

The

Rogue Review

DEDICATED TO EDUCATION, AWARENESS AND FREEDOM OF THE ROAD

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AMA ACTION ALERT: HOUSE INTRODUCES HEALTH INSURANCE BILL FOR MOTORCYCLISTS!

TELL YOUR REPRESENTATIVE YOU WANT THEIR SUPPORT ON THIS ISSUE!

U.S. Representative Michael Burgess (R-TX-26) and U.S. Representative Bart Stupak (D-MI-1) recently introduced H.R. 1076, "The HIPAA Recreational Injury Technical Correction Act." Identical legislation obtained 177 bipartisan cosponsors and passed the full Senate in the 108th Congress.

H.R. 1076 aims at ending health care discrimination for individuals participating in legal transportation and recreational activities-activities like motorcycling, snowmobiling, skiing, horseback riding, and all-terrain vehicle riding.

This legislation addresses a loophole caused by a Department of Health and Human Services' rule making it possible for health care benefits to be denied to those who are injured while participating in these activities.

"The development of this bill could not have been possible without bipartisan congressional support and the hard work of the American Motorcyclist Association," stated Congressman Burgess. "I look forward to working alongside the AMA to get this legislation passed into law."

Congressman Stupak noted, "This important legislation would prevent health insurance discrimination against citizens who take part in legal, recreational activities such as motorcycle riding and snowmobiling. I look forward to continuing to work with the American Motorcyclist Association and other organizations on this issue."

On August 21, 1996 an important opportunity

arose when President Clinton signed the Health Insurance Portability and Accountability Act (HIPAA), prohibiting employers from denying health care coverage based on a worker's pre-existing medical conditions or participation in legal activities, such as motorcycling.



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In 2001, the Department of Health and Human Services released the final rules that would govern the HIPAA law. The rules recognize that employers

cannot refuse health care coverage to an employee on the basis of their participation in a recognized legal activity. However, the benefits can be denied for injuries sustained in connection with those activities. Therefore, you were guaranteed the right to health care coverage but not guaranteed any benefits in return for your monthly payments.

The AMA is urging all motorcyclists to notify their Representatives and tell them to co-sponsor and support H.R. 1076, "The HIPAA Recreational Injury Technical Correction Act."

If you perhaps need some ideas of what to say or write to your legislator regarding H. R. 1076 you will find on page four of this newsletter a SAMPLE letter requesting the support of your legislator for H. R. 1076. You may paraphrase or put into your own words the important information contained in this SAMPLE letter.

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 Terry Lee Cook, Grassroots Manager, 13515 Yarmouth Drive, Pickerington, OH 43147, fax 614-856-1920 or e-mail to tleecook@ama-cycle.org.

River City Chapter Meetings!

Our Oct. 11th, 2007 Chapter meeting will be at the **Pizza Factory** Mullan & Hwy 41 (3904 East Mullan) Post Falls, Idaho 208-777-4373 at 7PM.

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National Coalition of Motorcyclists



www.aimncom.com

Want to join River City Chapter? A downloadable membership application can be found on our web site above. Annual dues to join ABATE of North Idaho, Inc. are \$20 plus \$5 to join River City Chapter. A completed application and check can be mailed to:

River City Chapter

PO Box 2577
Post Falls, Idaho
83877-2577



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American Motorcyclist Association

AMA Field Rep's

Tom McLaughlin
928-580-7957

Willie Stephenson

208-772-4823

RIVER CITY CHAPTER MEETING MINUTES:

Sept. 13th, 2007 at Pizza Factory, Post Falls, ID

Call to Order/Introductions

Roll Call/Quorum

Secretary's Report (minutes): amended

Treasurers Report: accepted

Membership Secretary's Report:

Current membership: 19

Guest Speaker: Tom McLaughlin, AMA Field Rep. - The first tickets written in Denver, CO for loud pipes was dismissed. The city's decision to drop the case was, in part, because the police did not have the equipment to uphold it's position.

The AMA continues to educate riders about noisy bikes and has donated test kits to measure sound levels on bikes.

Committee Reports:

Legislative; Tim

NCOM Region 1 Seminar/Meeting in Spokane and legislative report: Idaho State Rep. Phil Hart will be giving the Key Note speaker at the Region 1 Seminar. WA legislators were also contacted and given an opportunity to speak at the seminar, as well.

Idaho motorcyclists need to be aware that there is a good chance that a mandatory helmet law could be introduced in the Idaho legislature this year. The number of recent high profile accidents and fatalities may in-

deed increase the chances of this happening. We need to be prepared!

AMA Action Alert: H. R. 1076 - HOUSE INTRODUCES HEALTH INSURANCE BILL FOR MOTORCYCLISTS! (details on RCC and BPI web sites)

Safety & Education; Willie

Awareness Class... any update information.

