Portland Chapters were involved, and the donations totaled \$650.00 worth of food, about \$400.00 was donated directly from the Cisco Loaiza Memorial Fund, \$150.00 came from patch sales. Approximately \$100.00 came

from Portland A.B.A.T.E. Chapter donations. This donation fed 100 people per day for about two months. There were six motorcycles, 1 pick-up truck and ten people, no press.

Canned Food Drive Present

The third drop occurred December 17, 1994. The donations totaled \$1165.32, equal to ONE TON OF FOOD. This broke down to 200 pounds of Turkey, 250 pounds of ground beef, 27 - 25 pound bags of pinto beans, 10 - 50 pound bags of rice, 2 - 35 pound tubs of peanut butter, 15 - 8 pound cans of tuna, 12 - 1 gallon cans of spaghetti sauce, 25 - 10 pound packs of spaghetti noodles and 6 cases of 144 granola bars per case, this food was purchased with the following monies, \$350.00 Cisco Loaiza Memorial Fund, \$200.00 from N.E. Chapter, \$200.00 from Columbia Chapter and \$180.00 from S.E. Chapter. **IN ADDITION** - There were also donations from chapter members of tooth brushes, soap, clothing, and the all important food products. This donation is predicted to fed 100 people per day for "several months". There were five bikes, 17 people, one van and the Channel 2 News. There was good press coverage on both the 5pm and the 11pm news. From the Recovery Inn side St. Nick , Shelia and Richard were there to help receive the donations. They were overwhelmed and overjoyed with the amount of our donation. St. Nick stated "I can't believe you're bringing this much food, I just can't believe it! I wish I could go out and thank each and every A.B.A.T.E. member personally."

Our special thanks to Glen and Gayle for the continued organization and support of this fund. Thanks to the people who showed up - Glen, Gayle, Dick, Lee, Barbara, Craig, Larry, Nancy, Wayne, Pat, Jessica, Patrick, Megan, Nora, Gordon, MaryBeth. Mike and Kathleen helped with the loading, but could not make it to the delivery. Larry and Patty met us at the Recovery Inn.

The AIM...ing Point

GUNNY'S COMMENTS . . .

BIKER BUCKS:

In 1991, 6500 new motorcycles were sold in Oregon, valued at \$25,000,000.00. We bought another \$70,000,000.00 in used machines. That means *Oregonians* accounted for \$95,000,000.00 worth of the total 6.8 billion dollars spent on the purchase of all kinds of motorcycles in the U.S.A.. We need to remind our legislators of this small fact. As dumb as I am I can figure out that **NINETY-FIVE MILLION DOLLARS** has an impact on the economy of Oregon. I haven't mentioned the support businesses that generate even more money and jobs for Oregonians. Read on, I'm not finished.

MOTORCYCLE SAFETY:

In OREGON motorcycle fatalities dropped from 7.8 per 10,000 accidents in 1990 to 6.8 per 10,000 accidents in 1991. This is the only sector of the motoring public that can say that.

I'm convinced this dramatic drop in fatalities is due to the MOTORCYCLE AWARENESS programs, conducted in public schools by ABATE of Oregon, and the motorcycle Rider Courses available through TEAM Oregon, **NOT** the fact that this state requires the wearing of helmets. These motorcycle courses are made available to the public because the motorcycle community wanted it to happen. Teresa Hepker, currently with BikePAC, along with several other concerned motorcyclists, got things started toward the formation of TEAM OREGON some years back.

We motorcyclists pay for Team Oregon through fees we pay to DMV when we receive the motorcycle endorsement on our drivers licenses. The public school MOTORCYCLE AWARENESS program is FUNDED by ABATE of Oregon, and TAUGHT by VOLUNTEERS. This is motor vehicle SAFETY training that costs the Oregon taxpayer nothing. **MOTORCYCLISTS** pay for ALL this training.

Motorcycle endorsement fees are earmarked for MOTORCYCLE TRAINING ONLY. Nevertheless, there is a movement to have these funds placed in the general fund for

other uses. These monies are NOT TAXES, they are fees paid by motorcyclists only, specifically for MOTORCYCLE SAFETY TRAINING. This thievery is an abomination and bikers need to be watchful of these neat little schemes some of our lawmakers have up their sleeves.

Motorcycle riders in Oregon are the safest drivers in the state and have fewer accidents than any other segment of the driving public. However, in spite of our driving record we are the most harassed as to safety issues. The truth is that states without helmet laws have fewer motorcycle injury accidents than helmeted states. Furthermore, motorcycle injuries are no more public burden than the injuries sustained in auto crashes. These are facts published by the national highway traffic safety authorities themselves.

YOUR BIKE SHOW . . .

The **ALL MOTORCYCLE SHOW** at the **JANTZEN BEACH MALL** is off to a tremendous start. You bikers get in touch with me and bring your scoot down and have some fun with us. Its **FREE**. ALL MAKES AND BRANDS OF MOTORCYCLES AND SCOOTERS. We want to see the regularly ridden bikes as well as the show bikes. **EVERYONE IS WELCOME**.

All of you vendors of motorcycle related items get in touch with me for a space. All vendor spaces will be the same size so that everyone will have the same shot at customers.

Vendors will not be able to sell jewelry or sunglasses however, because we can not sell anything that would be in competition with the stores in the Mall. Sales will be restricted to new motorcycle shiny stuff and leather accessories.

Vendor sales spaces are **FREE** as a way of saying thanx for the vendor support we have had all year at all the various runs all over the state. Its now confirmed we will even have **SQUARE DANCERS** from The **Dancing Wheels Motorcycle Club** participating. **SPIRIT** will be there pinstriping scoots and trailers.

I can be reached at our OREGON AIM ATTORNEY and brother biker, Sam Hochberg's

office. The number is (503)224-1106 or if out of the Portland metro area dial 1-800-347-1106. My home number is (503) 777-8410. If I'm not home leave a message and I'll get back to you as soon as possible. Please don't call after 10:00 PM. Us old fat folks need our sleep.

CALIFORNIA TRIP. . .

I just returned from California working with the AIM office in Encino getting some training so we can serve you better. Believe it or not they were able to teach this old dog a trick or two. We here in Oregon are doing well however and that makes me feel good.

While on the trip we went to Sacramento to participate in the annual Christmas toy run there. This being my first California toy run I was blown away. Can you imagine 10,000 motorcycles surrounding the Oregon state capitol? I'm here to tell you, that sight in Sacramento will stay with me for the rest of my life. I've never seen such a spectacle.

Sonny Barger from the Hells Angels and the Senator from Colorado, Ben Nighthorse Campbell, led the parade from the marshalling area to the capitol steps.

There was a mountain of toys about 60 feet across and at least 15 feet high. The MARINE CORPS TOYS FOR TOTS does the distributing I'm told. Getting all those toys out to the kids is a monumental task and I have to say a HEARTY WELL DONE to all those involved. I feel privileged to have been even a small part of that kind of generosity.

Don't get me wrong I wouldn't miss our toy run here in Portland for anything in the world. I'm just constantly amazed at the generosity of the motorcycle community all over this country, especially toward children, and I've been a biker all my life. I really believe that someday the general public will come to know what we bikers truly represent as citizens of this wonderful country we live in.

Merry Christmas and Happy Holidays all, I have to believe this coming year is going to be one of changing times, prosperity, and good health for us all.

Keep the round side on the bottom.

Gunny

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Hazardous Headgear

Defects in Motorcycle Helmets

JOSEPH W. MOCH, TERESA M. HENDRICKS

Joseph Moch practices in Grand Rapids, MI, and serves as an Associate Editor for Trial Lawyer. Teresa Hendricks has co-authored a book with Mr. Moch called Winning Recreational Motor Vehicle Cases and is a recent graduate of Thomas M. Cooley Law School in Lansing, MI.

What's more important, one's head or one's feet? Isn't it interesting that shoes come in sizes and half sizes, yet helmets come in only four sizes—small, medium, large and one size fits all?

Head injuries are the leading cause of death in motorcycle crashes. In a June 1991 study by the Washington Traffic Safety Commission, comparing head injuries in helmeted versus un-helmeted riders, researchers found that 55 percent of the fatally injured riders had worn helmets.

For all the dropping, stretching, heating and cooling that helmet manufacturers do and industry standards require, motorcycle riders still must be wary because: (1) safety standards are limited to four basic parts of a helmet; (2) even helmets that have been approved may be dangerous; and (3) the existing standards virtually ignore vital "functional factors."

Not every helmet will protect like its sticker promises. The stickers on each helmet indicate only what standard the helmet claims to meet, not

what the standard or law requires. And still many areas of helmet function and design go untested and unperfected. The danger for the unwitting soul who relies on these standards comes from the methods of testing. The tests merely gauge the construction and performance of helmets, rather than the crucial characteristics of design and function.

