



# ***Driving Freedom***

**National Motorists Association**

**Vol. 33 • Issue 1 • Winter 2022**

## **The Changing Landscape of Speed Limits**

SPEED LIMIT <b>15</b>	SPEED LIMIT <b>20</b>	SPEED LIMIT <b>25</b>	SPEED LIMIT <b>30</b>
SPEED LIMIT <b>35</b>	SPEED LIMIT <b>40</b>	SPEED LIMIT <b>45</b>	SPEED LIMIT <b>50</b>
SPEED LIMIT <b>55</b>	SPEED LIMIT <b>65</b>	SPEED LIMIT <b>70</b>	SPEED LIMIT <b>75</b>

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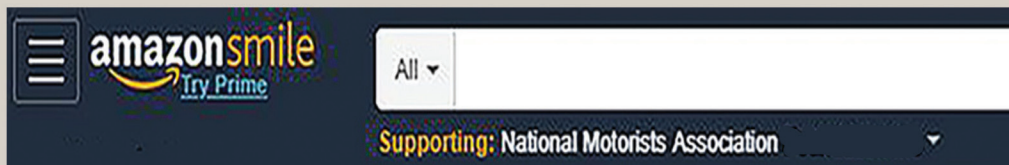


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*Thank you*

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**Renew your NMA membership now to avoid any lapse.**

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## INFRASTRUCTURE: ROADS, BRIDGES, AND GARBAGE

BY GARY BILLER, PRESIDENT, NMA

The November signing of the *Infrastructure Investment and Jobs Act* ("Act") will provide funding for sorely needed improvements to the US surface transportation system. If only roads, bridges, airports, shipping ports, and yes, rail were the extent of the \$1.2 trillion package.

As has been well documented, the Act also funds several non-transportation programs. I won't quibble with the definition of the \$65 billion set aside for expanding high-speed internet services, particularly in rural areas, as an infrastructure project. The meaning gets stretched a bit more for the investment of \$55 billion into providing clean drinking water for households, businesses, and schools. Still, it is hard to argue when an estimated 10 million American families and 400,000 schools and daycare centers currently lack safe water to drink.

There isn't enough space here to address the billions to be spent on public transit, electric vehicle charging stations, clean energy transmission, and other related programs. Instead, I'm going to drill down into three programs—all too familiar to NMA members—in the package that will benefit from the government's largesse or, more specifically, that of the taxpayers. The garbage, if you will.

**Sec. 13001, Strategic innovation for revenue collection, coupled with Sec. 13002, National motor vehicle per-mile user fee pilot**, pushes the vehicle-miles-traveled tax scheme to the forefront. Credit where credit is due: The authors make no bones about coming up with new ways to take our money. To wit,

*"The Secretary shall establish a*

*program to test the feasibility of a road usage fee and other user-based alternative revenue mechanisms (referred to in this section as "user-based alternative revenue mechanisms") to help maintain the long-term solvency of the Highway Trust Fund, through pilot projects at the State, local, and regional level."*

*"The mission of the pilot program is to test "a variety of solutions, including the use of independent and private third-party vendors, for the collection of data and fees from user-based alternative revenue mechanisms. . ."*

The Secretaries of Transportation and the Treasury are tasked with establishing pilots in all 50 states to demonstrate the efficacy of a national per-mile road use tax. The Act, as far as I can tell, makes no mention of this fee becoming a replacement for the long-standing fuel tax paid at the pump. No doubt, it will be an add-on tax for the revenue-hungry government. However, it may also level the field by taxing the emergent electric motoring segment.

The Act describes several data-collection methods to be tested during the pilot phase, including a) third-party on-board diagnostic devices, b) smartphone applications, c) telemetric data collected by automakers, d) motor vehicle data obtained by car insurance companies, e) motor vehicle data obtained from fueling stations, and the usual catch-all, f) any other method that the Secretary considers appropriate.

A single paragraph in **Sec. 24102, Highway Safety Programs**, undoes a six-year ban on government funding

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## Infrastructure: Roads, Bridges, and Garbage

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of ticket camera programs. The logic back then, which apparently doesn't apply in current times, dictated that taxpayer money should not be used to subsidize a for-profit industry that penalizes taxpayers. The short but highly consequential, enabling language that reverses previous precedent:

*"... a State may expend funds apportioned to the State under this section to carry out a program to purchase, operate, or maintain an automated traffic enforcement system in a work zone or school zone."*

Overall, the Act earmarks funds of \$2.7 billion for highway safety programs. How much of that will be spent by states on speed cameras, red-light cameras, and automated license plate readers for school and work zones remains to be seen, but since those programs are revenue generators, drivers beware.

Welcome to a new level of driver surveillance, courtesy of **Sec. 24220, Advanced Impaired Driving Technology**. It requires advanced


drunk and impaired driving prevention technology to become standard equipment in all new passenger motor vehicles in two to three years. That may be extended as much as another three years if the Secretary of Transportation determines that more time is needed for the technology to "passively monitor the performance of a driver of a motor vehicle to identify whether that driver may be impaired accurately, and prevent or limit motor vehicle operation if an impairment is detected."

