



Driving Freedom

A Special Edition

Vol. 23 • Issue 1

Winter 2012

Looking Back at 30 Years of Defending Drivers' Rights



1982



2012



NON-PROFIT
ORGANIZATION
US POSTAGE PAID
MADISON, WI
PERMIT #2860

ADDRESS SERVICE REQUESTED

NMA Foundation
402 W. 2nd St.
Waukegan, WI 53597



Thirty Years Down, Many More to Go

by James J. Baxter



Foreword

Yes, the National Motorists Association is celebrating its 30th year of protecting and enhancing the rights and interests of motorists.

I'm devoting this issue of **Driving Freedoms** to a look back at the changes and trends, big and small, that have shaped the NMA and, to varying degrees, our driving environment. Some of these changes and trends have benefited our cherished freedom to travel how, when, and where we please, while others have threatened it.

This is both a celebration of our past and a window into future challenges.

Along the way, I will be highlighting some, but not all, of the events and personalities that have become an important part of the NMA's history. My focus will be on the unsung or little known people who quietly advanced our cause, provided support, and helped when

we needed help the most.

The NMA was founded as the Citizens Coalition For Rational Traffic Laws, or CCRTL. (Just try to say that ten times fast in a radio interview!) The organization was created for the express purpose of repealing the 55 mph National Maximum Speed Limit (NMSL).

At the time, the NMSL had been officially in existence for eight years, and it was an unmitigated disaster, but very few in the media or the government would admit that fact.

The Outliers

In 1978 John Tomerlin, writing for *Road & Track*, the automotive magazine, penned a thoughtful rebuke of the 55 mph speed limit that verified the intuitions of driving enthusiasts. It was ignored by elected officials. Still, John's article provided a starting point to question the validity of the claims made in support of the National Speed Limit.

When public opinion began to change and the pro-55 advocates became more strident in their defense of the law, John followed up with another *Road & Track* article that further challenged the validity and claims of the Luddites who epitomized the "slow is safe" mentality.

Tony Swan, then working for *Motor Trend*, wrote an article in 1982 that laid the blame for the

continuation of the NMSL at the feet of auto enthusiasts who had failed (up until then) to challenge the law in an organized manner. He further pointed out that several repeal bills were languishing in Congress for lack of motorist support.

Another early "outlier" was provided by an economics professor from the University of California, Charles Lave. Dr. Lave prepared scholarly research reports and articles for popular periodicals that argued against the accepted mantra that higher speed limits caused increased numbers of accidents and that driving slowly was a public good.

One of his more notable claims was that the 55 mph NMSL was wasting a billion man-years of time annually, the rough equivalent of losing 1500 lives a year.

The Issue of Organizational Support

Organizational support for repealing the NMSL was thin, at best.

An early supporter, one that endorsed our fledgling organization, was the American Motorcyclist Association. A full-page article in the AMA magazine was our first real exposure to a national audience.

(Continued next page)

Copyright © 2012 by NMA Foundation. All rights reserved.

Driving Freedoms (permit # 0716556-KWP) is the official publication of the NMA Foundation, Inc. *Driving Freedoms* is published quarterly by the NMA Foundation, Inc., 402 W. 2nd St., Waunakee, WI 53597. (608/849-6000) Email: nma@motorists.org Web site: www.motorists.org. Nonprofit bulk permit paid Madison, WI. Annual membership in the National Motorists Association includes a subscription to *Driving Freedoms*.

Editorial Staff

- Managing Editor Gary Biller
- Writer James J. Baxter
- Editor..... Aaron Quinn
- Editor.....John Bowman
- Editor-at-Large.....Bill Jordan

Thirty Years Down, Many More to Go (continued)**AMA Provides National Recognition for CCRTL – April 1982**

The American Motorcyclist Association issued this national release shortly after the founding of the CCRTL:

Jim Baxter of Dane, Wisconsin, a long-time AMA member, dirt-and-road rider and lobbyist for the Wisconsin Dealers Association, has taken on a new and formidable task: repeal of the federally-mandated 55-mph speed limit.

Baxter formed an organization just for this purpose, the Citizens' Coalition for Rational Traffic Laws, or CCRTL. Since January of this year, CCRTL has stirred the proverbial hornets' nest! In less than a month after its inception, CCRTL had been mentioned by more than 70 newspapers and several television and radio stations.

But Baxter is not an off-the-wall fanatic who becomes involved in causes simply for the attention or ego gratification. He is a skilled lobbyist and practitioner of the possible, with no interest in spending time, effort and money on lost causes.

The Citizens' Coalition for Rational Traffic Laws is taking neither a strident nor circumvential position. In other words, the group is not advocating the deportation of Department of Transportation personnel, nor is it stooping to the backdoor approach of reduced speeding fines or adopting "energy wasting" fines such as those being imposed in some western states. What CCRTL is advocating is this:

- ▶ Complete repeal of the nation's maximum 55-mph speed limit
- ▶ Returning regulation of speed limits to the states
- ▶ Setting new speed limits based on highway design, traffic volume, and the quality of road maintenance

If successful, these accomplishments would result in higher limits on most of our divided and limited-access highways and a range of new limits – some higher, some lower – on the remainder of our rural highway system. Simply, speed limits would not be arbitrary, but rather would be based on the characteristics of each individual roadway. Now who could argue with that?