How Existing Standards Fail

Existing standards fail to test properly for helmet safety. The result is that helmets are being manufactured which may be ineffective in a crash.

The three organizations that set industry standards for motorcycle helmets and influence manufacturers are the U.S. Department of Transportation (DOT); the American National Standards Institute (ANSI),² and the Snell Memorial Foundation.³ These organizations test four basic parts of the helmet's structure: the shell, the energy-absorbing liner, the comfort liner, and the retention system.

The standards test three areas: helmet resistance to penetration by a sharp object, resistance to impact on a hard surface, and resistance of breakage of the retention system (chin strap). However, the test procedures required by these standards don't adequately simulate a crash.

The ANSI, DOT and Snell standards are similar to each other, but the difficulty varies from standard to standard.

Penetration test. In the test for resistance to penetration, a conical striker of specified mass is dropped a fixed distance onto the helmet.⁴ The test situations hold the helmet completely motionless while a weight falls on it. The problem with this test is that a rider is rarely sitting still on his bike when something heavy suddenly falls from the sky. The test *should* simulate a typical accident scenario, i.e., the helmeted driver is usually in motion when he collides, often at high speed.

A more valid test for resistance to penetration would simulate an actual motorcycle crash, just as automobile tests simulate car crashes. This penetration test might involve the use of a full dummy, fitted with a helmet and catapulted at varying speeds and angles into different objects.

Impact resistance. The tests used for impact resistance would also benefit from a full dummy accident scenario. Instead, the tests use only a metal headform strapped to a helmet, which is dropped a certain distance onto flat and hemispherical surfaces.⁵ The helmet is then checked to measure the degree of impact (the G load) on the headform. This result is then translated into the amount of brain injury suffered from the blow. DOT standards allow a harder hit (400 G) than Snell standards (285 G), but unlike DOT, Snell has no standard for how long the G force of the impact can last. The length

of time a G force can last is called "dwell time," and "the difference between taking 285 Gs for a millisecond and taking it for 10 milliseconds could mean a scrambled brain."⁶

The shortcoming of the impact test is that the head is dropped from a static position above onto a hard surface, which does not reflect the conditions in most motorcycle wrecks. Typically, the motorcycle is in motion before it crashes

TEST SITUATIONS HOLD THE HELMET COMPLETELY MOTIONLESS WHILE A WEIGHT FALLS ON IT. THE PROBLEM WITH THIS TEST IS THAT A RIDER IS RARELY SITTING STILL ON HIS BIKE WHEN SOMETHING HEAVY SUDDENLY FALLS FROM THE SKY.

and the rider collides into something at an angle not perfectly perpendicular to the ground. Commonly, head fatalities occur when the victim is catapulted over the handlebars of his cycle, striking his face against a hard object.⁷ Since the headform alone is fitted to the helmet, it ignores the forces at work on

the body and doesn't test for neck injury or effectiveness of the chin strap retention in full body impact situations.

Thus, the best way to test impact resistance would be the full dummy scenario mentioned above. Using such a method, researchers could test penetration and impact resistance, neck injury, and chin strap retention in each simulation.

Retention system. ANSI requires that the retention system on a helmet be so constructed that it remain on the head in impact conditions.⁸ However, testing of the retention system is wholly inadequate. Buckled-up chin straps are loaded with 300 pounds of pressure for two minutes, and during the procedure the retention system must not stretch or break.⁹ The inadequacy of this test is not the amount of pressure applied or the length of time, but rather that it is not combined with other forces acting on the head and body that cause a fastened helmet to pop off under impact conditions.

Even the best helmet is useless if it sails off the head in a spill, yet the standards fail to require testing beyond just material strength of the chin strap. For example, the Snell standards, which are touted as the most rigorous, merely require that one person fasten the helmet to his head while someone tries to push it off.¹⁰

Helmet detachment. Too often, the rider's helmet does fly off in a crash and cause serious injuries. The *British Medical Journal* reported cases of helmet detachment in its study of the problem in 1984.¹¹ In one reported case, an 18-year-old girl was thrown from a motorcycle after colliding with an oncoming vehicle. Her helmet popped off before and was found with intact strap and fixing bolts. She suffered diffuse brain injury and died.

In another case, two racing motorcyclists collided and were catapulted from their machines. A film of the accident showed both helmets clearly coming off over the backs of the riders' heads. Both died after suffering diffuse brain injuries.

The study concluded that the fixing

bolts of the chin strap were too close to the front and base of the helmet, allowing the helmet to pivot forward on the strap. The author of the *British Medical Journal* report found that when he tested a random group of 14 motorcyclists with apparently well fitting, comfortable and properly fastened helmets, he was able to remove four of the helmets by pushing from behind.

Many people may be inadvertently wearing a dangerously ineffective helmet. Several cases of helmet detachment are still surfacing. In Ohio, *Blanton v. Kiwi*,¹² the helmet flew off the rider's head when it appeared to be properly fastened, causing serious facial and head injuries. In a Tennessee case, *Pitner v. Kiwi*,¹³ the rider was killed in a motorcycle accident when his helmet flew off before his head slammed into the ground.

Among the causes of action raised in these cases are negligence in design, research, development, manufacture, testing and warning; breach of implied or express warranty; and strict product liability. Michigan law recognizes that compliance with industry standards may not be the best indication of a manufacturer's reasonableness; thus the question is open for a jury.¹⁴

Motorcycle accessory dealers have warned of certain hazardous helmets still circulating.¹⁵ The Simpson Bandit, in one dealer's opinion, if made by Heltech, is known for flying off heads in a crash. He warns customers to stay away from this dangerous helmet if they see it for sale, and he demonstrates how they can be properly fastened and still lift off the head.¹⁶

Chin strap defects. Recently, a new problem has surfaced with "Velcro closures" on chin straps, and Snell has recently issued a warning that use of these straps could cause serious or fatal injuries if the rider has an accident. Snell warned manufacturers that "adding Velcro to a chin strap . . . violates good engineering practice" because it makes it easy to improperly thread the strap through the ring closure.¹⁷

Loss of helmets in motorcycle accidents is not an uncommon occurrence. In one study of 617 cases of motorcycle

wrecks involving helmeted riders, researchers discovered that 38 percent of the helmets flew off the riders. In all of these cases, the head injuries were fatal.²⁴ With all the possible dangers of a poorly designed retention system, it seems that by now the motorcycle helmet manufacturers would have thought of what the sports and bicycle helmet manufacturers have known for years: A safe and effective retention system requires a double strap.

Compare design of other protective helmets.

The chin strap construction for football helmets was designed to prevent the helmet from moving forward or backward, even when subjected to severe blows.²⁵ The first strap is attached at the rear of the helmet and engages the front portion of the wearer's chin. The second strap, which is attached to the helmet at the front and crosses the first strap in two places, then extends beneath the wearer's chin. The advantage of a double strap is that the helmet is locked in place, protecting the wearer from front, rearward and sideways blows.

In bicycle helmets, the retention system also involves two straps. The first strap runs from the back of the helmet to beneath the chin, and hooks to another strap that comes down from the front portion of the helmet to beneath the chin. The strap system is designed to prevent the helmet from shifting or detaching during an accident.²⁶ The safety technology of bike helmet retention systems seems not to have benefited motorcycle riders, even though many motorcycle helmet manufacturers also make bicycle helmets.²⁷

The Dangers of Approved Helmets

Helmets that are tested and approved by DOT or Snell standards may fail to live up to their claims.²⁸ In certain crashes, one could be playing roulette with the helmet he chooses, even if he looks for both DOT and Snell stickers on it.

For example, one victim of a dangerously defective helmet suffered brain damage after the motorcycle she was riding collided with an oncoming car. She flew through the air and landed

72 feet from the point of impact. The Super Magnum Helmet by Bell Helmet Corporation cracked during the incident. The helmet had violated minimum safety standards.²⁹

The head is a fragile object when compared to the pavement of the street, or metal of an oncoming vehicle. That's why the helmet's shell is such a critical part of its design. A helmet's shell is usually made of polycarbonate or fiberglass, or a combination of fiber-

IN ONE STUDY OF MOTORCYCLE CRASHES WITH HELMETED RIDERS, RESEARCHERS FOUND THAT 38 PERCENT OF THE HELMETS FLEW OFF THE RIDERS. IN ALL OF THESE CASES THE HEAD INJURIES WERE FATAL.

glass and Kevlar. Although all shell types may receive certification by safety standards, some dealers say that not all absorb the impact to the head effectively.³⁰

Retailers and riders know from experience that fiberglass shells in helmets are superior to polycarbonate shells at protecting your noggin. The reason fiberglass is the best for impact

absorption is because it takes the blow and reduces its force by the time it gets to your head.