Setting aside the debate we have waged for years about a 0.08 percent blood alcohol concentration (BAC) being conclusive evidence of impairment and focusing on the technology, questions still abound. How will drivers be monitored? In-cabin air sensors designed to collect the driver's exhaled breath, and presumably, that of passengers? Steering wheel sensors to determine BAC through the driver's skin? Facial recognition cameras pointed at the driver's face to search for signs of impaired

behavior? Smile, you're on Candid Camera!

The impairment detection systems will sample the driver periodically while the car engine is on. What does "limit motor vehicle operation" mean, particularly for a car in motion at higher speeds, and how can that be done safely for the vehicle and those around it?

Of course, hanging over all of these questions are concerns about the accuracy and reliability of the technology. False positives, particularly given the severity and consequences of DUI penalties, can be life-changing events. Presumably, the Secretary of Transportation will have this covered.

NMA representatives are meeting with House and Senate transportation committee staffers and key members of those committees in mid-January 2022 to discuss these and other issues. Even though the Infrastructure Investment and Jobs Act has been signed into law, we must continue to apply pressure as it advances to the appropriations level. 

## The Power of the Primary

### Primary Votes Can Amplify Your Voice

By Aarne Frobom, NMA Board Member

Voting in a primary election is a good way to influence the course of government, not just by casting your vote.

Fewer people vote in primary elections than in fall general elections. This makes those votes more powerful in selecting candidates. Primaries are often competitive, so politicians worry over small margins in polls. Many legislative districts are gerrymandered to create "safe" seats for one party or the other, so the primary effectively determines the winner.

The power of the primary continues

after a politician takes office. When you call your state legislator about an issue, while the legislator's junior staffer is on the phone with you, they will look up records to see if you're a regular voter in primaries. They won't know how you voted, but your call will be flagged for more attention if you voted in the primary, and your opinion will carry more weight. Politicians won't want to alienate even one primary voter.

Does this really work?

Recently, my state representative co-sponsored a bill to legalize automated speeding tickets in my state. I

e-mailed a letter politely stating my disappointment and outlining the drawbacks of photo-radar. I said that this issue would be a factor in my choice in the coming primary. In two days I got a long letter back. The legislator apologized for "a mistake" and promised that she would withdraw sponsorship and oppose the bill—a rare reversal. She said she doubted the bill would be taken up and expected the governor's administration to oppose it.

That's a lot of results from one letter. Would it have been the same if I hadn't voted in every recent primary? It probably didn't hurt that legislative districts are being redrawn after the 2020 census. Next year politicians will compete against new opponents in perhaps, an

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# NMA WASHINGTON REPORT

BY ROBERT TALLEY, NMA LOBBYIST

Congress has passed the \$1.2 trillion infrastructure package into law. This law includes numerous spending provisions and covered wide portions of the economy. Importantly, the law also authorized funding for federal transportation priorities for the next five years.

The National Motorists Association took issue with three significant programs in the infrastructure package. Federal funding for profiteering photo enforcement activities, funding for alternative revenue measures like the vehicle miles traveled tax; and funding for mandating intrusive tracking technology to assess a motorist's ability to drive. Taken together, these three programs only further the federal government's intrusion into the civil liberties and personal privacy of motorists. While the Orwellian specter of Big Brother is arguably overused, here the phrase seems apt. The government is embarking on a journey to track your

movements, monitor your health, and automatically fine you when you aren't abiding by the law.

A future transportation priority will push Americans out of fossil fuel and into electric vehicles. President Joe Biden wants 50 percent of all new vehicle sales to be zero-emissions by 2030 and has signed an executive order providing a goal of having a 100 percent zero-emission federal vehicle fleet by 2035. To make this goal more attainable, the Administration is rolling out a plan to spend \$7.5 billion on a national charging station network. Unfortunately, it may cost as much as \$50 billion to make enough EV charging stations to meet demand.

Additionally, the government is trying to encourage the deployment of a single charging technology. Today, some manufacturers use charging technologies that are not compatible with other manufacturers--think of trying to charge an Apple iPhone with Android technology.

Congress is not done spending money to encourage motorists to ditch their combustion engines. The \$2 trillion *Build Back Better* bill, which has passed the House of Representatives, includes tax incentives of up to \$12,500 for new electric vehicles that meet certain criteria, including being made with union labor. The bill also includes another \$1 billion in spending to install charging technologies, and numerous spending programs to enhance the manufacturing capabilities of EV components and vehicles.