To realize this objective, CCRTL must become a strong, viable organization – and that means building membership rolls and financial resources. Jim Baxter is pinning many of his hopes on the motorcycling community (over 80 percent of polled AMA members said they supported repeal of "mandatory 55"), and he's depending on the riders and the organizations that represent these riders to get behind CCRTL and actively support its efforts.

For 15 years, Baxter has worked to establish off-road riding areas, fought helmet laws, supporting rider education and safety programs, and concentrated on issues important to motorcyclists. The mandatory 55-mph speed limit is certainly such an issue, and CCRTL and Jim Baxter would like your support.



*Jim with his 1931 Plymouth Coupe.
(Note: Photo not with original release)*

While all the auto manufacturers avoided any mention of our repeal campaign, the "Big Three" (and, in particular, General Motors) remained proponents of the 55 mph speed limit until the law was dead and buried.

A few auto enthusiast clubs, and the editors of their periodicals, aligned with us and publicized our efforts. Yale Rachlan (BMW Roundel), Frank Barret (Editor of the "Star" for Mercedes Benz), Rob Rassa (legislative liaison for The Porsche Club of America), and Tim Winker (Publisher of the Saab Club's "NINES" magazine) were some of our earliest supporters.

Most federal and state transportation agencies celebrated and promoted the 55 mph speed limit as if it was the greatest public policy achievement since the establishment of the Interstate Highway System. But there were subversives within their ranks who recognized a fraud when they saw one, including Ray Barnhart, then the head of the Federal Highway Administration.

The one name that will always remain prominent in my mind is Davey Warren, a mid-level federal civil-servant engineer involved in speed limit research.

Davey was 100 percent in our camp, but given the source of his paycheck, he had to maintain a very low profile when it came to befriending our organization. Even though we were often belittled and marginalized for our positions, we knew the science was on our side, and Davey always made sure we had the most recent science on the subject of speed limits.

(Continued next page)

Our Earliest Members

Our earliest active members were an eclectic collection of hardy souls with thick skins and fire in their bellies. Many are still active members. They ranged from teenagers to retirees and everything in between.

Among them were Will Fox, an 18-year-old student who became our first Pennsylvania State Chapter Coordinator; Gif Nickol, Jerry Nowlin, and Chuck Terlizzi (all Maryland activists); and Andy Gregory from Albany, New York.

Hoover Lide, a retired Virginia civil servant and former state trooper was active too, making sure that we knew the correct name for the Civil War was the “War of Northern Aggression.”

Another early stalwart, Henry Stowe, probably not much older than Will, subsequently became an activist in Texas, Connecticut, and Florida as he moved about the country.

The Constant Struggle

One constant and a perennial fact of life that has proven true from day one to day 10,957 (roughly 30 years) is that the driving public has not stood in line to join and support the National Motorists Association or any of its earlier iterations, e.g., the CCRTL.

That first year, only 300 of the country’s almost one hundred and fifty million drivers signed on as members. Fortunately, I had a “day job” that kept the lights turned on.

If anyone asks “How did they ever pass a maximum 55 mph speed limit?” or, “Why does the driving public tolerate being ripped off by the use of speed traps or by

criminal enterprises that propagate ticket cameras?” the answer, and single reason it took 22 years to rid the country of the National Maximum Speed Limit, was and is the apathy of American motorists.

Never Mind That Apathy Thing

We did get some traction, starting in 1983, when we discovered the power of direct mail.

Starting out with one to two hundred letters at a time, we found we could generate enough money from new members to pay for the mailings and have money left over. Soon we worked up to a thousand letters at a time, mostly sent to AMA members or *AutoWeek* subscribers.

At first, this was all done in-house. My assistant and sole employee, Mary Coons, took home all the components each night for a thousand letters, including enve-

lopes, reply envelopes, letters, reply cards, and mailing labels. Mary and her mother would assemble the mailing packages, and sort and bundle them for bulk mail postage, ready to be picked up the following day by our rural postman.

This was not a sustainable operation, but it got us going in the right direction.

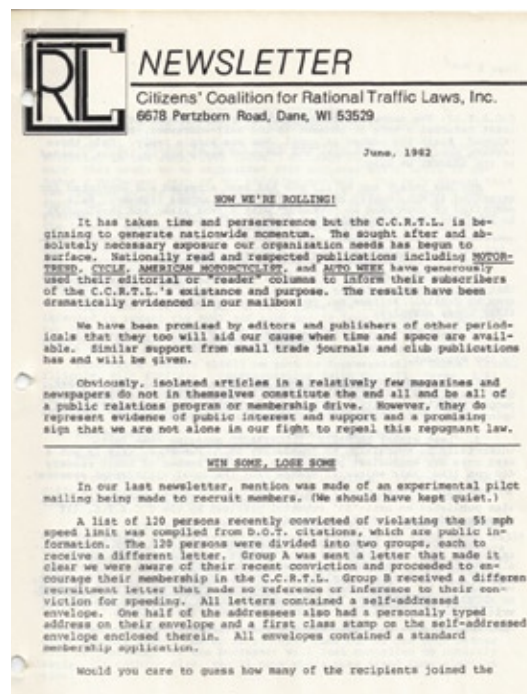
Eventually, with borrowed money (with great thanks to Anatoly Arutunoff), we started doing larger mailings, our largest being 210,000 pieces. (Had to hock the house for that one.) In a three-year time span, our membership went from 800 to 8,000 and then to 15,000.