Although polycarbonate shells get approval by safety standards, they are useless at absorbing the impact. The disadvantage with a polycarbonate shell is that it transfers the impact directly to the head without absorbing it, the same way energy is transferred through pool balls or bowling pins. The reason the polycarbonate shells may get safety certification is that the helmet can effectively stave off a blow, even though it ineffectively absorbs the impact.³¹

In fact, after a crash, the polycarbonate shell may not look as if it had been through a wreck, whereas the fiberglass shell helmet will be visibly torn up. This is because the layers of the fiberglass have taken and absorbed some of the impact.³² Those shells with a Kevlar and fiberglass mix are also more effective at absorbing impact, and the Kevlar gives the helmet added strength.

Researchers know that many of the helmets that have DOT and Snell stickers actually fail the tests those stickers represent.³³ Professor Harry Hunt, a leading authority in motorcycle safety, when interviewed in *Motorcyclist* (Oct. 1989), said that "hardly anybody really passes the Snell test, and many Snell helmets really don't pass the DOT dwell-time test standard." In his studies, he found that "the design requirements to meet Snell '80 and '85 standards almost necessitate that you don't pass the DOT." Professor Hunt believes the problem with meeting both DOT and Snell standards in the same helmet comes from the higher drop heights in the Snell standards:

"The Snell standard's higher drop heights force manufacturers to use a very strong outer shell and a very stiff layer of expanded polystyrene on the inside, and it's the polystyrene that does most of the work of dissipating impact force. This same stiffness makes the helmet transmit more force to the head when dropped from a lower height, and thus the problem in meeting

Continued on page 76

Continued from page 68

both DOT and Snell standards in the same helmet."²⁸

Note: DOT drop heights are 4.5 feet for hitting hemispherical surfaces, and 6 feet for hitting a flat surface, whereas Snell drop height is 10.5 feet on either flat or hemispherical surfaces.

As a result, Professor Hunt predicts that manufacturers will be faced with government-mandated recalls as Snell-certified helmets begin to fail the DOT tests. The Snell Foundation itself makes it clear that their standards are not meant to be safety standards, only performance and construction requirements.²⁹

Remember that by placing a styrofoam six-pack cooler into a plastic wash pail and putting a nylon strap around the combination, you can pass all real controlling standards for helmets in this country.

The Neglected "Functional Factors"

In addition to the defects in the tests already required by helmet safety standards, the testing procedures disregard numerous functional factors of a helmet that are every bit as important as the rest of the helmet's components. And since the DOT or Snell stickers on helmets are a selling point, manufacturers will be influenced by the lack of these standards in producing helmets, even if those standards are incomplete.

Motorcyclists and research experts tell us that these other "functional" factors are of utmost importance in averting fatal crashes. They are the rider's ability to see, hear, speak and move the head, which stem from the helmet's comfort, fit and ventilation.³⁰ However, the three biggest pushers of helmet standards are so concerned with impact resistance and material strength that they virtually ignore the rest of these critical safety factors that contribute to a helmet's effectiveness.

Helmets place limitations on essential abilities to see, hear, breathe and perspire. This is evident from a nine-year study in 50 states, which attributed the increase in accidents among helmet wearers to heat, fatigue, and diminished hearing and vision.³¹ Thus, helmets must be designed with utmost care in

preserving these abilities. Unfortunately, these functional factors have been passed over by safety standards and, in turn, by manufacturers.

Ventilation. Proper ventilation is a vital functional factor that allows the rider to breathe easily and perspire normally.³² Ventilation that is ineffective could cause impeded heat loss, thermal discomfort (which affects equilibrium), heat exhaustion, heat stroke, discomfort, dizziness or increased physiological strain,³³ all of which contribute to severe accidents.

This is even more important with active riders who sweat, such as bicycle and motocross racers, since it allows the body's natural process of evaporative cooling (perspiration) to regulate skin temperature.³⁴ On a hot day, a helmet wearer's evaporative system could break down, causing him to possibly run a fever inside his helmet, and temperatures can climb to the 100-degree mark.³⁵

Absent good design, riders are left to find their own solutions for keeping a cool head. Riders recommend to each other, "drink lots of water, sweat, or douse your head with a towel before putting on your lid." This advice is hardly a safe alternative to an effective ventilation design. Most helmets that are made today have some kind of vent that claims to promote internal air flow; however, in reality, many of them simply do not work.³⁶

Ventilation is also important to prevent fogging of the face shield that can block the rider's view. In *Harley-Davidson v. Toomey*,³⁷ the plaintiff was riding his motorcycle with his helmet on one clear morning when his face shield suddenly clouded completely with condensation, totally blocking his vision. The rider stated that "it was just like milk went in front of the mask; I couldn't even see at all." He then lost control of his machine and collided head-on with a car. Consequently, he shattered one elbow and had to have a leg amputated from the knee down.

The expert witness in the case, a consulting engineer, testified that "the helmet and face shield as designed,

manufactured and sold were defective because they did not provide ventilation to prevent fogging and did not have a means of removing the face shield if it became fogged." The expert also stated:

"One of the specific goals of design and safety engineering is to identify hazards and eliminate them by design rather than guard against them with warnings . . . Fogging is a well known occurrence and . . . Harley-Davidson was aware of it because it also manufactured non-

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AROUND IT, YOU
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fogging face shields during the same time (the plaintiff's) full-face shield was made."³⁸

The hazards from poor ventilation are easily guarded against by simple engineering. Some full-face helmet manufacturers have added vent holes in the back of the helmet near the neck to promote air flow around the head.³⁹

Other manufacturers have put a small "air scoop" on the top of the helmet which sticks up into the flow of air, similar to the idea of an air scoop on a car hood which cools the engine.

Diminished hearing. Diminished hearing is another functional factor completely disregarded by safety standards. Motorcyclists must be able to hear sirens, horns, screeches and other street sounds in order to maneuver safely through traffic. Yet helmets reduce the wearer's natural ability to hear. Many helmets advertise a quiet ride⁴⁰ without realizing that a silent ride could trans-

A NINE-YEAR STUDY IN 50 STATES ATTRIBUTED THE INCREASE IN ACCIDENTS AMONG HELMET WEARERS TO HEAT, FATIGUE, AND DIMINISHED HEARING AND VISION.

late into a deadly ride in an emergency situation. Some helmets even come with insertable ear pads that lower sound levels too much to be safe.⁴¹ For example, in one study with the Bell 500 TX helmet, it was found that moderate to severe hearing loss resulted when sounds were presented with the helmet on. This hearing deficit would also affect decisions of locating sound origin, or directional sounds.⁴² The danger, of course, is that a rider would not be able

to avoid an accident that he otherwise could if he heard a warning horn, screeching tires or even the sound of his own engine.

Since hearing can be as important to a rider's safety as vision and ventilation, it seems strange that manufacturers have not designed vents for hearing around the ear area of the helmet. Even Snell requires no hearing or cooling vents. Snell merely says that if a helmet has ventilation holes, they should not exceed 13 mm in diameter.⁴³ The overall safety of helmets would be greatly improved by a combination of hearing and air vents and a larger vision port, since a rider's best judgments come from a combination of these senses.

Reduced vision. The reduced vision is another potential hazard of poorly designed full-face helmets. Although the standards require at least a 105-degree peripheral vision allowance to each side, many riders still complain of reduced vision while wearing their helmets. It has been suggested to riders who complain about their vision that they solve the problem by "turning their heads" to see more.⁴⁴ But moving your head to look in another direction, even for a second, could cause a devastating accident.

Another vision complaint that arises is that sometimes the rider can't see his gauges with his helmet on,⁴⁵ which could cause an accident if he had to turn his head down to check his oil, speed or other readings.

To eliminate dangers caused by restricted vision, helmets should be designed to counteract these complaints. The design must keep in mind that a motorcycle rider only has two mirrors to work with (one on each side), whereas a car has three, with lots of clear glass to see through. Therefore, the cycle rider needs all the more latitude to see with. A design that extends the range of sight is essential, such as making the vision port opening larger, or by extending it back further using a transparent shell.

One design that helps riders read their gauges is that of the Bell Wedge helmet. The vision port of this helmet

points down farther toward the chin than most helmets.⁴⁶ Thus, a rider need only glance down to view the gauge cluster, which is a safer way to monitor the machine while in motion.

Face shield problems. The face shields are also a source of potential danger. The bubble-shaped face shield of Western Auto was found to distort vision a little, and some face shields with locking snaps could present a problem if a sudden splash covered part of the rider's view. In the case of the three-quarter models, the snap-on shield can't be lifted up, so a rider would have to wipe off a splash of dirty water or a squashed bug.⁴⁷

The problem with wiping off a face shield is that they are extremely susceptible to scratches. Manufacturers recommend that they be cleaned with soap and water alone, without rubbing or scrubbing,⁴⁸ since this causes scratches that can hinder vision.

