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News & Notes is a monthly publication compiled and edited by the American Motorcyclist Association (AMA) Government Relations Department. Designed to inform motorcyclists of rights-related issues and events around the world, News & Notes welcomes your input. Suggestions and editorial contributions can be sent to AMA Legislative Assistant Sheila Andrews by e-mail at sandrews@ama-cycle.org.

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The AMA offers its most sincere condolences to the family, friends and co-workers of Hugh H. "Harry" Hurt, who died of a heart attack on Nov. 29, 2009 at the age of 81. Professor Hurt was an award-winning author best known in the motorcycling community for conducting a benchmark motorcycle safety research study in 1981 entitled "Volume I: Technical Report, Motorcycle Accident Cause Factors and Identification of Countermeasures, January, 1981 - Final Report."

Commonly referred to as the "Hurt Report," the study was widely viewed to be the most comprehensive motorcycle safety study of the 20th century. In addition to that groundbreaking study, Hurt was the author of dozens of publications in the fields of motorcycle handling, safety, crash analysis, and helmet performance. It was on this basis that [Hurt was inducted into the AMA Motorcycle Hall of Fame](#) in 2007.

Source: <http://www.amadirectlink.com/news/story.asp?id=1577>

The AMA announced the 2009 AMA Motorcyclist of the Year with a twist: This year's recipients are a group, rather than an individual. The winners? Kids who ride motorcycles and all-terrain vehicles (ATVs). America's youngest riders were at the center of the biggest story of the year in 2009, as the Consumer Product Safety Commission (CPSC) enforced a ban on selling youth-model off-highway vehicles (OHVs).

At the center of the controversy is the Consumer Product Safety Improvement Act of 2008 (CPSIA) provision that strictly reduces the levels of allowable lead in children's toys. Because OHVs include lead in parts such as battery terminals, valve stems, engine cases and controls, in early 2009 the law banned the sale of OHVs intended for kids 12 years old and younger.

Thanks to the efforts of AMA members, AMA staff and others, more than 70,000 motorcyclists used online tools provided by the AMA at AmericanMotorcyclist.com to voice opposition to the law. As a direct result, the CPSC issued delayed enforcement of the law until 2011. With congressional leaders reluctant to re-

write a law that they had just passed, the delay of enforcement was critical to the efforts to resolve the issue because it secured valuable time for the AMA and its allies to continue to pressure regulators and lawmakers to permanently exempt youth-model OHVs from the CPSIA.

Full story: <http://www.amadirectlink.com/news/story.asp?id=1579>

The Chairman of the Subcommittee on Energy of the U.S. Senate Energy and Natural Resources held a hearing on S. 2843, the Advanced Vehicle Technology Act of 2009, on December 8. The U.S. House companion bill is H.R. 3246. S. 2843 would authorize the Department of Energy to conduct advanced technology vehicle and component part research and development. This will increase the production of new technology in vehicles and trucks in the United States. The AMA is encouraged that language to include motorcycles will be included based on the exchange between Senator Wyden and Under Secretary Johnson of the Department of Energy at the hearing.

On September 16, the U.S. House of Representatives passed H.R. 3246 with a vote of 312 to 114. During consideration of the bill, Representative Patrick Kennedy introduced an amendment to ensure that manufacturers of two- and three-wheeled electric vehicles are included in the list of eligible industry participants. The amendment was adopted unanimously.

The American Motorcyclist Association, in conjunction with the National Motorsports Coalition, is asking all organizers, promoters, track owners and others to contact their members of Congress and ask them to cosponsor the *Motorsports Fairness and Permanency Act of 2009* (H.R. 1974/S. 1400). The Act would make permanent the current seven-year depreciation tax standard for motorsports entertainment complexes.

For more than 20 years, permanent motorsports facilities have operated under this classification, but in 2004 the IRS raised some questions on the issue. Congress eventually reaffirmed that seven years was appropriate, and extended the treatment through the end of 2007. Last year, Congress acted diligently to extend the depreciation method through the end of 2008, however until permanency is obtained, the motorsports industry will continue to have to petition for an extension of the tax method. This consistently affects the more than 900 permanent motorsports facilities operating in the United States that have tremendous economic and job creation impact, both regionally and nationally.

In order to pass legislation providing for security of the depreciation schedule, owners, operators and everyone involved needs to contact their Senators and Representatives to ask them to cosponsor their respective bills. H.R. 1974 and S. 1400 are needed to ensure the viability of permanent tracks and the sport of motorcycle racing. For more information on how to reach out to your members of Congress log-on to www.AmericanMotorcyclist.com > Rights > Issues & Legislation.

Congress will hold a hearing on a bill that will negatively impact Montana's off-highway vehicle (OHV) recreational opportunities. The Chairman of the U.S. Senate Subcommittee on Public Lands and Forests of the Committee on Energy and Natural Resources has scheduled a hearing on December 17 to consider S. 1470, the *Forest Jobs and Recreation Act of 2009*, introduced by Senator Jon Tester (D-Mont.). As it is currently written, the OHV community will lose access to many miles of popular riding trails.

The American Motorcyclist Association (AMA) appreciates Senator Tester for reaching out to the OHV community in attempting to make this bill better for every user of our public lands. However, the AMA continues to oppose this bill as it is currently written, and urges the Subcommittee and Senator Tester to work with our Association and other groups to more fully address rider concerns so that families can continue to enjoy OHV trails in a responsible manner.