The Pro-NMSL Study That Backfired

In this same time frame, we were locked in a battle with the National Research Council (NRC), over the intent and purpose of a Congressionally-mandated study of the 55 mph NMSL. The intention of the Congressional proponents of the study was to create yet another pro-55 propaganda piece that would justify putting more heat on the states to enforce the law.

We countered with an argument that if this was to be a legitimate study it should include the costs as well as the supposed benefits derived from this law.

In the end, we largely won this argument, even though the study was still biased by the assumption that 55 saved lives and saved fuel.



Front page of second-ever CCRTL newsletter, circa June 1982

(Continued next page)

Thirty Years Down, Many More to Go (continued)

I have often described the NRC's study of the NMSL as the beginning of the end for the 55 mph speed limit.

Despite its original intent, biased assumptions, and face-saving gestures, the NRC 55 study showed that all the glowing claims underpinning the NMSL were, at best, gross exaggerations and often little more than propaganda intended to perpetuate the law.

The Repeal

This started a national debate that ended with a partial repeal of the 55 mph National Speed Limit in 1987. The repeal took the form of an amendment to the then six-year highway bill.

The amendment, drafted in the Senate and championed by Senator Symms from Idaho, would allow the states to raise speed limits on rural interstate highways to 65 mph.

Representative James Howard of New Jersey was chairman of the House Committee responsible for the highway bill (and author of the original 55 mph NMSL in 1974). Under no circumstances would Rep. Howard allow any amendment that would dilute the NMSL.

When the House-Senate Conference Committee set to resolve the differences between the House and Senate legislation, Senator Symms was adamant that the speed limit amendment be included in the final bill.

He had enough support in the committee to force Rep. Howard to compromise. The compromise was that the full House would vote on the amendment and Representative Howard and Senator Symms would



NMA Billboard on I-90 near Albany, NY (June 1994). The 800 service was an early forerunner to the present-day The National Speed Trap Exchange at www.speedtrap.org

accept the results.

I was sitting in the gallery the day the vote came down, after having spent previous days talking to anyone in Congress willing to listen. All I could do was watch the vote tally, one member at a time.

The amendment won by a few votes, and its passage was all but guaranteed. The Conference Committee bill was then passed by both houses of Congress and sent to the President for his signature.

President Reagan then vetoed the Highway bill! Luckily, the veto had nothing to do with our amendment, and it was eventually overridden.

Success Has a Price

The new Highway Bill became law in the spring of 1987. Within two years most states had raised their speed limits to 65 mph, and in the wake of this progress, our membership numbers collapsed.

That's right, collapsed.

We (I) believed the victory in 1987 would prove that our organi-

zation was effective in the political arena, and more importantly that there was a need for a permanent drivers rights' organization, one that would fight for realistic speed limits, fair traffic laws, the end of revenue-driven enforcement, and real due process in traffic courts.

It turned out that I was very wrong.

Within two years our membership was cut in half, and the direct mail membership campaign that had been so effective prior to 1987 was only benefiting the US Postal Service and local printing shops.

The burr under everyone's saddle – the absurdly low rural speed limit and related enforcement – had been eliminated and with it the inclination, or apparent need, to support a drivers' rights organization.

Everybody Hurts

This law's passage not only knocked the wind out of our sails,

(Continued next page)

it was devastating to the radar detector industry. The 55 mph speed limit had a big hand in creating a market for radar detectors in the first place so it stood to reason that the law's repeal would decimate demand for these devices.

That said, we always had a mutually-beneficial relationship with the detector industry, and never backed away from the contention that motorists had a right to use radar detectors. And, as some of you may recall, when the RADAR (Radio Association Defending Airwave Rights, Inc.) membership organization was dissolved, we absorbed its members into the NMA.

The detector industry has evolved and changed dramatically over the ensuing years, but the leading companies, most notably Escort and Valentine, continue to support the NMA through advertising and donations. In exchange we give them 80 mph speed limits wherever we can. Go figure.

A Rebirth

This was also a time when we began to branch out into other motorist-related issues.

Our traffic ticket assistance efforts became more organized and formalized, as first evidenced by the development of our "Legal Defense Kit," an assemblage of ticket-fighting material that was too expensive for the average person to buy. Therefore, we rented it to defendants who were serious about challenging their traffic tickets.

And, the moment had come to do something about our cumbersome name.

In May, 1990, after a misfire or two, a collection of activists

settled on "National Motorists Association" (NMA), and the name has served us well over time.

A Humbling Experience

One of my more humbling experiences followed our selection of a new organizational name. I decided that the new name would be a great excuse to call a press conference where we could tout our success on the speed limit legislation and announce our formal expansion into a broader array of motorists' issues.

Because southeast Michigan is the home of *Car and Driver*, *Automobile*, and *AutoWeek* magazines, along with being the cradle of the automotive industry in the US, it seemed like a good location for our press conference.