Face shields that are tinted or mirrored may cause problems with vision also. One retailer reported that while he was riding with the face shield open on his certified helmet, it suddenly dropped down over his eyes and caused him to hit a tree and sustain grave injuries.⁴⁹

Moreover, the manufacturers' warnings not to wear the tinted face shields at night are barely visible transparent stickers, smaller than one square inch, which are highly inadequate to effectively instruct consumers on proper use, or warn them of the restricted vision.

Recognizing the hazards of motorcycling, most states now require that helmets have reflective strips on them,⁵⁰ so that even though a motorcycle rider's vision is limited, other vehicles will be able to see him better. All helmets should be designed to reflect at night, whether it be reflective tape or reflective paint on the helmet, to ensure the rider's safety against inattentive drivers.

Comfort and fit shortcomings. The last functional factor is by far the most overlooked by safety standards and manufacturers. It is simply the comfort and fit of a helmet to the head of the

rider. The ANSI standards recognize the critical importance of fit to motorcycle helmet protection. These safety standards require manufacturers to label their helmets to inform consumers that the helmet should be of "good fit," but fail to define the characteristics of what "good fit" means.⁴¹

Therefore, for maximum head protection, it is essential that the helmet be fitted in the store, and better yet, tried out on the road, since some helmets that fit at a standstill will be uncomfortable when in motion.⁴² The retailer should personally fit the helmet to the customer and see that the helmet doesn't detach when the strap is properly fastened.

Some helmets that are extremely uncomfortable to wear still receive certification stickers. Often the sizes labeled on helmets are poor guides, and the head openings are too small for the appropriate size of head to get through. Helmets with too small an opening cause the consumer to buy a larger helmet size just to be able to get it on, but it then fits loosely and will "wobble annoyingly on the head."⁴³

In a case in Florida against a helmet manufacturer, a plaintiff sued for negligent design of a helmet that was made for "one size fits all," contending that the size of the helmet did not offer a good fit and was, therefore, unsafe and unstable on the wearer's head.⁴⁴

In order for consumers to buy helmets that fit right, they must have a clear, concise way of determining proper fit. Motorcycle helmets should come with detailed instructions on proper fit and function of the helmet so that consumers can choose a good, proper fit for the safest riding. Retailers should also offer pamphlets with instructions for determining the safest fit for your noodle.

If the leading helmet safety standards do not become more comprehensive to include the crucial functional factors, manufacturers will not be persuaded to correct the inherent defects in design and function that plague riders in helmet law states. Ensuring a helmet's construction and performance

is not enough; manufacturers must go further in developing safe helmets. Even the best rider in the world is powerless against a defectively designed and poorly manufactured helmet. Many a rider has learned the hard way not to trust the stickers, and been made painfully aware of hazards from improper function and design of helmets.

Endnotes

- ¹ 49 CFR 571.218 (1986).
- ² American National Standard Specifications for Protective Headgear for Vehicular Users, American National Standards Institute, Inc., Z90.1-1971.
- ³ Snell Memorial Foundation, 1985 Standard for Protective Headgear (1984).
- ⁴ *Consumer Reports*, "Motorcycle Helmets," Jun. 1981, p. 358-62.
- ⁵ *Id.*
- ⁶ Ford, "Breaking Some Eggs," *Motorcyclist*, Oct. 1989, p. 58-59.
- ⁷ Sight guy going into truck in folder of information.
- ⁸ ANSI Z90.1-1971, 3.3, "Retention."
- ⁹ *Id.*
- ¹⁰ Snell Memorial Foundation, 1985 Standard for Protective Headgear (1984).
- ¹¹ *British Medical Journal*, Vol. 288, Mar. 10, 1984, "Detachment of Motorcycle Helmets During Motorcycle Accidents."
- ¹² *Blanton v. Kiwi, S.A.* No. _____ (____th Cir. Mi., filed _____).
- ¹³ *Pitner v. Kiwi, S.A.* No. 3-404-86 (th Cir. Tenn., filed Jul. 2, 1986).
- ¹⁴ *Elasser v. American Motors Corp.*, 81 Mich. App. 379, 265 NW.2d 339 (1978).
- ¹⁵ Telephone interview with sales representative of a Honda-Yamaha dealership (Aug. 13, 1991).
- ¹⁶ *Id.*
- ¹⁷ Highway and Vehicle Safety Report, Jan. 2, 1989 (ISSN 0161-0325), p. 7.
- ¹⁸ *Snively, Head Protection: Preventative Medicine in Traffic Safety*, Snell Memorial Foundation and School of Medicine, Univ. of California, Davis.
- ¹⁹ US Pat. 3,166,781, Sep. 27, 1961, ser. no. 141,043.
- ²⁰ Burke, "Safety Standards for Bicycle Helmets," 16 *The Physician and Sportsmedicine*, 148 (1988).
- ²¹ Bell Helmets and Kiwi are examples.
- ²² Richards PG, "Detachment of Crash Helmets During Motorcycle Accidents," 288 *British Medical Journal*, 758 (1984).
- ²³ *Cornier v. Spangna*, 101 AD.2d 141, 475 NYS.2d 7 (1984).
- ²⁴ Telephone interviews with Mark Dunn, sales representative of Gar's Honda, and with Todd Shively, sales representative of Recreational Motor Sports (Aug. 10 & 12, 1991).
- ²⁵ *Id.*
- ²⁶ *Id.* See also Ford, "Breaking Some Eggs," *Motorcyclist*, Oct. 1989, p. 59.
- ²⁷ *Id.*
- ²⁸ Ford, "Breaking Some Eggs," *Motorcyclist*, Oct. 1989, p. 59.
- ²⁹ *Id.*
- ³⁰ Burke, "Safety Standards for Bicycle Helmets," 16 *The Physician and Sportsmedicine*, 148 (1988).
- ³¹ Letter from Michael E. Holt to Sen. Waddie D. Daddah (Nov. 5, 1987), urging repeal of helmet law.
- ³² Gisolfi, "Effects of Wearing a Helmet on Thermal Balance While Cycling in the Heat," 16(1) *The Physician and Sportsmedicine*, 139 (1988). See also companion article, Burke, "Safety Standards for Bicycle Helmets," 148 (1988).
- ³³ *Id.*
- ³⁴ Carpenter, "Heads, Helmets and Heat," *Road Rider*, Sep. 27, 1987, p. 26-28.
- ³⁵ *Id.*

- ³⁶ Carpenter, "Heads, Helmets and Heat," *Road Rider*, Sep. 27, 1987, p. 27.
- ³⁷ *Harley-Davidson, Inc. v. Thomey, Ala.* 321 So.2d 971, 973 (1986).
- ³⁸ *Harley-Davidson*, at 973.
- ³⁹ HJC, for example.
- ⁴⁰ *Consumer Reports*, "Motorcycle Helmets," Jun. 1981, p. 358-62.
- ⁴¹ Letter from Michael E. Holt to Sen. Waddie P. Daddah (Nov. 5, 1987), urging repeal of helmet law (includes study from Univ. of Utah Speech and Hearing Clinic, 1974).
- ⁴² Snell Memorial Foundation, 1985 Standard for Protective Headgear (1984).
- ⁴³ Smith, Jerry, "Survival Manual 20 Questions: Helmets," *Motorcyclist*, Oct. 1988, p. 17.
- ⁴⁴ *Consumer Reports*, "Motorcycle Helmets," Jun. 1981, p. 358-62. Also, personal interview with John McCormick, sales representative, Recreational Motor Sports (Aug. 12, 1991).
- ⁴⁵ Personal interview with John McCormick, sales representative, Recreational Motor Sports (Aug. 12, 1991).
- ⁴⁶ *Consumer Reports*, "Motorcycle Helmets," Jun. 1981, p. 358-62.
- ⁴⁷ *Id.*
- ⁴⁸ Personal interview with John McCormick, sales representative, Recreational Motor Sports (Aug. 12, 1991).
- ⁴⁹ *Consumer Reports*, "Motorcycle Helmets," Jun. 1981, p. 359.
- ⁵⁰ *Id.*
- ⁵¹ *Revesfull v. Kiwi, S.A.*, No. 88-04582 DB (17th Cir. Fla., filed Feb. 19, 1988).