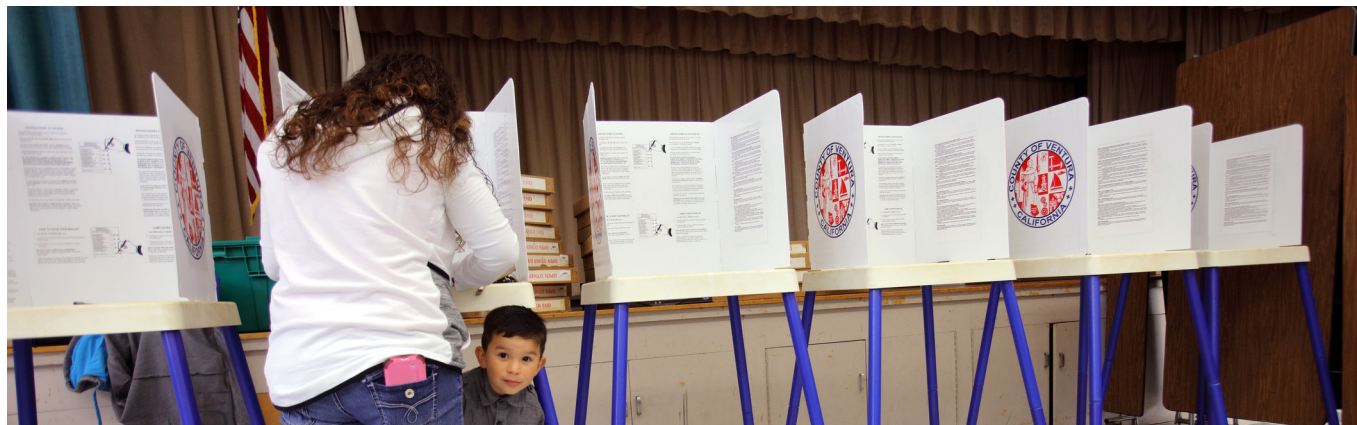
The outlook for added spending is still in flux, but the expectations is that Democrats will ultimately succeed in passing Part 2 of the President's spending agenda. If the bill has to be watered down to get 50 votes in the Senate, it is possible that the EV tax incentive policy will change, but it is unlikely that the EV tax credits will be eliminated entirely. ❤️

## The Power of the Primary

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unfamiliar district. Primary campaigns are an excellent time to get candidates on record opposing automated enforcement, too-low speed limits, and other anti-driver policies. Politicians know that many more voters likely have the same viewpoint. There are a lot of motorists, and candidates won't want to lose any of us.

So be sure to vote in the primary election of 2022. If your state doesn't have open primaries, register for the dominant party even if you don't intend to vote for them in the general election. Your trip to the polls will pay off after the election when you contact legislators. ❤️



## What's Up With Philly?

The City of Brotherly Love seems anything but when it comes to motorists. In the last couple of months, so much news has come out of Philadelphia that it's hard to keep track.

For example, Richard Diamond at *TheNewspaper.com* reported in mid-December that the Third Circuit US Court of Appeals cited technical grounds when it threw out the evidence of corruption with the city's photo ticketing program. Two former employees of the Philadelphia Parking Authority (PPA) filed a whistleblower lawsuit claiming the red-light camera company Conduent (Xerox) defrauded the PPA of at least \$9 million in securing the \$100 million contract. The whistleblowers, Andrew Dankanich, former PPA red-light camera program director, and Nicholas Marrandino, former PPA quality assurance officer, brought the charges under Philly's false claims ordinance. A lower court ruled in 2020 that their case failed because there is no legal requirement for the city to sanction fraudulent conduct. The three judges on the Third Circuit agreed.

In the past, Philadelphia has been notorious for its heinous civil asset forfeiture (CAF) program. The Institute for Justice (IJ) recently completed a survey that showed how the city's CAF program preyed on poor minority residents. It surveyed 407 residents and found the following:

*"The demographic characteristics of Philadelphia forfeiture victims look quite different from those of Philadelphians overall. Philadelphia forfeiture victims are more likely to be Black than the general population. They are also more likely to earn lower incomes*



*and be unemployed and less likely to have a college degree or own their homes. These results suggest Philadelphia's civil forfeiture machine disproportionately entangled members of disadvantaged communities."*

In 2018, the IJ managed to stop most of Philly's CAF abuse. For years, the police department had allowed officers to take cash off anyone arrested in a catch-and-release program. Officers were also caught buying seized houses and cars and then flipping them at auctions. Litigation resulted in a consent decree banning police from taking cash amounts less than \$250. Any less than \$1000 was also forbidden entirely unless criminal charges were filed or if the seizure was used as evidence in a trial.

Targeting low-income residents ensured that the Philly PD would likely retain ownership of seized property with the median value of around \$600. More than half of respondents surveyed by the IJ said they never received a receipt for their property taken by police, which means there was no record of police taking it. Most walked away if they did have a receipt, with legal

fees approaching \$3,500 trying to get the property back in civil court. More than half of respondents were never charged with a crime, and three-quarters charged were never found guilty of any wrongdoing.

Philadelphia became the first major US city to ban police from stopping drivers for low-level traffic violations in October. *The Driver Equality Bill* passed 14 to 2 by the city council and reclassified traffic stops into primary and secondary violations. Officers will no longer stop motorists for driving an unregistered vehicle, driving with a hidden license plate, driving without proof of general inspection, and an emissions inspection. A broken taillight or loud muffler also count as secondary violations. Officers can only pull over drivers for speeding and other moving violations.