NMA members were also invited and encouraged to attend the event.

Experience had taught me not to expect a big turnout of members, maybe 30 at best. I was acquainted with editors or columnists at all of the auto magazines, and made sure they, along with other media outlets in the region, received advance notice of the press conference.

We packed up, drove the 500 miles to Detroit, and reluctantly forked over the pittance in our treasury for hotel meeting facilities.

The moment of truth arrived at

the appointed time, but other than a small band of loyal members, maybe a dozen or so, no one else attended the press conference.

Actually, it was worse than that, there was one local TV reporter who was present to record my awkward embarrassment of having no one to speak to!

Representatives from *Car and Driver*, *Automobile*, and *AutoWeek*, along with the major papers, were missing in action. As you might expect, this tended to discourage my enthusiasm for future press conferences.

(Continued next page)



The organization's name was simplified by dropping "Coalition" as reflected by this November 1987 member newsletter. Three years later, the name was changed to "National Motorists Association" to reflect the adoption of a more comprehensive agenda of drivers' rights.

Thirty Years Down, Many More to Go (continued)**The Activist System**

This too was a period where our system of member-activists became more formalized with the title of State Chapter Coordinator, and somewhat later, State Activist.

A review of the most recent **Driving Freedoms** list of State Chapter Coordinators and Activists will show the names of Steve Bacs, Jim Thomas, Sheldon Wishnick, Greg Amy, Charles Terlizzi, Ivan Sever, Casey Raskob, Chad Dornsife, Michael Dando, Thomas Frank, Luke Ball, and Henry Stowe, each of whose volunteer service to the NMA can be measured not in years, but rather in decades.

The 1995 Republican Revolution

One of our most enduring obstacles in the US Congress was the Democratic majority that controlled the House of Representatives from our founding in 1982 (and many years previous to that) until 1995.

It wasn't that we didn't have support among Democratic members of Congress, but they were never in leadership positions in the key committees, those dealing with driver and highway legislation.

Most notably, as previously mentioned, the Democratic chairman of the principal House Committee, Rep. James Howard from New Jersey, responsible for dealing with the 55 mph NMSL, had been the author and primary proponent of the original law in 1974.

This all changed in 1995 when Republicans gained control of the House and the Senate.

Don't make the assumption that there was a clear divide in the speed limit issue between the Democrats and Republicans. There wasn't one.

We proved in 1987 that if we could get a bill to the floor of both chambers we had the votes to win, no matter which party was in the majority. It was a small block of the Democratic leadership that had stifled our attempts to completely repeal the NMSL.



D. Gail Morrison lobbying South Carolina Governor Carroll Campbell (left) and Representative Terry Haskins (center) as NMA State Chapter Coordinator, Sept. 1992

The election in 1994 radically changed the leadership composition of Congress. This was our window of opportunity to completely repeal not only the 55 mph speed limit, but also the entire concept of federally-dictated speed limits.

We set aside minor concerns, like not having any money, and laid siege on Congress.

A quick trip to Washington, DC concluded with the hiring of a lobbyist who knew the system, but admittedly one who would not sacrifice his wife and children on behalf of our cause.

Enter Gail Morrison

This story, like others in this special issue of **Driving Freedoms** has been told before, but it deserves retelling.

Gail Morrison was a devoted NMA member and Activist. Her work and financial interests caused her to bounce around the country on a frequent basis.

No matter where she landed, she immediately became embroiled in motorists issues, and soon signed up to be an Activist in her new state of residence. In 1995, she was living in South Carolina and was just coming off a battle in a North Carolina Court over a speeding ticket, a fight she won.

I called Gail and asked her if she was interested in going to DC to help lobby for the passage of an NMSL repeal bill. We couldn't pay much. We couldn't pay housing expenses,

(Continued next page)

and I couldn't be sure of how long our money would hold out.

Within days she had rented a truck, loaded up all her earthly possessions, let her husband know where she was going, and headed north. Of course the truck broke down on route, but she got to Washington, stayed with relatives until she found an apartment (two blocks from the Capitol!) and began her career as a lobbyist.

Gail was 60 years old at the time.

Learning the Ropes

A principal responsibility of the contract lobbyist we hired was to teach Gail the ropes: protocol, navigating the many buildings and passageways, understanding the role of Congressional staffers, and determining who the real power brokers were.

She had one advantage in that Congress was in chaos because the Republicans had been out of power for so long, they were ill-prepared to actually manage the institutions they now controlled.

It wasn't long before Gail had a handle on the program. She could jockey around the Capitol corridors like an old pro, knew many staffers by their first names, and had made friends with an eclectic group of legislators.

She also practiced the fine art of the bribe.

She didn't use money, instead she baked cookies for the often under-appreciated staff in Congressional offices.

The head of the House subcommittee responsible for NMSL legislation was Rep. Petri, from Wisconsin. Rep. Petri had long advocated the repeal of the 55 mph

speed limit, but he had never before been in a position to do anything about it.

Gail regularly plied his staff with cookies, and they were on board. The problem was the Chairman of the overall Transportation Committee, Bud Shuster, from Pennsylvania. Rep. Shuster was a long-term "pol" who read the tea leaves and decided it might be better to side with NHTSA and the insurance industry.