Run/Events; Greg

Discussed what events we may wish to do next year.

Charity & Fundraising; Karen

Still collecting old cell phones for OASIS, discussed updates for Chapter raffle.

Old Business:

Chapter patches (Chad & Belva): Do we need to order more? We still have some left.

Web site and eNewsletter update (Willie):

AMA Fuel the Fund donation Thank You letter. Read the thank you letter

New Business:

Open Forum or Announcements:

Nominations for your 2008 Chapter Officers will be NEXT MEETING.

50/50 Draw

Adjournment



NCOM NEWS BYTES

COMPILED & EDITED BY BILL BISH,
NATIONAL COALITION OF MOTORCYCLISTS

NTSB MISSES THE MARK The National Coalition of Motorcyclists (NCOM) joins the growing chorus of Motorcyclists Rights Organizations nationwide that take issue with recent recommendations by the National Transportation Safety Board that States enact mandatory helmet laws, and has released the following statement from James D. "Doc" Reichenbach II, Chairman of the NCOM Board of Directors:

"Motorcycle deaths in this country are certainly reaching epidemic proportions. But without conducting a thorough investigation, the NTSB's claim seems to be it is the motorcyclists' fault. Is it the motorcyclist's fault that they choose not to wear helmets and that larger vehicles run over them?"

In 2004 Louisiana reinstated their mandatory helmet law. In 2006 the deaths jumped almost 20%. The projection this year is it will jump more than 10% again, reaching record numbers. In Florida since the helmet law was amended the fatality rate for helmet-wearing riders has far exceeded that of non-helmet riders. In fact, in every injury category helmeted riders are suffering more injuries and deaths than helmetless riders. In 2005 more than 59% of the motorcyclist deaths in Florida were helmeted riders. Since 2000 the motorcycle registrations have increased more than 160%. To believe there is no correlation between the increase of registrations and the increase in deaths is just sticking your head in the sand. In other words the NTSB thinks motorcyclists should be forced by law to wear a helmet even though helmeted riders represent 3 out of 5 fatalities.

As far as the motorcycle riders costing the taxpayers money, NCOM certainly does not agree with the statement to CNN about our children's health, nor do our more than 1,000 NCOM Member Groups across the country. What we are concerned with is the idea that motorcyclists are being neglected as taxpayers and citizens. We are Fathers, Mothers, Sons and Daughters. We are your next-door neighbors and the Veterans who risked their lives to protect this country in time of war. Are we to lose our rights because the NTSB has not done their job of gathering information and instead just makes blanket statements? The NTSB should encourage motorcycle training and educate the non-riding public that motorcycles are out there sharing the road."

SOUNDING OFF ON THE NOISE ISSUE

As record numbers of motorcycles hit the road, states and localities from Denver to New York

are cracking down on motorcycle noise. Motorcycles have set new sales records for 14 consecutive years, with 1.2 million new bikes sold last year, but not everybody is happy with the sound of that. As of July 1, riders in New York can get slapped with \$440 in fines for having loud exhaust pipes. Those revving their engines too loudly in Lancaster, Pennsylvania can get \$150 tickets. In Daytona Beach a city ordinance prohibits operating "any noise-creating device for the purpose of drawing attention to the source of the noise." Denver now allows police to fine the owners of motorcycles with mufflers that are not certified by the Environmental Protection Agency (EPA), which sets federal noise-pollution standards.

Colorado AIM (Aid to Injured Motorcyclists) Attorney Wade Eldridge successfully challenged the first two tickets issued under Denver's new noise ordinance, largely because the police didn't use sound meters, and ABATE of North Dakota is planning a court challenge and has enlisted the assistance of AIM Attorney Ralph Vinje to fight two citations issued under a new Bismarck municipal noise ordinance, where officers armed with portable decibel meters have been overzealously enforcing the new law since it went into effect August 1st.

ABATE's attorney, Vinje, told the Bismarck Tribune that if the police order an engine be revved for testing purposes there isn't much choice, but he wouldn't submit to the test voluntarily. "The ability to make noise is not the same as making noise," said Vinje, who owns a Harley-Davidson with non-stock exhaust. "If they stop me for little or no reason and have you rev up your engine, that's like asking you to break the law."

"My speedometer indicates my vehicle is capable of doing 120 mph, but that doesn't mean I will," added Michael Jay, executive director of ABATE. Vinje and Jay feel that loud pipes do provide extra protection for motorcyclists, announcing their proximity to drivers in enclosed vehicles.

The noise law "lends itself to arbitrary and discriminatory enforcement," said AIM Attorney Eldridge, who is also legal counsel for the Confederation of Clubs of Colorado, "The police can stop you for whatever reason."