The bill's sponsor, Councilman Isaiah Thomas, said that he intended to reduce the number of interactions and searches between police and minority Philadelphians. However, in an opinion piece for *The Philadelphia Citizen*, a concerned motorist wrote a

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dissenting opinion:

*“While the intent is understandable, the consequences of such a law might be shocking. On a practical level: What motivation will any Philadelphian have to register a car if they don’t travel out of the city? I can’t imagine any. And on that note: An unregistered car is, by default, an uninsured car. Philadelphia is, in so many words, codifying a policy that says drivers in the city don’t need to be insured.*

*“The practical consequences are all pretty easy to predict. Less adherence to traffic laws, less care is given to how safe cars are operated, more danger in traffic. Regardless of intent, Philadelphia has legalized unregistered, uninsured, and unsafe driving and ensured that a city struggling with street safety would only get worse. But my issue lies more on the philosophical end of things and the future of this place.”*

As many American cities have recently learned, adopting a street safety program is easy, but the return on investment is challenging. In 2017, Philadelphia adopted Vision Zero to curb all traffic deaths by 2030. In 2020, traffic fatalities doubled from 2019. Also, the city trimmed funding for street safety improvements from \$2.5 million

down to \$1 million in its last budget. A recent *Philadelphia Inquirer* op-ed declared that the city has failed to make much headway with its VZ program and that Mayor Jim Kenney’s administration has done little to make a change in the direction of traffic fatalities.

However, the city has put in 32-speed cameras along Roosevelt Boulevard in Northeast Philadelphia for purported traffic safety concerns. Roosevelt Boulevard is a 12-lane highway known as US Route 1 that runs through Philly from the Schuylkill River to Bucks County’s border. The PPA reported that in the first nine months of operation (June 2020 to February 2021), 700,000 warnings or tickets for speeding were issued. This source of revenue will likely continue to bring in ‘much-needed’ income.

In December 2021, the city council’s Committee on Streets and Services debated the merits of the next ticket cam program—this time for noise. Under the bill, a person cannot create, cause, or permit the creation of sound emanating from a motor vehicle at a level of five decibels above the background level measured from a distance of 25 feet or more. Basically, if

you hear a car, it’s too loud, and the owner could get caught by one of the roving camera/mic devices the committee wants to put on the streets. Perhaps, another cash cow in the making.

One last thing—Philadelphia’s transit system is running out of money by the summer of 2022, and transit advocates are pushing for a congestion pricing system to replace the state funds. The reason Philly is running out of transit funds has to do with a decade-old method of using PA Turnpike toll revenue, now set to expire, to pay half of the \$1 billion annually for the city’s mass transit. In October 2021, city transportation spokesperson Michael Carroll said in an interview that there are no current plans for a congestion pricing initiative because the same political issues that made it challenging in the past are still there. If NYC has found a way to bring congestion pricing to Manhattan, Philly is likely not too far behind despite the political obstacles.

Lack of infrastructure and transportation funding (not always the same) seems to be a recurring theme for large urban cores like Philly. Will the leadership rise to the challenge? In Philadelphia, we have our doubts. 🇺🇸





## The Changing Landscape of Speed Limits

Advocating for speed limits based on sound traffic-engineering has always been fundamental to the National Motorists Association. There has been resistance from the “speed kills” crowd, but the trove of data proving the effectiveness of the 85th percentile rule as a determinant of reasonable and prudent travel speeds provides the proof.

Over the past several years, the speed limit landscape has been changing. There is a concerted effort to set speed limits based on intuition and social conjecture more than engineering.

The current dynamic is different from the 1980s and 90s when the NMA successfully led the fight to get rid of the 55 mph national maximum speed limit. This time around, all speed limits, not just those posted on highways, are in jeopardy.

Anti-auto press coverage has grown, spurred by the rising popularity of Vision Zero and Complete Streets movements. Even the venerable AARP has been sending dedicated messaging in support of lower speed limits and traffic calming. The recently enacted \$1.2 trillion infrastructure bill includes massive funding for these and other programs designed to restrict driving on all types of roadways.

In last year’s *20 is Plenty* (except when it isn’t) NMA weekly E-Newsletter Gary Biller wrote:

*“The warning signs have been around for a long time. The scramble to fall in line with Vision Zero demands that traffic fatalities be eliminated regardless of the cost to taxpayers, and society, in general, has even affected organizations like the Institute of Transportation Engineers (ITE) that are supposed to be protecting the engineering standards that keep our roads safe and efficient.*

*“ITE currently is considering a new policy statement under the heading, ‘Vision Zero and Safe Speeds.’ The recommendation to its membership of traffic engineers and other transportation professionals is to fully embrace and support Vision Zero.”*

The NMA has consistently said that the safest roads are ones where motorists proceed at a natural, uniform speed. But unfortunately, in many urban cores, this will no longer be the case; road dieting and putting in physical street impediments such as pedestrian bulb-outs produce traffic congestion on normally smooth-flowing roadways. Most motorists will likely not even be able to drive the posted lower limit of 20 or 25 mph. Through incentives provided by federal and state transportation agencies, communities will narrow streets to implement other exclusive lanes used for buses and bikes, while also installing traffic-calming to further erode smooth and safe travel.

Highways may still have a chance, but there are rumblings from those who

want to impose a lower speed across the board for “safety” reasons.

This is not a “here we go again” situation but an all-out war on cars. Anti-auto groups want to make it as uncomfortable as possible forcing motorists to give up four wheels for two or take public transit, which isn’t available to an estimated 45 percent of the US population.