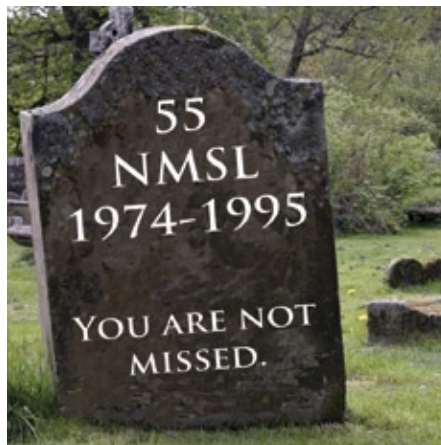
So, we didn't have a clear path in the House.

Over in the Senate, there was such disarray it was hard to determine where to start. Gail went from Senate office to Senate office trying to find a Senator who would sponsor a simple one-sentence bill that would repeal the NMSL.

She hit pay dirt with freshman Senator Lauch Faircloth, a former auto dealer from North Carolina, a state where Gail had 300 relatives.

Senator Faircloth and his chief of staff were enthusiastic about repealing 55 and they authorized the drafting of an amendment to the highway funding bill that was being debated in the Senate.

Eventually, the amended bill was accepted by the House and Senate was sent to President Clinton for his signature.



The safety establishment made a last ditch effort for a presidential veto, but I don't believe President Clinton ever had any interest in vetoing this legislation.

In my humble opinion, the only significant public policy initiative passed during the Republican Revolution of 1995 – one with a lasting and positive influence – was the repeal of the 55 mph NMSL.

But, I guess you had to be there.

Important footnotes to this campaign: The Owner Operator Independent Drivers Association (OOIDA) came to our financial rescue and helped fund Gail's lobbying activities.

Senator Faircloth, who died this past year, lost his re-election bid to John Edwards, a much more handsome and charismatic candidate than Mr. Faircloth, who was then characterized as a "pig farmer."

There is a message here.

After the Full Repeal

After the full repeal of the NMSL, there was a huge amount of hand wringing and wailing from the bureaucratic and insurance industry-funded safety establishments.

Despite the warnings of blood flowing inches deep down the Interstates, the states began to raise their speed limits, the most notable being Montana which reverted to reasonable and prudent maximum speed limits.

As a result, the national fatality rate went — wait for it — down. And, it has continued to go down every year since then.

(Continued next page)

Thirty Years Down, Many More to Go (continued)



FRIENDS OF THE AUTOMOBILE

To those who have furthered the cause of cars and drivers.

BY RICH CEPPOS

What have *you* done for the car lately? Forget new rubber or fresh paint, because we're not talking about your own ride. We're referring to the automobile in the philosophical, social, and political contexts. In that light, who among us has furthered the cause of cars and drivers? Sad to say, the heroes are few and far between.

This is ironic in view of America's unique relationship with the automobile. No country has more cars. (We're up to about 109 million passenger cars now.) And none is more dependent on them for basic transportation. Yet, for all this, America's 152 million drivers may be the largest and most silent majority in the land.

That's what makes the group we celebrate on these pages so special. This inspired collection of individuals, companies, and activist groups has added something of substance to the well-being of the automobile.

Some of them have taken on the nattering nabobs of negativism who keep the car in a constant state of siege. Others have brought motorsports or automotive arts to the masses. Still others have triumphed over corporate inertia to bring us great automobiles or far-reaching vehicular ideas. All of them are true friends of the automobile. So here's to those who've made life behind the wheel better for the rest of us.

Jim Baxter

You'll never see Jim Baxter in an American Express-card commercial. Yet the actions of James J. Baxter, 41, concern everyone in the U.S. who holds a driver's license.

Baxter, you see, is the president of the Citizens' Coalition for Rational Traffic Laws (6678 Pertzborn Road, Dane, Wisconsin 53529), whose avowed goal is to abolish the 55-mph national speed limit.

Baxter is uniquely qualified for

this task. In real life he's a paid professional lobbyist at the state level.

"People have to understand that this is a slow process—it won't change overnight," he admits. But Baxter points proudly to the National Academy of Sciences study, which should be made public by the time you read this. "It was originally going to be a PR job in favor of the limit," he says. Because of CCRTL pressure, the final draft acknowledges all kinds of problems with the 55-mph limit.

CCRTL also works at the grassroots level. This past election year, the group helped fund the congressional campaigns of Brian Kennedy in New Jersey and Sen. Thad Cochran in Mississippi—two legislators who want to undo the double-nickel.

Why has Baxter taken all this upon himself? "Because I think it's an absolutely ridiculous public policy. It seems to me we've got a tremendous mass of people out there who



feel likewise, but there was no one person who was willing to be the focal point." You can't ask more of a citizen than that.

Reprinted from *Car and Driver*, Copyright 1985. Ziff-Davis Publishing Company.

One of three "10 Best" Car and Driver citations received by Jim Baxter and the CCRTL / NMA over the years.

And the NMA?

As far back as the mid 1980's, we had started a process of engaging in a wider range of motorist issues. Therefore, the end of 55 was just the winning of one battle, but not the war.