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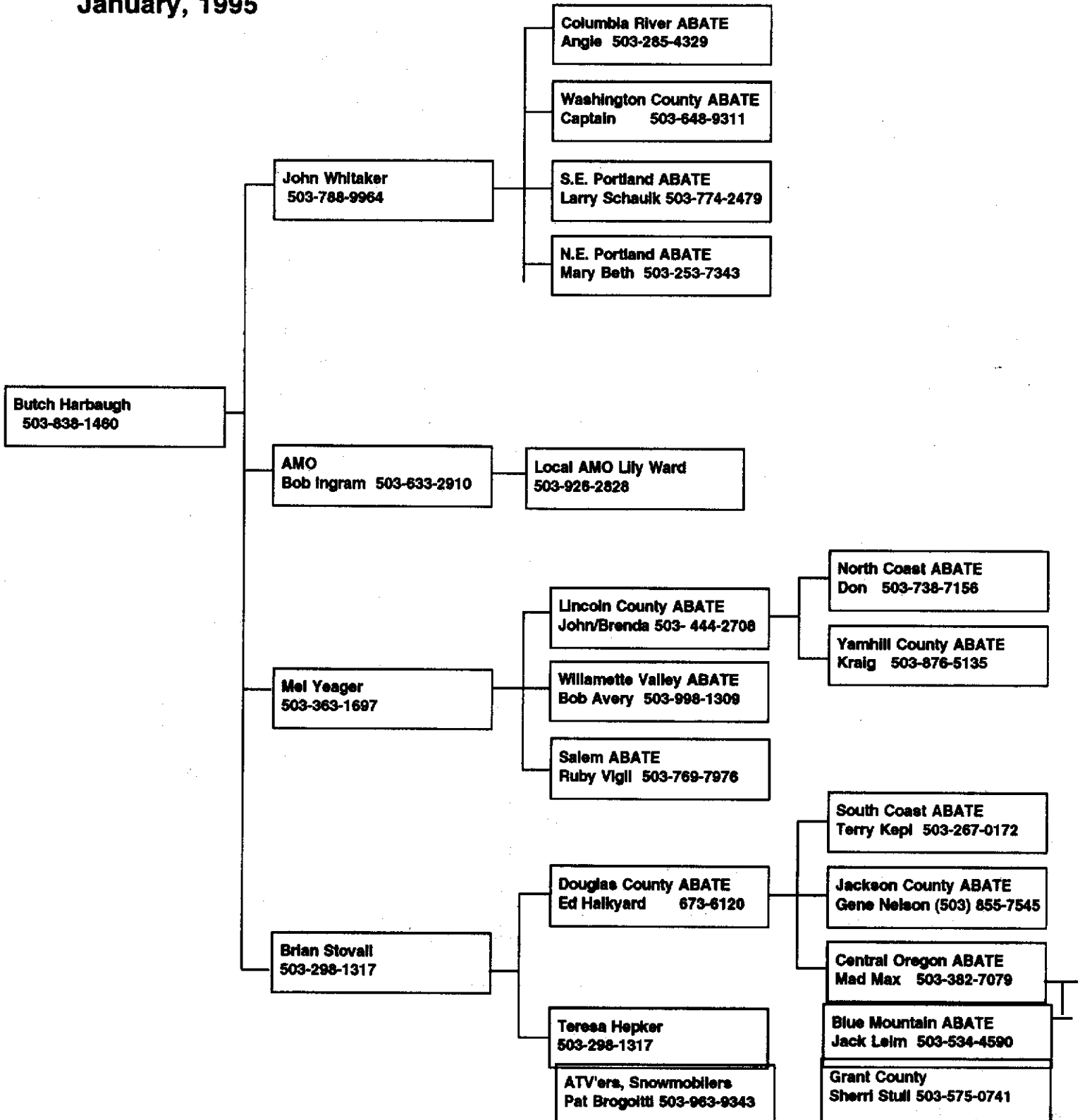
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BLUE MOUNTAIN	32	1	0	?	31
CENTRAL OREGON	198	5	1	?	193
COLEMBIA RIVER	83	-27	29	?	110
DOUGLAS COUNTY	130	-8	9	?	138
GRANT COUNTY	11	11	0	?	0
INDIAN CREEK	234	-36	25	?	270
JACKSON COUNTY	84	-9	13	?	93
LINCOLN COUNTY	130	-4	8	?	134
NE PORTLAND	182	-12	16	?	194
NORTH COAST	36	-4	8	?	40
SALEM	107	1	2	?	106
SE PORTLAND	223	-2	4	?	225
SOUTH COAST	52	-12	12	?	64
WILLAMETTE VALLEY	43	2	1	?	128
WASHINGTON COUNTY	123	-5	5	?	128
YAMHILL COUNTY	21	-5	5	?	26
TOTAL	1,689	-104	134	?	1,793



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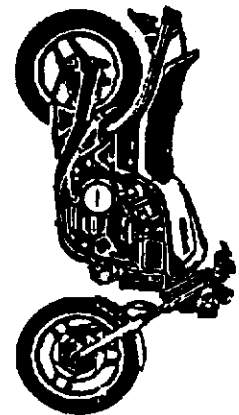
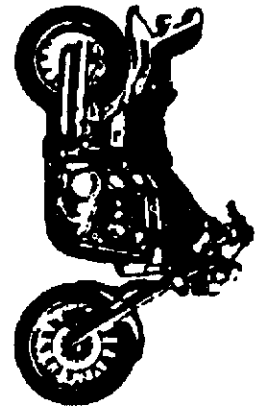
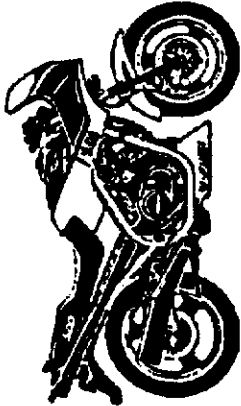
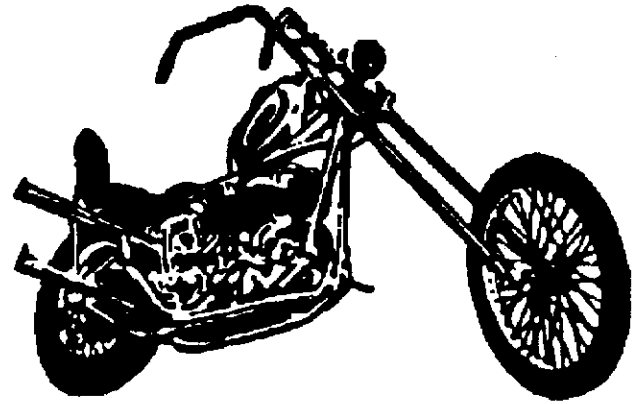
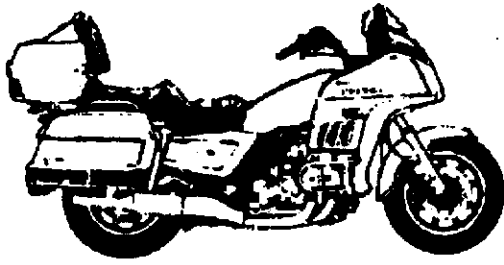
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1 Pickup	5 Information
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4 Photo-Accident	

NAME	PHONE	1	2	3	4	5	6	7
Randy & Debbie	503-563-2398	X	X	X	X		X	Central
Gary & Vicki	503-563-3520	X	X	X	X	X	X	Coastal
John & Brenda	503-444-2708	X	X	X	X	X	X	Region
Rich Rau(R&R Hawg Shop)	503-265-7628	X	X		X	X		Area
Bill Gabrielsen	503-640-9543	X	X					Washington Co.
The Pack Rat Ranch	503-324-8142	X	X	X				Banks, Or
Don & Rose Murry	503-693-6465	X	X	X	X	X	X	Hillsboro, Or.
Bill Ballard	503-640-5461	X				X		Hillsboro, Or.
Rocket Motors	503-985-7242	X	X		X	X	X	Hillsboro, Or.
Terry & Carla Richealin	503-357-0245	X	X			X		Hillsboro, Or.
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Randy	503-281-8649	X	X				X	N.E.
Gordon	503-253-7343	X	X	X	X	X	X	PTLD
Roger & Angie	503-285-4329	X	X	X	X	X	X	AREA
Arl	503-285-5275		X	X				N.E.
Crazy Steve	503-282-9434			X				PTLD
Carol W.	503-239-8167			X		X	X	AREA
Cinders	503-284-1729			X	X	X	X	N.E.
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Dale & Judy	206-892-1583	X	X	X	X		X	Vancouver, Wa.
Anna & Ron	503-252-5645	X	X	X	X	X	X	S.E.
Gunny	503-777-8410	X			X	X	X	PTLD
Glen & Gayle	503-760-7378	X						AREA
Rusty	503-777-5121		X			X		S.E.
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Jim L.	503-658-2206	X	X				X	Clackamas, Or.
Dick & Kathy	503-654-5851/5578483(work)		X	X	X	X	X	Clackamas, Or.
Tamara&Jay Reynolds	503-383-3418					X		Bend
Rick Jobe	503-383-1758	X	X	X	X	X	X	Bend
Lori Vitaris	503-383-3554		X			X	X	Bend
Andy "YOGIE" Duran	503-382-7079	X	X	X	X	X	X	Bend
Charlie&Vee Riter-Erikson	503-383-1929	X	X	X	X	X	X	Bend
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Mitch&Cindy Maxwell	503-382-7079	X	X	X	X	X	X	Bend
Randy&Irene Fortune	503-447-6734	X	X			X		Prineville, Or.
Bill&Gloria Cline	503-447-1627	X	X	X		X	X	Prineville, Or.
Don Darms	503-548-0020		X		X	X		Redmond, Or.
Mark&Geri Elspas-Dutton	503548-3153	X	X	X		X	X	Redmond, Or.
Terry&Pam Thompson	503-548-1859	X	X	X		X	X	Redmond, Or.
Ron or Rene Furr or Duran	503-548-3824	X	X	X		X	X	Redmond, Or.
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Ted & Hiedi Adams	503-548-5772			X		X	X	Redmond, Or.
John Newman	503-458-1443	X	X	X		X	X	Terrebonne, Or.