San Francisco, Calif: Bridge Toll Hike Proposed for Earthquake Safety. The Bay Area Toll Authority

(BATA) is seeking public comment on a toll increase on the seven state-owned Bay Area toll bridges: the Antioch, Benicia-Martinez, Carquinez, Dumbarton, Richmond-San Rafael, San Francisco-Oakland Bay and San Mateo-Hayward bridges.

Ideas being considered include raising the \$4 toll for cars to \$5; charging carpools and motorcycle riders a discounted toll instead of allowing them to cross for free; increasing truck tolls; and charging commuters extra for crossing the San Francisco-Oakland Bay Bridge during peak traffic hours. Written comments, which will be accepted until 4 p.m., December 21, 2009.

Source: http://www.mtc.ca.gov/news/info/toll_increase.htm

Albuquerque, N.M.: The New Mexico Off Highway Vehicle Alliance (NMOHVA) plans to use more than \$322,000 in federal funds and \$126,000 in matching contributions for trail work in the Cibola National Forest. NMOHVA will use the funds to construct new trail segments, rehabilitate existing trails and install signs on over 60 miles of trail. Some of the money will also go toward trailhead improvements and trail entry control. The group's partners include the Sandia Ranger District, New Mexico 4 Wheelers, the Black Feather Trail Preservation Alliance and R&S Powersports.

Work is expected to start in the spring of 2010. Recreation planning experts from Pan Pacific Services will help manage the project.

Source: <http://www.nmohva.org/main/index.php>

Hollister, Calif.: Bureau of Land Management (BLM) seeks comments on Clear Creek draft plan. The BLM Hollister Field Office is inviting the public to comment on the draft resource management plan and environmental impact statement on the Clear Creek Management Area, covering public lands in southern San Benito and western Fresno counties. The draft RMP/EIS was developed through a public planning process and analyzes seven alternatives. The primary issues addressed are public health risks from asbestos exposure, recreation, protection of sensitive resources, energy and mineral development, land tenure adjustments, and other resource issues.

Source: http://www.blm.gov/ca/st/en/info/newsroom/2009/december/CC1009_CCMA_drmp.html

Missouri: Pre-filed for the upcoming 2010 Missouri General Assembly session, House Bill 1217, sponsored by Rep. Gary Dusenberg (R-Blue Springs), would permit adults 21 years of age or older to make their own decisions regarding motorcycle helmet use.

Also pre-filed is House Bill 1332, sponsored by Rep. Jeff Roorda (D-Barnhart), which proposes strict penalties for motorcycle stunt riding on public roadways. A "dangerous stunt" is defined as any dangerous activity by the operator or passenger, including standing or performing handstands on the seat, frame or handlebars, operating on one tire, or removing both hands from the handlebars. Offenses would be classified as misdemeanors; a second offense involving a motorcycle without license plates, or third or subsequent offense on any motorcycle, would be classified as a felony.

Pennsylvania: House Bill 2104, sponsored by Rep. Michael K. Hanna (D-Lock Haven), would permit a person to file a complaint against the owner/operator of a motor vehicle that violates provisions in Section 4523 (Exhaust systems, mufflers and noise control) of Title 75 of the Pennsylvania Consolidated Statutes. A magisterial district judge could issue a search warrant, authorizing the Pennsylvania State Police to inspect the motor vehicle and take appropriate action.

Coos County, Ore.: A coalition of environmental groups have filed a lawsuit challenging the U.S.

Forest Service's decision to allow Coos County to build a one-mile connector trail for off-highway vehicle use through part of the [Oregon Dunes National Recreation Area](#).

The proposed road, called the [Riley Ranch Access Project](#), would connect a county park to other county lands within the popular dunes area on the Southern Oregon Coast. The Forest Service believes it has sufficiently addressed any unresolved environmental and resource issues after conducting a lengthy three-year public planning process and environmental review.

Source: <http://www.theworldlink.com/articles/2009/05/30/outdoors/doc4a20d4eb0a1ca928257049.txt>

Craig, Colo.: The Craig City Council recently approved final passage of an ordinance allowing all-terrain vehicle (ATV) and off-highway vehicle (OHV) use on city streets. All residents who wish to drive an ATV or OHV on city streets must first register their vehicle with the Craig Police Department. Additionally applicants must be at least 18 years old and must provide proof of insurance for non-recreational use.

The ordinance only covers vehicles with four wheels. Three-wheelers and snowmobiles therefore are excluded.

Source: <http://www.craigdailypress.com/news/2009/dec/08/council-approves-atvs-ohvs-city-travel>

British Columbia, Canada: New all-terrain vehicle (ATV) regulations have recently been adopted. These regulations aim to improve safety and address environmental concerns. These new rules include registration and licensing fees at the time of purchase as well as a mandatory helmet law for riders. A compliance and enforcement strategy will be developed and will include an education component to help ensure voluntary compliance.

Additional rules include new sound standards for mufflers, requiring spark arrestors as well as giving local government the ability to designate crossings on public roads to assure ATV rider's access to local communities.

Source: http://www.bclocalnews.com/bc_north/terracestandard/news/69849087.html

AMA Government Relations News & Notes is a monthly service compiled and edited by the AMA Government Relations Staff to keep motorcyclists informed of happenings around the world. We welcome your news & views. Please submit all material to Sheila Andrews, Legislative Assistant, 101 Constitution Ave., NW Suite 800W, Washington, DC 20001; fax (202) 742-4304 or e-mail to sandrews@ama-cycle.org.