Speed traps, road blocks, kangaroo courts, and ticket cameras were growing in number and leading the way to a cornucopia of laws, regulations, and schemes to control, manipulate, and exploit the traveling public.

At least after the successful conclusion of our 13 year

campaign to repeal the NMSL, we were prepared for the collective yawn that would acknowledge our victory. But, instead of our membership numbers taking a drubbing like they did in 1987, they held steady.

The NMA Foundation Gets Its Start

In the latter half of the 1990's, we decided that establishing a formal tax-exempt, non-profit foundation would be advantageous in that donors could make tax-deductible contributions for NMA projects. (The NMA has never made

a profit in 30 years, but it is a standard "C" corporation and donations and dues are not tax deductible.)

Again, another member came to our aid and took on the heavy lifting to establish the NMA Foundation.

Jim Phend had long been our Indiana Activist and a generous supporter of the NMA. Jim had retired from the IRS (you have to take your friends where you find them!) and had an understanding of that agency's Byzantine workings.

He also signed up for classes and gathered a wealth of informa-

(Continued next page)

tion on forming, funding, and managing non-profit foundations. Through his past acquaintances in the tax-collecting world, he connected us with an agency professional who guided us through the application process to establish a tax exempt 501 (c)(3) foundation.

Thanks to Jim's persistent hard work, the NMA Foundation was up and running in 1999.

Experiments Gone Wild

Some of our not-so-successful "Post 55" initiatives included three different attempts to launch emergency road service programs, à la the AAA, each of which was a disaster in its own right.

Then there were affinity charge card programs, the NMA Award for the Advancement of Highway Robbery, Motorists Guide to State and Provincial Traffic Laws, advanced driver education classes, and defensive-driving home study courses.

But none of these equaled the Pre-Paid Traffic Ticket Program when it came to creating havoc and turmoil.

When we announced the Pre-Paid Traffic Ticket Program to our members, the wires all but melted on our phone lines. The incoming calls were not from our members, but rather a relentless stream of media contacts, all wanting to know about our ticket "insurance" program.

The audacity and apparent anti-government impression of the program lit a real fire under the media minions who had steadfastly ignored every press release on motorist issues we had previously distributed.

Despite our constant refrain that this was not an insurance

program, the constant drum beat of publicity eventually forced the Wisconsin state insurance commissioner to open an investigation that concluded we were selling insurance.

We fought the ruling in the agency hearing process, appealed to circuit and then the appellate court. Finally, the State Supreme Court put us out of our misery by refusing to hear the case.

To this day, I believe the state statute definition of "insurance" did not include pre-paid traffic tickets, but ruling in our favor would have created untold havoc for the Insurance Commission, so the Wisconsin courts ruled against us.

The irony of this entire fiasco is that there was actually very little interest on the part of our members to purchase the product, no matter what it was called.

It seems failures are burned into our memories and magnified as time goes on, while successes are taken for granted and discounted as expected outcomes, or largely forgotten.

We have had successes since 1995 that should not be taken for granted or forgotten.

Red-Light Cameras: An Invented Solution Looking for a Problem

In the late 1990's, red-light cameras (RLCs) were getting a foothold in the Eastern states and, oddly, in Arizona. This, initially, was a tough issue to wrestle with.

Our members, and driving enthusiasts in general, are unified in their opposition to the use of cameras, or other automated enforcement devices, when it comes to speed enforcement. However, this



solidarity dissolved when it came to red-light violations.

Our members, along with the general driving population, do not condone running red lights. Consequently, the usual animosity toward photo enforcement programs was far from unanimous. Yet, the ticket-camera advocates were proclaiming rampant numbers of violations everywhere the cameras were installed.

Think about that a moment. There's almost universal agreement that running red lights is wrong, dangerous, irresponsible, and simply unacceptable. Yet, the camera-enforced intersections were showing huge numbers of violations. That just didn't make sense.

It was then that I received a call from Gene Quinn. It was Gene who discovered the reason for this perplexing contradiction.

At the time (1999-2000), Gene, a professional civil engineer, took

(Continued next page)

Thirty Years Down, Many More to Go (continued)

an interest in a fatal intersection accident that occurred near his home in Northern Virginia.

Ultimately, Gene determined that the underlying cause of the accident was that the yellow-light duration was too short and drivers did not have adequate time and distance to stop before the light turned red.

Meanwhile, opposing traffic and pedestrians entered from the cross roads immediately after the light turned green, putting them in the path of vehicles that were unable to stop when the light turned red.

Gene made other discoveries that clarified the real cause

of most red-light running and related accidents. He visited other intersections in Northern Virginia that were equipped with red-light ticket cameras, and found that all of them had inadequate yellow-light durations, hence the high rate of violations.

He also discovered one of the leading causes of short yellow lights.

The Short Yellow Light

In the 1970's, the traffic engineering community adopted the "all red" concept. That is where all entries to the intersection have a red light for a brief period of

time, typically a second or two. That second or two was subtracted from the yellow light, resulting in shortened yellow-light intervals.

That cause aside, the yellow-light duration in many jurisdictions was (and is) an arbitrary decision that never had a legitimate basis.

Thanks to Gene's discovery and subsequent badgering of Virginia authorities, a few intersections were tested with increased yellow lights intervals, just a second or second and a half longer, and the red-light running violations plummeted – in some locations in excess of 90 percent.