Transportation expert and former CATO Institute Senior Fellow Randal O’Toole recently wrote that in California, state legislators want to forbid the state DOT from building or expanding freeways in poor neighborhoods, but rather force residents to ride public transit (if it even exists).

O’Toole highlighted a 2019 survey that found more than 80 percent of Californians earning less than \$25,000 per year used a vehicle to commute to work while only five percent used public transit. He noted:

*“Seriously, what kind of a sick society do we live in when people who call themselves progressives think that the*

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*right thing to do is limit the mobility of the people who need it most? Someone needs to start a social justice movement demanding that low-income people and minorities have the same access to automobiles and highways as middle-class whites.”*

The NMA has vigorously opposed a proposed revision of the Federal Highway Administration’s (FHWA) *Manual on Uniform Traffic Control Devices* (MUTCD), which numerous NMA alerts and weekly newsletters have documented. The final version will likely be issued later in 2022. If the FHWA has its way, not only will the 85th percentile rule become optional, but Vision Zero and Complete Streets will influence all street designs, both new and existing.

In the past year, Governor Gavin Newsom signed AB43 into law, which pretty much nullifies the 85th percentile rule in California and the protection it afforded against predatory speed traps. Beginning in 2022, local California officials can decide, without benefit of engineering data, which streets will have lower speed limits. Police, however, will not be able to enforce new speed limits until June 30, 2024 (or whenever the state creates an

online portal to adjudicate the infractions—whichever comes first).

California will be rewriting its MUTCD to accommodate the new rules of default speed limits of 15 to 25 mph in residential and business districts.

In the same *20 is Plenty* NMA newsletter mentioned above, NMA Research Fellow Jay Beeber is quoted from a post he made to an ITE member forum about the speed limit slogan:

*“Can we please stop pushing the ‘20 is plenty’ nonsense and other arbitrary setting of speed limits? This is not a scientifically-based approach to speed management. The foundation of engineering is science and data, not ideology. The overwhelming scientific evidence is that arbitrarily lowering (or raising) speed limits on local roads has little to no effect on actual speeds, and therefore little to no effect on safety. There are scores of studies over the years that prove this. All it does is make violators out of the vast majority of drivers.*

*“I realize that for some, criminalizing driving is a feature of these policies, not a bug. But this approach can lead to very negative societal consequences. For example, anyone*

*concerned about the over-policing of minority communities for minor infractions should recognize that criminalizing a majority of the driving population will make this problem much worse. I wonder how you might feel if you pushed this policy, and someone gets pulled over for going 30 mph in a 20 mph zone that was previously 25 mph, the stop goes south, and someone ends up dead.*

*“It has been said before, and it bears repeating over and over since it has still not gotten through to some folks, but the only way to reduce speeds (assuming that’s a necessary policy on a particular roadway) is to change the nature of the roadway in some manner that changes the driver’s perception of their speed. Otherwise, you are on a fool’s errand and will simply create pain and misery for the populace, give people a false sense of security, waste resources that could otherwise be put to effective safety measures, and create disrespect for traffic control devices, elected officials, and law enforcement.*

*“Massive enforcement efforts will not achieve the desired goal. Drivers are capable of complying with an un-*

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*comfortably low-speed requirement for about a block or two (such as a school zone). After that, the natural tendency to match your speed with your perception of the 'comfortable' speed for that situation and roadway will take over. Humans cannot control these perceptions as they are primarily a function of the autonomic nervous system, and no amount of draconian penalties can change the natural perception-reaction response."*

However, many cities across the country under the guise of Vision Zero, continue the pursuit of lower default speed limits.

Here are examples of recent headlines:

- Denver might lower some speed limits to 20 mph. Here's where and why.
- Raleigh, NC city leaders reduce speed limits on over 100 streets in 2021
- Parma, OH considers lowering the speed limit on side streets.
- Norfolk, VA reduces speed limit on neighborhood streets to 20 mph.

American streets were designed for vehicles to move goods and people first and foremost. Data from a pre-pandemic Brookings Institute study illustrate the dominant modes of personal mobility over those roads:

Drove alone--76.3%  
 Carpooled--9.0%  
 Used public transit--5.1%  
 Worked from home--5.0%  
 Walked--2.7%  
 Took taxis/rode motorcycles--1.2%  
 Bicycled--0.6%

Today, anti-auto groups want to flip the script, subjugating the role of the personal automobile to public transit, walking, and bicycling. They don't address how many people outside of densely populated urban centers in the Vision Zero world will maintain jobs to take care of their families, or how the restricted movement of goods and services will stifle the economy.

A recent *Next City* post looked into using data analytics for Vision Zero programs. The article showcases information from Bellevue, Washing-

ton, (population 144,403 in 2019). In 2015, Bellevue adopted Vision Zero, and shortly after, officials measured and analyzed 4,500 hours of video footage across 40 intersections. The data correlated to eight million road users, with motorists accounting for 97.3 percent of road users, followed by pedestrians at 2.6 percent and bicyclists at 0.1 percent, numbers quite consistent with the Brookings Institute study cited previously.

City officials used the data to identify and prioritize budget and policy proposals related to biking, pedestrian infrastructure, and other street improvements. Bellevue also allocated \$2.5 million of the city's 2021-2027 budget to implement rapid road safety projects (RDPs) along five high-injury corridors. RDPs can be implemented in six months or less and include pavement markings, colored paint, pavement treatments, flexible delineators, street sign changes, traffic light signal timing changes, and changes to the street's speed limit.