(As of November, 1994)

RUN DATE	EVENT	CHAPTER(s)	CONTACT & NUMBER	
May 26,27,28&29	Fossil Campout	State	Roger	503-285-4329
June 24-25	Run to the Sun	Columbia River	Angie	503-285-4329
July 22-23	Southern Ore. Summer Run	Douglas Co.. Jackson Co South Coast	Gene	503-855-7545
Aug. 4,5- 6	Fox Creek Run	Salem	Mike or Ruby	503-769-7976
Aug. 12-13	Beaver Creek	Lincoln County	Vicki Lechner	503-563-3520
Aug. 18-20	Summer Run	N.E & S.E. Portland Columbia River	Larry Shalk	503-774-2479
Sept. 1-4	Labor Day Freedom Run	STATE	Roger	503-285-4329
Sept. 22-24	End of Summer Run	Washington Co. North Coast Yamhill Co.	Don Murray Don Smack Kraig	503-648-9651 503-738-7156 503-876-5135
Oct. 28	Toy Run Benifet	Portland Chapters	Sarge	503-639-0873
December 2	Shriner's Toy Run	Portland Chapters	Sarge	503-639-0873

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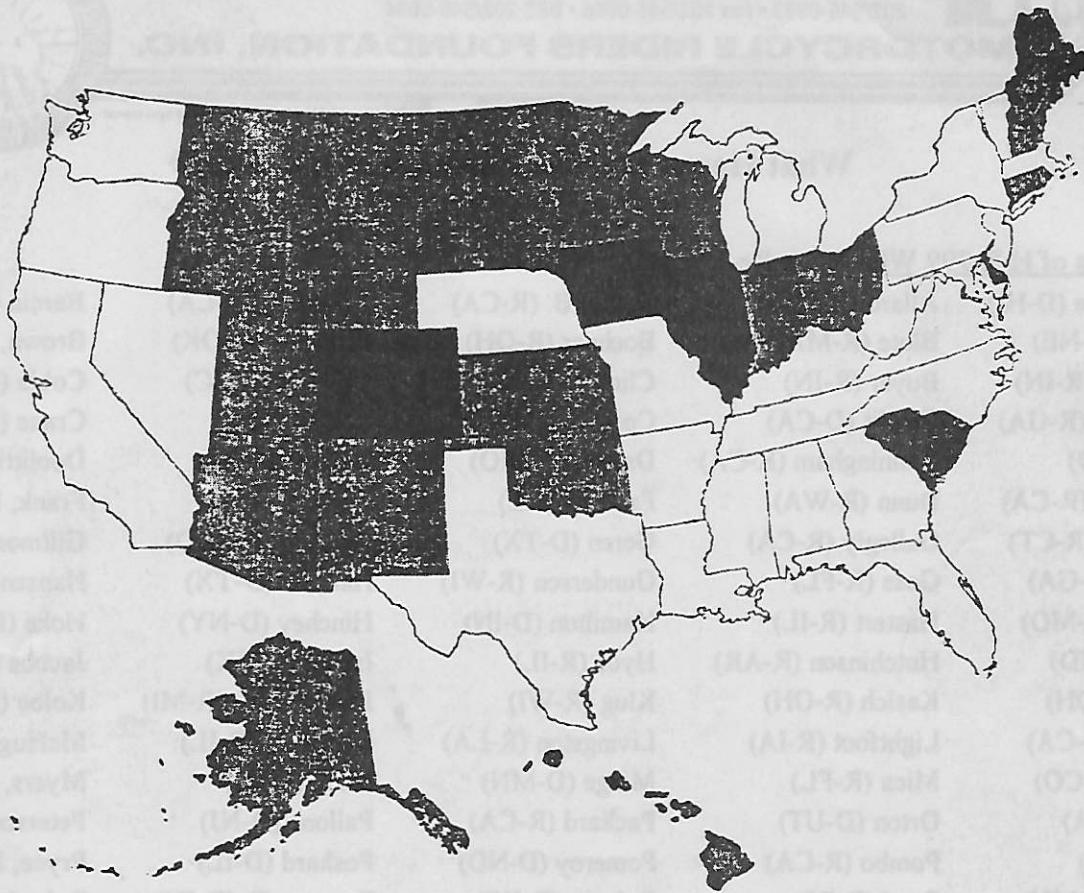
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U.S. HELMET LAW STATUS



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**LIMITED - HELMETS REQUIRED FOR CERTAIN RIDERS
(helmet required up to age indicated)**

AK-19pn, AZ-18, CT-18n, DE-19rn(must have helmet in possession), HI-18r, ID-18, IN-18n, KS-18, ME-15n, MN-18n, MT-18, NH-18, NM-18r, ND-18r, OH-18n, OK-18, RI-21np, SC-21r, SD-18, UT-18, WI-18n, WY-19



**NONE - NO HELMET REQUIREMENTS
CO, IL, IA**

r=reflectorization required

p=required for all passengers

n=required for novices or permit holders



**If you've been injured in a motorcycle accident anywhere in the U.S. or Canada, call Aid to Injured Motorcyclists
1-(800)-ON-A-BIKE.**



P.O. BOX 1808
 WASHINGTON, D.C. 20013-1808
 202/546-0983 • Fax 202/546-0986 • BBS 202/546-5894

MOTORCYCLE RIDERS FOUNDATION, INC.



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What Happened To Cosponsors Of H.R.799 In The 1994 Elections

Cosponsors of H.R. 799 Who Were Re-Elected

Abercrombie (D-HI)	Allard (R-CO)	Baker, B. (R-CA)	Baker, R. (R-LA)	Barcia (D-MI)
Bereuter (R-NE)	Blute (R-MA)	Boehner (R-OH)	Brewster (D-OK)	Brown, S (D-OH)
Burton, D. (R-IN)	Buyer (R-IN)	Clinger (R-PA)	Clyburn (D-SC)	Coble (R-NC)
Collins, M. (R-GA)	Condit (D-CA)	Costello (D-IL)	Cox (R-CA)	Crane (R-IL)
Crapo (R-ID)	Cunningham (R-CA)	Danner (D-MO)	Dickey (R-AR)	Doolittle (R-CA)
Doman, R. (R-CA)	Dunn (R-WA)	Fawell (R-IL)	Filner (D-CA)	Frank, B. (D-MA)
Franks, G. (R-CT)	Gallegly (R-CA)	Geren (D-TX)	Gilchrest (R-MD)	Gillmor (R-OH)
Gingrich (R-GA)	Goss (R-FL)	Gunderson (R-WI)	Hall, R. (D-TX)	Hansen (R-UT)
Hancock (R-MO)	Hastert (R-IL)	Hamilton (D-IN)	Hinchey (D-NY)	Hoke (R-OH)
Hoyer (D-MD)	Hutchinson (R-AR)	Hyde (R-IL)	Istook (R-OK)	Jacobs (D-IN)
Kaptur (D-OH)	Kasich (R-OH)	Klug (R-WI)	Knollenberg (R-MI)	Kolbe (R-AZ)
Lewis, J. (R-CA)	Lightfoot (R-IA)	Livingston (R-LA)	Manzullo (R-IL)	McHugh (R-NY)
McInnis (R-CO)	Mica (R-FL)	Minge (D-MN)	Mink (D-HI)	Myers, J. (R-IN)
Nussle (R-IA)	Orton (D-UT)	Packard (R-CA)	Pallone (D-NJ)	Peterson, C. (D-MN)
Petri (R-WI)	Pombo (R-CA)	Pomeroy (D-ND)	Poshard (D-IL)	Pryce, D. (R-OH)
Ramstad (R-MN)	Reed (D-RI)	Roberts (R-KS)	Roemer, T. (D-IN)	Rohrabacher (R-CA)
Roth (R-WI)	Royce (R-CA)	Sanders (I-VT)	Sawyer (D-OH)	Schiff (R-NM)
Schaefer (R-CO)	Sensenbrenner (R-WI)	Skeen (R-NM)	Solomon (R-NY)	Spence (R-SC)
Stump (R-AZ)	Taylor, C. (R-NC)	Thurman (D-FL)	Torkildsen (R-MA)	Traficant (D-OH)
Vucanovich (R-NV)	Walsh (R-NY)	Weldon (R-PA)	Williams (D-MT)	Wilson (D-TX)
Young, D. (R-AK)	Zeliff (R-NH)	Zimmer (R-NJ)		