Now we knew the real reasons for the disconnect between driver attitudes and driver actions: bad design, bad maintenance, and bad operation of traffic-signal systems.

Lessons Relearned

In its own way, this reflects the same lessons we have learned about speed limits.

If speed limits are properly set, using known traffic-engineering principles, there will be good compliance and improved safety.

Of course, there is an over-riding problem that prevents application of this knowledge.

Properly operated traffic signals and properly established speed limits do not generate ticket revenue, nor do they appease those with a command-and-control mentality. And so the battle continues, but it is a battle we will win.

Time, science, and ethics are on our side.

STOP Short Yellow Lights

- [Home](#)
- [How You Can Help](#)
- [Submit Results](#)
- [Make A Donation](#)
- [Yellow Light Time Standards](#)
- [Red Light Camera Information](#)
- [\\$10,000 Ticket Camera Challenge](#)
- [Contact Us](#)

Project Funded By:
National Motorists Association Foundation

Short Yellow Lights Are Dangerous

In its short history, the NMA Foundation has taken on laser gun accuracy, right to a jury trial for traffic offenses, visual estimation, and vehicle seizure laws.

But now we're tackling our biggest challenge yet: the ticket camera industry and its unabashed exploitation of short yellow light times.

The positive effect of increasing the yellow light time at a troublesome intersection (an increase of one second can reduce violations by 50%) is undisputed by even the most zealous ticket camera supporters.

Nevertheless...

Several cities have been caught shortening yellow light times to increase ticket camera profits and **we think there are more yet to be discovered.**

Red-light cameras can only remain profitable at poorly engineered intersections. Once an intersection is fixed, the money dries up quickly. And once the money is gone, the cameras disappear.

We've already seen it happen in North Carolina. After the Courts forced cities to give their profits to local schools, the majority of the ticket camera programs in the state shut down.

Our goal is to properly time the lights in all 370+ cities with red-light cameras and by doing so eliminate this scourge in all fifty states.

We also hope the project results in legislation mandating proper yellow light times. Currently, such legislation is largely non-existent.

Here's How You Can Help

One of the NMA's most important missions throughout the years has been to inform and educate the driving public. A primary example: When the short yellow light problem was identified, the NMA developed this free-access website (www.shortyellowlights.com) as a comprehensive resource.

(Continued next page)

Guerillas in the Midst

It remains true that few drivers seriously contest traffic tickets. But those who do are no longer left wandering in the dark not knowing how to defend themselves.

We have accumulated a wealth of information and experience over these 30 years and have compiled it into our recently-created e-book, "Fight That Ticket!"

In addition, we maintain state-specific files of ticket-fighting information and strategies, along with a running collection of important court cases, changes in the law, and newly-successful strategies. And our web site contains a directory of some of the best and most active traffic ticket attorneys in the country.

Ticket-fighting assistance has been one of most enduring member benefits. Our Traffic Justice Program and the NMA Foundation's Legal Aid Grants provide real financial support for using the courts to get justice for motorists.

Back to Our Founding Issue

Our founding issue — the establishment of fair and rational speed limits — has fostered a surge in national support in recent years.

To be sure, most roadways have subpar speed limits that 95 percent of the drivers ignore. But little by little, we are creating a recognition that speed limits that accommodate the vast majority of motorists are the right way to go.

When the NMA can stand shoulder-to-shoulder with an organization like the Michigan State Police and support the same speed limit

(Continued next page)



A consistent tenet of the NMA over the years has been a simple one: defend yourself against every traffic ticket. Until more motorists avail themselves of their due process rights, traffic courts across the land will continue to pass dubious judgments with impunity.

When traffic laws are written, enforced, and judged fairly, we have no complaints. But in a daily landscape rife with speed traps, purposely short yellow lights, photo enforcement run amok, and serious challenges to motorists' Fourth Amendment rights against unreasonable search and seizure, the advocacy role of the NMA has never been needed more.

The most important component in that battle for equity is the actions of NMA members and the driving public. That is why, over the years, we have provided open access to a broad range of information on these very topics, and financial assistance in key legal battles.

The NMA's "Fight That Ticket!" e-book was launched in October 2010. Thousands of copies have been downloaded in the subsequent year, signaling a thirst for knowledge of how to defend oneself against a traffic ticket.

As we assembled this special edition of **Driving Freedoms**, it was fascinating to comb through the NMA newsletter and photo archives for images to complement Jim Baxter's narrative that takes us back to the founding days of the organization and brings us forward to present (and future) times. It wasn't surprising to verify through that process that the NMA has never wavered from urging its members to "Fight Every Ticket" (re: the Nov/Dec 1988 newsletter editorial pictured below left) or from providing the knowledge and the tools to do just that. The cover of the June 1996 NMA News (above) touting the Guerilla Ticket Fighter "self-help" audio tape could just as well be published today; we welcome each

new supporting member with that same invaluable information via an audio CD in their membership packet.

Fight with us for rational traffic laws, fair enforcement practices, and traffic court decisions based on justice, not profit; stand up for your (and everyone's) rights by contesting every ticket you possibly can.