In the long run, collecting data like these might do some good to enhance

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both traffic flow and road safety. But in the end, according to long-established Vision Zero precepts, the driver is the one responsible for accidents involving another non-vehicle road user, whether it is the driver's fault or not. In an illustration of just how ingrained and inflexible that mindset is, advocates have stricken "accident" from their transportation vocabulary, replacing it with "traffic violence."

We live in alarming times. Eighty-nine percent of all Americans aged 25 or older hold a driver's license. In most of the country, people travel primarily by a four-wheeled vehicle. That just might not be the case if opponents have their way in this changing landscape of speed limits and other anti-auto measures. ❤️



## What Can a City Do?

In 2018, Charlotte, North Carolina, developed its Vision Zero (VZ) program as part of its city's 2019-2030 Transportation Action Plan. Officials set the goal of zero traffic deaths by 2030. Unfortunately, the number of traffic deaths has only risen. Eighty-one traffic-related fatalities occurred in 2020. Between 2012-2016, the city had an average of 48 traffic fatalities per year.

Much of the last two years of the VZ program have consisted of research and analysis with a few new safety measures implemented. The police department has implemented 'saturation patrols' and checkpoints along the city's High Injury Network, the most problematic corridors.

A local TV station investigated and found that the Charlotte-Mecklenburg Police Department (CMPD) made fewer traffic stops for speeding over the past decade as traffic deaths more than doubled. In an interview, Mayor Pro Tem Julie Eiselt said recently that the CMPD has a shortage of officers

whose focus on violent crime has likely been the reason for the lack of enforcement. She has been advocating for automated enforcement instead.

The city's Vision Zero Manager Angela Berry also blames the history of 'auto-centric' development, "While we would love to be able to undo 50 years of auto-centric construction with the wave of a wand, it will take time and commitment from us and our residents to make the needed infrastructure and perspective changes so we may all travel safely." After years of planning and construction, bike lanes on Parkwood Avenue opened in October 2021.

Since implementing VZ, the city's DOT has lowered speed limits to 25 mph on 181 local streets. Street lighting has been improved on 93 segments of the High Injury corridor. Fifteen driver feedback signs placed beneath speed limit signs are rotated every six weeks around the city. Pedestrian hybrid beacons and rectangular rapid flashing beacons also have been set on high-volume streets such as South Boulevard.

Lately, much of the city council

meeting discussions have centered around automated traffic enforcement (red-light and speed cameras). North Carolina is a Dillon Rule state, which means that state legislators must delegate authority to municipalities for implementation of any automated enforcement programs.

Charlotte operated speed cameras from 2003-2006 but found it cost-prohibitive for two reasons. Legislation required that a CMPD officer be present to log speeds with a radar gun, and in 2006, the NC Supreme Court ruled that 90 percent of civil penalty proceeds must go back to the local school board, which made the speed cam program too costly for the city with little return. Mayor Pro Tem Eiselt stated that she wants the city to look at solutions that don't require a potential legislative partnership to avoid conflict, or in other words, 'Don't mess with my ticket camera profits.'

Like many US cities that have adopted VZ, Charlotte struggles to reduce traffic fatalities, costing taxpayers millions with no return in human or financial terms in sight. ❤️

# The Alternative to Road Rage is Driving

By NMA Member Ken Zuber

Editor's Note: This essay is in response to the *Driving Freedoms* Fall 2021 Cover Story, *Don't be a Road Rager or the Victim of One*.

The hard fact is that road rage is mostly aimed at the people who make themselves targets. Consider: When some other driver irritates you, is he attentively cooperating in promoting smooth, predictable, safe, efficient, graceful flow? No. He is irritating you at best, scaring or threatening you at worst.

Don't be that guy. Just as in any other human activity, don't make yourself a target. Don't irritate people. Stay out of the way.

Many years ago, I overheard a restaurant customer telling one of the owners that she was thinking about getting a driver's license again. The owner, non-licensed and fearful of driving, asked whether the diner wasn't afraid to get back behind the wheel. The customer said that she was not worried at all because she knew what she was doing. It was the

"other guy" she worried about.

That statement bothered me. I pondered it long and hard until I realized that it likely expressed perfectly the concept of driving held by those folks who are always getting in the way because of their intense and innocent concentration on only their own tiny section of the driving scene – their needs.

Almost 50 years ago, for a driver education certification course project, I asked some authorities in the field what they considered the most important thing a driver can do. Stirling Moss (Yes, really! Stirling Moss!) responded, "Pay attention."

Just watch. With sustained effort, sooner or later, you'll begin to notice things you hadn't before. Commentary driving can be very helpful here. Just do a running commentary, out loud, of everything you see relevant to your driving. Eventually, you will be able to keep talking without a pause from start to finish. That will force you to look for stuff to talk about, and before too long, you'll discover that nearly everything you can see really is relevant. New un-

derstandings will form and flow. You'll start to see how everything fits together – or should and could. You'll find yourself driving better than you ever even thought was possible.