Cosponsors of H.R. 799 Who Were Elected To The U.S. Senate

Grams (R-MN)	Inhofe (R-OK)	Santorum (R-PA)	Snowe (R-ME)	Thomas, C. (R-WY)
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Cosponsors of H.R. 799 Who Were Elected Governor Of Their State

Ridge (R-PA)	Sundquist (R-TN)
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Cosponsors of H.R. 799 Who Retired

Applegate (D-OH)	Fish (R-NY)	Kopetski (D-OR)	Lloyd (D-TN)	Michel (R-IL)	Penny (D-MN)
Sharp (D-IN)					

Cosponsors of H.R. 799 Who Died In Office

Gallo (R-NJ)

Cosponsors of H.R. 799 Who Lost Bids To Become Governors

Grandy (R-IA)	Slattery (D-KS)
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Cosponsors of H.R. 799 Who Lost Re-Election

Barca (D-WI)	Barlow (D-KY)	Fingerhut (D-OH)	Glickman (D-KS)	LaRocco (D-ID)
Lehman (D-CA)	Long, J. (D-IN)	Mann (D-OH)	McCloskey (D-IN)	Strickland (D-OH)
Swett (D-NH)	Unsoeld (D-WA)			

NEWS RELEASE

Motorcycle Riders Foundation • P.O. Box 1808, Washington, D.C. 20013-1808 • 202/546-0983, Fax 202/546-0986, BBS 202/546-5894

FOR IMMEDIATE RELEASE
November 17, 1994

Contact: Wayne Curtin
Phone: 202-546-0983

MOTORCYCLISTS CONTRIBUTE TO U.S. HOUSE VICTORIES

WASHINGTON, D.C... In the nine days since the November 8th General Election, newly elected and returning members of the House of Representatives are reading the mood of the electorate and telegraphing the message to their peers. Across the country the mood of voters is one of wanting less government and more freedom. Motorcyclists' rights activists have been sending that message for over twenty years.

Beginning early in 1994, concerned motorcyclists began putting time, money and labor into campaigns for key Members of Congress and select challengers. The effort was not just to "turn the rascals out," it was to re-elect and elect individuals who subscribed to the philosophy of less government and more freedom.

One hundred and three cosponsors of H.R. 799 were re-elected to the U.S. House of Representatives for the 104th Congress. H.R. 799, introduced by Rep. Olympia Snowe (R-Maine) in February 1992, is a bill to repeal the federal section 153 penalties on states without motorcycle helmet and automobile seat belt laws. These 103 supporters -- 71 Republicans, 31 Democrats and 1 Independent -- provide motorcyclists' rights organizations with a solid base to build a successful repeal effort in 1995. Also, all incumbent cosponsors of S.295 were re-elected to the U.S. Senate.

When the House adjourned for the fall recess, there were 131 cosponsors of H.R. 799. Only 12 cosponsors of this repeal legislation were defeated in their re-election bids. Seven cosponsors retired and one, Dean Gallo (R-N.J.), died a few weeks ago. Two of the four cosponsors who ran for governor of their states were elected, Don Sundquist (R-Tenn) and Tom Ridge (R-Penn). Rep. Snowe, along with Reps. Rod Grams (R-Minn), Jim Inhofe (R-Okla), Rick Santorum (R-Penn) and Craig Thomas (R-Wyo) were elected to the U.S. Senate

>>>>>> MORE >>>>>>

Motorcyclists can take credit for contributing to the victories in both the House and Senate elections. Cosponsors of H.R. 799 did very well in the 1994 elections. Of the 124 cosponsors who stood for re-election or chose to seek higher office 110, 89%, were successful. Additional good news is that eight opponents of repeal on the Public Works and Transportation Committee will not return to the 104th Congress. Three chose not to seek re-election and five were defeated.

The shift in control of the House means a major change in leadership. These changes should contribute to the repeal of the section 153 penalties. Rep. Tom Petri (R-Wis), a supporter of motorcyclists' rights, is in line to become chairman of the Surface Transportation Subcommittee of the Public Works and Transportation Committee. However, the new Republican Leadership is revamping much of the committee structure and jurisdictions and some committee assignments and subcommittee chairs may not be known for several weeks.

Even if Rep. Petri becomes chairman of the subcommittee, motorcyclists are not ensured a quick victory. Just as with the changes of control in the Senate, Republican victories in the House place some proponents of the section 153 penalties in positions of leadership. Rep. Bud Shuster (R-Penn), who is in line to become chairman of the Public Works and Transportation Committee, has supported the penalties and opposed any effort to remove or weaken them. However, just as the new leadership in the Senate expressed the message that Americans want less government and more freedom, that same message is being sent by the new leadership in the House. The heir apparent Speaker of the House, Rep. Newt Gingrich (R-Ga) is a cosponsor of H.R. 799.

MRF vice president of government relations, Wayne Curtin said, "with a base of 103 cosponsors of H.R. 799 returning for the 104th Congress and the influx of new members who ran on a theme of "less government and more freedom" motorcyclists should be able to build strong support for repeal of the section 153 penalties. We have many supporters who were elected with the help of motorcyclists and state motorcyclists' rights organizations."

Summing up motorcyclists' chances in 1995, Curtin said, "I believe that most members of Congress know where motorcyclists stand on this issue, remove the federal penalties and let the state legislatures decide. If this Congress wants to show the people and state legislatures it is serious about less government and more freedom, they should act quickly to repeal the section 153 penalties on states without helmet laws."

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The Motorcycle Riders Foundation, incorporated in 1987, is a membership based national motorcyclists' rights organization headquartered in Washington D.C. The MRF is involved in federal and state legislation and regulations, motorcycling safety education, training, licensing and public awareness.

COMMUNITY RELATIONS
206.778.4333
FAX 206.776.3367



18320 52nd Avenue West
SUITE 8-103
Lynnwood, WA 98037

ABATE of Washington

PRESS RELEASE*****FOR IMMEDIATE RELEASE*****PRESS RELEASE
Contact: Jana Rhoads Godfrey 206.77.4333

ABATE OF WASHINGTON RESPONDS TO UCLA HELMET STUDY

In wake of the recent media attention centered on a helmet study conducted by UCLA, ABATE of Washington, American Bikers Aimed Toward Education, applauds the media's concern for motorcycle related issues and gives thanks for bringing to the public's attention topics specific to riding motorcycles. However "Claims made by the UCLA study recently published are not consistent with data available from other national sources," states Jana Rhoads Godfrey, Community Relations Director for the organization. In a recent response to an editorial by Ken Schram of KOMO TV she presented the following information.

The Insurance Institute of Highway Safety study paid UCLA to produce this study. The insurance industry lobbies strongly for mandatory motorcycle and bicycle helmet laws. In the process of advancing their profit agenda, the Insurance Institute produced a report that is flawed in the following ways:

- It discounts the effect of rider training as a significant factor in reducing accidents.
- It does not credit the reduction of ridership as a significant factor in reducing accidents.
- It does not credit the reduction of accidents for the reduction in fatalities.
- It measures the fatality rate as a function of motorcycle registrations instead of miles ridden or fatalities per accident.

Also, hidden in the report's data tables is an interesting statistic that shows that the category of the most severe head injuries increased by almost 30% since California's mandatory helmet law took effect.

According to the California Highway Patrol, a sharp 25.5% drop in accidents in the first year of their helmet law was the result of both the reduction of ridership as a result of the new helmet law and its extremely successful six-year old motorcycle rider education program. In the same period, California's Department of Motorcycle Vehicles reports that motorcycle registrations dropped by 56,000 (roughly 10%), lead by a 20% drop in new registrations, while overall vehicle registrations remained flat. The DMV also reports that licenses to drive motorcycles, which had been steadily increasing until the helmet law, dropped by 13,000 while licenses to drive all vehicles increased by 100,000. A ridership survey conducted by ABATE of California indicated that motorcyclists rode 18% fewer miles in the first year of the helmet law. The Insurance Institute study admits that "We could not identify any significant changes in legislation, overall weather conditions, highway speeds, or motorcycle design features during the 2 years that would have significantly altered exposure to a

crash or subsequent injury." One could conclude that the effect of the helmet law itself, not the use of helmets, is responsible for the fatality reductions claimed in the Insurance Institute study.