THE AIM/NCOM MOTORCYCLE E-NEWS SERVICE is brought to you by Aid to Injured Motorcyclists (A.I.M.) and the National Coalition of Motorcyclists (NCOM), and is sponsored by the Law Offices of Richard M. Lester. For more information, call us at 1-(800) ON-A-BIKE or visit us on our website at <http://www.ON-A-BIKE.com>

The *River City Chapter eNewsletter* can also be picked up at the following locations!

Lawrence's Motorcycles

1704 N. Gov't Way
Coeur d' Alene, Idaho 83814
208-664-8032

One Eye's Rathdrum, Idaho

208-687-1926

Dick's Upholstery

9710 Schmidt
Hayden, ID 83836
208-772-6365

Helmet Outlet USA

5648 Govt Way
CDA, ID

CDA Honda

2745 Seltice Way
CDA, ID
208-765-5005

Specialty Recreation & Marine

910 Kathleen Ave.
CDA, ID
208-667-3571

River City Yamaha

3932 W. Riverbend Ave.
Post Falls, Idaho
208-457-8010

Beaudry Motorsports

1525 E. Edmondton
Post Falls, ID
208-777-2453

Please Support Those Who Support *River City Chapter!*



RIVER CITY CHAPTER

ABATE of North Idaho, Inc.

PO Box 2577

Post Falls, Idaho

83877-2577

Phone: 208-772-4823, 208-683-1604

Or 208-457-0700

Email: rivercitychapter@abateofnorthidaho.org

www.rivercityabate.org

This Month's Featured Quote:

*The art of leadership is saying no, not
saying yes. It is very easy to say yes.*

Tony Blair

Your Chapter Officers & Committee Chairs are:

- **Coordinator:** Willie Stephenson – 208-772-4823
or rivercitycoordinator@abateofnorthidaho.org
- **Deputy Coordinator:** Greg Raschke – 208-683-1604
or rivercitydeputy@abateofnorthidaho.org
- **Secretary:** open
- **Treasurer:** R. C. Sherman - 208-777-1961
- **Ambassador-at-Large:** Tim Herzog— 208-457-0700 and
R. Wyatt Oakes — ambassador2@rivercityabate.org
- **Sergeant-at-Arms:** Chad Oakes – 208-661-3578
- **Legislative Committee:** Tim “TJ” Herzog— 208-457-0700
or legislativechair@rivercityabate.org
- **Run/Events Committee:** Greg Raschke – 208-683-1604
or rivercitydeputy@abateofnorthidaho.org
- **Safety & Education Committee:** Willie Stephenson – 208-772- 4823
or rivercitycoordinator@abateofnorthidaho.org
- **Charity & Fundraising Committee:** Karen Hunley— 208-772- 4823 or
Karen@bikepacofidaho.org

SAMPLE LETTER REQUESTING SUPPORT FOR H.R. 1076: Use this letter for ideas to include in your request for support

I live, ride and work in your district and I am urging you to support motorcyclists by co-sponsoring H.R. 1076, "The HIPAA Recreational Injury Technical Correction Act."

U.S. Representative Michael Burgess (R-TX-26) and U.S. Representative Bart Stupak (D-MI-1) recently introduced H.R. 1076, "The HIPAA Recreational Injury Technical Correction Act." Identical legislation obtained 177 bipartisan cosponsors and passed the full Senate in the 108th Congress.

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This legislation addresses a loophole caused by a Department of Health and Human Services' rule making it possible for health care benefits to be denied to those who are injured while participating in these activities.

On August 21, 1996 an important opportunity arose when President Clinton signed the Health Insurance Portability and Accountability Act (HIPAA), prohibiting employers from denying health care coverage based on a worker's pre-existing medical conditions or participation in legal activities, such as motorcycling.

In 2001, the Department of Health and Human Services released the final rules that would govern the HIPAA law. The rules recognize that employers cannot refuse health care coverage to an employee on the basis of their participation in a recognized legal activity. However, the benefits can be denied for injuries sustained in connection with those activities! Therefore, you were

This legislation will fix the loophole for people like me in your district! Please cosponsor and support H.R. 1076.

Thank you very much.

Sincerely,



River City Chapter

Bulletin Board

- Nominations for your 2008 Chapter Officers will occur at the October 11th RCC meeting.
- Chapter Raffle tickets are available at chapter meetings and functions. There are some cool prizes and better yet the proceeds will go to our chapter charity, the Post Falls Police Dept.'s OASIS Program. *Tickets are only a buck!* Winners will be drawn at our Dec. chapter meeting and you need not be present to win.
- *River City Chapter* is collecting used cell phones working or not for the Post Falls Police O.A.S.I.S. program. They will be refurbished and put to good use. If you have a phone that you wish to donate bring it to a *River City Chapter* meeting or function.
- **Please, renew your membership dues!**