Surprisingly, your new driving style will seem effortless, and it will be rewarding. It will be fun to be so much more involved. Best of all, it will mean that everybody on the road wins!

Paying attention is not just for road rage victims; it's for the ragers too. Road rage is justified when somebody purposely takes unfair advantage of us, but all the rest of the time, we must ask: Do I pay attention? Do I really understand the situation? Am I as good a driver as I think I am? Be honest with yourself!

Eliminate road rage. Pay attention, and make the world a better place by how you drive through it! 🍓



## Road Rage and Aggressive Driving Increase during the Pandemic

According to a recent *Los Angeles Times* article, local law enforcement officials and experts say that road rage and aggressive driving were already on the uptick before March 2020. Still, the pandemic seems to have brought out the worst in many drivers.

University of Wisconsin-Green Bay Professor and road rage researcher Ryan Martin told the *Times* that underlying stress, isolation, and trauma from grief during the pandemic have bled into everyday life, particularly driving. He added,

*"Incivility just seems to be on*

*the rise right now, and it's part of what's sort of causing some of the road rage problems. We are just not being very kind to each other right now, and it's influencing how we behave on the road."*

Martin has appeared in posts on the social media network TikTok giving advice on how to avoid and deal with road rage. He also indicated that it's rather challenging to quantify angry driving incidents because the data are not collected consistently.

According to a recent report during the last year, an average of 42 people per month nationwide have been shot and killed or wounded in road rage incidents. This is double the monthly av-

erage from the past four years. Those statistics correlate to someone being shot and killed, or injured on average every 18 hours in the US.

California HP Officer Ramondo Alexander said he had noticed more unsafe driving during the pandemic because he believes that many drivers have forgotten the basics of driving after spending more time at home and off the road.

Whatever the causes of increased road rage and aggressive driving, please be courteous to your fellow drivers!

Have thoughts on the subject? Drop us an email at [nma@motorists.org](mailto:nma@motorists.org)





## DRIVING NEWS

This information is current at time of printing. Get daily driving news updates from across the country through the “*NMA Driving News*” area of our website [www.motorists.org/news/](http://www.motorists.org/news/). For even more in-depth coverage of motorists’ issues from some of the country’s leading commentators, visit the *NMA Blog* at [www.motorists.org/blog/](http://www.motorists.org/blog/).

### Arkansas

The Arkansas Department of Transportation has concluded its investigation into the months-long closure of the Interstate 40 bridge over the Mississippi River. The main recommendation is to overhaul the agency’s heavy-bridge maintenance section. The Hernando do Soto Bridge between Memphis, TN, and West Memphis, AR, was shut down from May 11 to August 2, 2021, after a major crack was discovered. The closure cost the trucking industry an estimated \$2.4 million a day, with 55,000 drivers being rerouted every 24 hours.

### California

California Governor Gavin Newsom recently signed into law SB339, an extension of a pilot program to test road-user charges (RUC) as a way to fund roads. Instead of trying a flat fee common to all vehicles, this time around the RUC pilot fees will adjust for individual vehicle efficiency.

### Colorado

The town of Morrison, a notorious speed trap, has lost another police chief due to ticket quotas. Police Chief Misty Siderfin resigned in October after just three months. A recent report indicated that 98 percent of all police activity reports in the town were traffic stops. As of October 5, police only brought in \$232,000 in fines for 2021, which is \$869,000 short of the \$1,101,000 of Morrison’s estimated ticket income for 2021. In August 2020, former chief George Mumma resigned for the same reason. The town manager wanted Mumma’s department to write more tickets instead of focusing on community policing. Mumma said in an interview, “The entire budget

was based on traffic tickets. Ethically, I could not do that.”

### District of Columbia

The Office of the District of Columbia Auditor has started an investigation into the District’s Vision Zero program. The program has reduced traffic fatalities just once in six years. DC’s DOT lowered speed limits to 20 mph on local streets, banned right turns on red at many intersections, built more bike lanes, evaluated high crash areas, and undertook other efforts to curb fatalities. The city has taken over control of the automated traffic enforcement program from the metropolitan police department. In addition, the city council passed a Vision Zero bill over a year ago that still is mostly unfunded by the mayor’s office.

### Florida

Before Thanksgiving, Governor Ron DeSantis said he wanted to give Florida motorists a six-month gas tax break so residents could deal with rising costs. DeSantis claims the pause would generate \$1 billion in tax relief. DOT Secretary Kevin Thibault said Florida could temporarily stop gas tax collection without delays in upcoming infrastructure projects since the state already has a large reserve. The two officials gave no indication when the gas tax holiday would begin.

### Illinois

A man living in the Brighton Park neighborhood of Chicago spent three weeks chipping away with a pickaxe at a particularly troublesome speed bump in the alley near his home. His reasons for getting rid of it: the city did not act on his complaints, the bump had already caused almost \$1000

in damage to his two cars, and it trapped snow and ice in the winter, making it more challenging to drive through the alley. He fought the \$500 fine but lost.