ABATE of Washington agrees with nationwide fatality figures showing that 25 states which do not require all riders to wear helmets had a fatality rate of 2.90 while helmet law states had a fatality rate of 2.98. The fatality rate is the only true measure of the survivability of any accident. If helmets do provide any measurable safety benefit, it would be reflected by a sharp reduction in fatality rates. Furthermore, while helmet law states have 61% of the registered motorcycles, they comprise 64% of both accidents and fatalities. Our own state figures have dropped about one third since the implementation of Washington's nationally recognized Rider Safety Education Program.

Roughly 70% of all accidents involving motorcycles are the fault of automobile drivers, many who are uninsured, underinsured, or who's insurance company avoid paying claims. "If there really is a public burden generated in the care of injured or killed motorcyclists, then automobile drivers must take responsibility for their contribution. The solution we feel, is not regulating 'potential victims' who ride two wheel vehicles (bicycles included), but through proper education," emphasizes Godfrey.

"It should be the responsibility of government to ensure that automobile drivers are appropriately educated for awareness of *all* vehicles using the road. This can easily be done by incorporating a stronger, more accurate profile of awareness and education of two wheel vehicles in the state-monitored driver training courses, and through more accurate reporting and Public Service campaigns by the media."

ABATE of Washington takes a pro-choice stance regarding the wearing of helmets for adults 18 and older.

Sources:

"1994 *Motorcycle Statistical Annual*" published by the Motorcycle Industry Council and compiled directly from data supplied by over 100 state motor vehicle and highway safety agencies.

"*California Highway Patrol Perspectives*" 1992, published by the Department of California Highway Patrol

For additional information contact:

Jana Rhoads Godfrey, ABATE of Washington 206-778-4333

Paul J. Rafter, Government Affairs Editor, *Thunder Press* D:408-447-5761 E:408-246-7949

Bill Bish, National Coalition of Motorcyclists 800-525-5355

Paul Lax, ABATE of California 800-540-1979

HELMET / INFRACTION / STOP REPORT FORM

This information may be presented to state and federal legislators as well as police or DOT administrators. The purpose is to ensure appropriate lawmaking and reasonable enforcement. Please provide as much detail as possible. Attach extra pages if necessary. Phone 1-800-347-1106 or 224-1106 in Portland if you have questions, and ask for Gunny. Thank you for your cooperation.

PLEASE SEND TO: Sam Hochberg, A.I.M. Attorney, 750 Morgan Bldg, 720 S.W. Washington, Portland, OR 97205, ATTN: Gunny Hutch.

NAME: _____ ADDRESS: _____ CITY: _____
STATE: _____ ZIP: _____ PHONE: work _____ home _____
MAY WE USE YOUR NAME FOR LEGISLATIVE PURPOSES? YES / NO

WHAT HAPPENED WHEN YOU WERE STOPPED?

DATE STOPPED: ____ / ____ / ____ TIME STOPPED: ____ : ____ a m / pm

LOCATION: _____
OFFICER NAME: _____ ID NO: _____ POLICE AGENCY _____

PRIMARY REASON FOR STOP: HELMET / OTHER (specify) _____

CITATION? (YES) (NO) IF SO FOR: HELMET / OTHER (specify) _____

CITE # _____ 1st appearance: ____ / ____ / ____ TIME: ____ : ____ am/pm

COURT LOCATION: city / county: _____
ANY OTHER CHARGES ISSUED AT THE SAME TIME? LIST: _____

IF THERE WERE ANY CRIMINAL CHARGES (not infractions), SPECIFY: _____

You should **IMMEDIATELY** obtain LEGAL ADVICE if you were charged with a crime.

Did officer follow normal traffic laws in making the stop? YES / NO

If no explain: _____

Did officer treat you fairly and respectfully? YES / NO If no explain: _____

Was your helmet confiscated? YES / NO Explain: _____

Were you given an explanation on legal or illegal helmets? YES / NO

If YES was the explanation? WRITTEN VERBAL BOTH

If verbal, describe: _____

WHAT HAPPENED IN COURT?

Have you gone to court? NO : When is court Date? _____

YES : How did you plead? _____

If you pled guilty what was the fine? \$ _____

If you pled NOT GUILTY, have you gone to trial? _____

NO : When is your court date? _____

YES : What was the verdict ? GUILTY NOT GUILTY

If guilty, what was the sentence? _____

FINE : \$ _____ ASSESSMENT : STATE , \$ _____ COUNTY, \$ _____

CITY, \$ _____ WORK TIME LOSS HRS: _____ LOST WAGES: \$ _____

Briefly describe the evidence you presented at your trial (or include
a copy) _____

DESCRIBE THE HELMET YOU WERE WEARING

BRAND: _____ MODEL: _____

When you bought the helmet did it have a DOT sticker on the outside? YES NO

Label permanently fastened inside? YES NO

Was helmet modified? YES NO

If modified describe: _____

REVISED : 12/06/94

A.B.A.T.E. of Oregon, Inc. MEMBERSHIP APPLICATION

NEW _____ IF NEW RECEIVED PATCH _____ RENEWAL _____ IF RENEWAL, MEMBERSHIP NO. _____

NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE: _____ CHAPTER: _____

ADDITIONAL MEMBERS IN SAME HOUSEHOLD (Use additional paper if necessary)

NAME: _____ NAME: _____

NAME: _____ NAME: _____

\$20 FULL MEMBERSHIP _____ \$25 COUPLE MEMBERSHIP _____ \$30 FAMILY MEMBERSHIP _____

TOTAL AMOUNT ENCLOSED: _____ TOTAL NUMBER OF MEMBERS: _____ DATE PAID: _____

SEND TO MEMBERSHIP SECRETARY P.O. BOX 4504 PORTLAND, OREGON 97208



CHANGE OF ADDRESS?

If you or someone you know has moved and you haven't received your newsletter since, DON'T BLAME US! Just fill out this form and return it to:

**A.B.A.T.E. of Oregon, Inc.
P.O. Box 4504
Portland, OR 97208**

NAME _____

NEW ADDRESS _____

CITY _____ STATE _____ ZIP _____

MEMBERSHIP NUMBER _____

SIGNATURE _____




A.B.A.T.E. of Oregon, Inc.
P.O. Box 4504
Portland, OR 97208

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Did Santa bring you all you asked for? If there was a side car under your tree, could you make sure it did not have my name on it. Let us all make a New Year resolution to ride sober, safe and sane. Write your legislators and let them know that you are watching them like the government is watching us. **STAY ALIVE IN 95!!!!!!**

Chapter Meeting Places - Where & When

1st & 3rd SUNDAY	JACKSON COUNTY	11:00 am, Oreagano's Pizza, 828 2nd Ave. Gold Hill
	S.E. PORTLAND	12:00 Noon, The Pizza Baron, S.E. 122nd & Division, Portland
2nd SUNDAY	YAMHILL COUNTY	3:00 pm, Westward Ho, (3rd Street), McMinnville
3rd SUNDAY	SOUTH COAST	11:00 am, Gino's Pizza, 1324 Virginia Street, North Bend
	BLUE MOUNTAIN	3:00 pm, Klondike Pizza, LaGrande
	DOUGLAS COUNTY	11:00 am, Round Table Pizza, Roseburg Valley Mall, Roseburg
2nd & 4th SUNDAYS	COLUMBIA RIVER	12:30 pm, Cactus Club & Diner, 8131 N. Denver, Portland
2nd & 4th MONDAY	SALEM	7:00 pm, Pietro's Pizza, 1637 Hawthorne Ave. NE, Salem
2nd & 4th TUESDAY	WASHINGTON COUNTY	8:00 pm, Pizza Hut, 3190 N.W. 185th, Portland
1st & 3rd WEDNESDAY	NORTH COAST ABATE	7:00 pm, The Pizza Harbor, Seaside
	N.E. PORTLAND	7:30 pm, Izzy's Pizza, 1307 N.E. 102nd, Portland
3rd WEDNESDAY	CENTRAL OREGON	7:00 pm, The American Legion Hall, 8th St., Redmond
1st & 3rd FRIDAY	LINCOLN COUNTY	7:30 pm, Moby Dick's Restaurant, Newport
1st THURSDAY	WILLAMETTE VALLEY	7:00 pm, Red Rooster Restaurant, Eugene
3rd SATURDAY	GRANT COUNTY	11:00 am, 858 E. Main (Stull Residence), John Day