Thirty Years Down, Many More to Go (continued)

reform, you know we're making progress.

When Texas and Utah can institute 80 mph (and higher) speed limits, you know we're making progress.

When Ohio raises its interstate speed limit to 70 mph and eliminated "split limits," that is real progress.

These examples just scratch the surface of the positive changes we've been part of these past three decades. Have there been setbacks and losses? You bet there have, but it's never over until it's over.

Just consider: Unlike 1973 and 1974 when President Nixon and a Democratic Congress had the idiotic idea for a national speed limit, the continued push by some groups to go back to mandated 55 mph speed limits hasn't progressed an inch, regardless of how high gas prices have gotten. That is because the NMA and "fellow travelers" were in place and outspoken with our documented and well-reasoned opposition.

What About the Next 30 Years?

In the past, local, state, and federal governments could pass all manner of silly and ill-conceived laws, and yet the driving public could largely disregard them with little fear of severe negative consequences.

If there was not compliance with a given law, it was considered largely irrelevant. Why? Because it was physically and technically impossible to enforce an unpopular or stupid law. Unfortunately, those days are rapidly fading away.

A simple example: Right

Turn On Red has worked remarkably well for expediting travel, reducing accidents, and saving billions of gallons of fuel. That most drivers do not come to a complete stop at the stop bar before executing the turn has never been a problem, and police officers seldom issue citations for this technical violation.

With the introduction of red-light cameras, this violation is now readily enforceable and is the biggest money maker for many ticket-camera programs and the communities that employ them.

And, this barely scratches the potential of camera-enforced speed limits for burdening motorists with citations for minor technical violations that have no meaningful safety implications.

Surveillance and Monitoring Technology

The explosion in sophisticated monitoring and surveillance technology will continue its rush to permeate every nook and cranny of our lives. The trend toward combining government power with corporate financial motivation is an irresistible temptation for the political class.

Surveillance and monitoring will evolve into actual control. It's not a pretty picture for those of us who cherish individual freedom, personal discretion, and being left alone.

This Orwellian future is not inevitable, but it will show its ugly potential on our roads and in our vehicles before it heads for our work places and homes.

Intelligent Transportation Systems (ITS), GPS tracking, radio

frequency identification (RFID) equipped license plates and drivers licenses, universal tolling/taxation on all major roads, automated enforcement of various types of moving violations, and universal surveillance and monitoring of all travel corridors are on the not-too-distant horizon.

The technological capabilities are largely already in place. The only restraints are political.

This means the general public must be informed, educated, organized, and motivated to oppose the application of these technologies designed to exploit, manipulate, harass, extort, or profit from the motoring public. Those are the challenges for the NMA of the future.

New Leaders

For there to be a NMA of the future, there must be a constant replenishment of leadership. That process is well underway.

Beginning this January the NMA will have a new President, Gary Biller, who has been building for this role in his position of Executive Director.

Gary will be supported by our new Communications Director John Bowman, Office Administrator Kelly Acker, and Marketing and Web Manager Aaron Quinn.

Luke Ball, our Texas Activist and Dr. Eric Berg, a longtime supporter of the NMA based in Tennessee, will serve with Gary Biller on the new NMA Board.

Backstopping this administrative team is an all-new Board of

(Continued next page)



The current NMA staff. From the left: Gary Biller, John Bowman, Aaron Quinn, and Kelly Acker

Directors for the NMA Foundation.

The initial Foundation Chair is Casey Raskob from New York, who is a NMA institution in his own right. Vice Chair Jim Thomas is our longtime Activist from California. Aarne Frobom, from Michigan, is Secretary, and Steve Donaldson, Florida, is the new Treasurer. Jim Walker, also from Michigan, will serve as Executive Director for the NMA Foundation Board.



Completing the new board are Steve Carrellas and Ivan Sever, who have both served the NMA for decades as State Chapter Coordinators, and John Holevoet, one of the best employees the NMA ever had.

A Couple of Missing Names

You may have noticed that the name “Jim Baxter” is not included in this roster of new leaders. More importantly another name isn’t included, Nancy Mills.

Over the years, many of you have spoken to Nancy when you called our office. Mills is actually her maiden name, otherwise she is known as Nancy Baxter. For these 30 years, and 16 years before that, Nancy has stuck by me, tolerated my eccentricities and supported my dreams. She needs a break.

A Final Comment

These past few years have been difficult to navigate for many families, businesses and organizations like the NMA.

A recent news article stated that 25 percent of nonprofit and membership organizations had less than one month of operating revenue, and a large percentage of the others only had funding to carry them for a few more months.

This isn’t hard to understand;

when confronted with the decision to buy groceries, pay utility bills or send \$35 to a membership organization, milk and electricity are going to rule the day, as they should.

We have tried to do more with less for years. Recruiting and retaining members is challenging, especially in these tough economic times.

That said, I have never believed more strongly than I do today that there is a tremendous need for a strong and dynamic National Motorists Association. What we do, or don’t do, affects virtually hundreds of millions of people.

If you are able, there has never been a more important time, or a greater need for you to step up to the plate and support this organization.

If you have considered making a major donation to the NMA, now is the time to do it. I want this organization to survive and grow and I hope you do too.

Jim Baxter