### Louisiana

Already a notorious automated-traffic-enforcement city, New Orleans wants to use \$1 million from its COVID relief funds to purchase 150 new automated license plate readers (ALPR) and another \$600,000 to hire more IT personnel to decipher real-time crime information. The city plans to place the readers on the local interstate in the wake of recent highway shootings. Louisiana State University Criminologist Professor Dr. Peter Scharf said that the cameras are no cure-all. He added that ALPRs are intrusive, citing preliminary results from a new LSU study that most shootings are in neighborhoods, not on interstates.

### Maryland

Baltimore City officials recently approved transferring \$6.5 million of revenue raised by automated traffic cameras to the police department for pandemic overtime hazard pay. State law indicates that any ticket cam revenue needs to be spent on traffic management. Jed Week of Bikemore said in a TV interview, “Many community members are already skeptical of cameras, and this reallocation endorses the fear (that) cameras are used purely for revenue and not to finance permanent improvement to our roadways.”

### Massachusetts

The Boston City Council recently announced new planning guidelines for large developments. Strict parking minimums will be applied in the most transit-accessible neighborhoods, such as downtown, the South End, and the Back Bay. New rules would limit developers to building 0.35 parking spaces per apartment and 0.3 parking spaces per 1,000 square feet of office or lab space.

(Continued on Page 12)



(Continued from Page 11)

## Michigan

In 2019, Michigan passed a bipartisan auto insurance reform bill that was not perfect—It lowered costs, but it did something else. At the time, the state had the highest premiums in the nation, and Detroit had the highest premiums of any city. One of the biggest reasons for the high costs was Michigan's life-time medical coverage for catastrophic accidents. Now, catastrophically injured residents, numbering in the thousands, have lost some essential care coverage because the law lets insurance companies pay long-term care providers less than the cost of the care. Many of those providers are now going out of business, and the injured now must use hospitals for long-term care.

## Mississippi

In October, a federal judge blasted Richland Police Detective Josh Hartfield for searching a car merely because he noticed a clear plastic bag inside. The detective claimed that the sandwich bag contained residue. He also saw a pill on the floor, which the driver, Idrees Abdur-Rashied, claimed was a vitamin. The judge wrote in his decision, "This case boils down to one question: Did Detective Hartfield have probable cause to search the car? The protections of the Fourth Amendment are not absolute. Yet, they surely protect against the comedy of errors presented in this record. Officers are not permitted to manufacture probable cause." The detective uncovered a handgun during the search, which resulted in Abdur-Rashied being charged as a felon in possession of a firearm. The charge was thrown out along with all of the evidence.

## Nevada

Motional and Lyft plan to offer fully driverless rides in Las Vegas beginning in 2023. Lyft co-founder and CEO

Logan Green said in an interview that the launch is expected to be a springboard for a wider multi-city launch and is a hint of things to come for the ridesharing industry.

## New Mexico

The New Mexico Supreme Court recently ruled that state law does not require tail lights to be working perfectly, only that they work well enough. The case revolves around a traffic stop where a driver was pulled over because one bulb in the tail light did not work even though the rest were illuminating correctly. The driver was cited for driving under the influence. The high court ruled that the Bernalillo County sheriff deputy had no reasonable suspicion to pull over the driver because the tail lights still met the statutory requirement that it be visible from a distance of 500 feet.

## New York

We had no doubt this would happen. The city that never sleeps is pushing school zone speed cameras that never sleep either. Currently, NYC cams operate between 6:00 AM and 10:00 PM in a quarter-mile radius of school buildings. The city has recently installed over 2,000 cameras even though the state law that allows the cameras is set to expire in 2022. Bronx Assemblyman Jeffery Dinowitz, a supporter of the all-day/all-night ticket camera bill, said in an interview that he doesn't see how anyone could object to the devices being on all the time. "The cameras are there. To me, it doesn't make any sense for them to be off." Check out <https://ww2.motorists.org/issues/speed-cameras/> for several reasons why the assemblyman should object.

Ticket Cam Alert New York: Governor Kathy Hochul recently signed a bill to establish a pilot program for speed cameras in work

zones. She is moving ahead of the provision in the federal *Infrastructure Investment and Jobs Act* that will provide funding to states for such programs.

## Ohio

State Highway Patrol officers will soon begin using body cameras that integrate with existing dashboards and rear-seat cameras in police cruisers for simultaneous recording. Governor Mike DeWine announced that the state will spend \$15 million to equip the 1,550 officers by May 2022. The state had already appropriated \$10 million for local police department body cameras from its two-year budget that took effect in July 2021.

## Texas

The Leander Crystal Falls Homeowners Association (HOA) wants to use a speed camera to ticket residents. State law prohibits local authorities from using red-light and speed cameras. The HOA believes it has a legal right to issue automated tickets on its private roads. Only a few of the 3,000 HOA members have voiced support for the proposal. The Association will decide in February whether to install the camera and issue \$334 photo tickets to any residents accused of speeding. Guests would get warnings.

## Washington State

In Seattle, cameras have already been set up to watch for motorists blocking bus lanes and the box at intersections. Ticketing won't begin until 2022.

## Wisconsin

State law currently prohibits automated traffic enforcement, but a new bill in the Wisconsin Assembly would allow Milwaukee to operate up to 75 red-light and speed cameras. If passed, Milwaukee would be added to the list of 500 communities around the country that use ticket cameras. 🇺🇸

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— Mike Valentine



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