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For Immediate Release

Contact: Jeff Hennie, Vice President of Government Relations
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July 3, 2008

Washington, DC

Mary Peters Offers Motorcycle Community an Apology:

A Motorcycle Riders Foundation representative attended a July 1 meeting with United States Department of Transportation Secretary Mary Peters, in her office, to discuss among other issues, the 2010 funds.

Earlier this year, Peters sent proposed legislation to Capitol Hill that would allow the 2010 funds to be used by states to promote helmet use (not law). This is in addition to the other two areas where the funds are already allotted now; rider education and motorist awareness programs. Also in attendance at the meeting were representatives from the Motorcycle Safety Foundation and the Motorcycle Industry Council.

The motorcycle community was disappointed, to say the least, by this new demand on 2010 funding. When Congress included the section 2010 grant programs in SAFETEA-LU it was debated and decided that helmet use promotion already occurs under all rider education programs, which is the proper venue to talk about personal protective gear.

Secretary Peters explained that the genesis of the proposed legislation came from a Senate appropriations hearing where she was taken to task by Senator Patty Murray (D-WA) on the rising number of motorcyclist fatalities and the reduction of state helmet laws. The third term Senator, who chairs the Senate appropriations subcommittee on transportation, asked Peters if she would support the use of the 2010 funds for helmet promotion. Peters said she would support using 2010 for that purpose, and in order to preserve some political cover, Peters sent some shell language to the Hill. Upon closer review, Secretary Peters now agrees that the 2010 funds should not be used for helmet promotion but should remain for rider education and motorist awareness campaigns only. She is not backing off

promoting helmet use, but rather is in favor of finding or creating another pool of funds for this cause.

Peters then issued an apology for failing to work with the motorcycle community and pledged to work more closely, and personally, with the motorcycle community at large. She then went on to add that this current administration will never even consider a national helmet mandate.

The Secretary then offered to send a letter to all 50 governors asking them to take motorcycle safety more seriously, to increase funding for all motorcycle programs, and to never raid the dedicated motorcycle safety funds as some governors have already done.

The Motorcycle Riders Foundation also asked Peters to explore the creation of a new class of vehicles for the emerging auto-cycles, or 3-wheeled enclosed vehicles, that are currently licensed as motorcycles, and are therefore skirting any safety standards that are required for autos. These non-motorcycles need their own classification in order to keep any additional fatality data separate from data collected on "true" motorcycles.

We at the Motorcycle Riders Foundation thank Secretary Peters for her apology, and we look forward to working with her as she finishes out her term as Secretary in January of 2009.

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July 11, 2008

Senator Letourneau To Represent MRF at Congressional Hearing

The Motorcycle Riders Foundation reports that a hearing will be held by the United States House of Representatives Committee on Transportation and Infrastructure. It will be conducted in the Subcommittee on Highways and Transit. Congressman Peter DeFazio of Oregon - who is a good friend of motorcyclists - chairs that sub-committee. The title of the hearing is, "Improving Highway Safety Assessing the Effectiveness of NHTSA's Highway Safety Programs." At issue will be the rising number of motorcycle fatalities. The hearing will be held at 10AM on July 16th in room 2167 of the Rayburn House Office Building in Washington DC.

This is a rather routine hearing for the subcommittee. A hearing of this type is typically held once every two year session of Congress to gather information on what the agency side of Washington is up to. The hearing was not called specifically to examine motorcycle safety but it will be a key point of the hearing. At this time, the hearing will not address any specific legislation nor will any legislation be voted on or even considered.

Panelists will include the Advocates for Highway Safety, a group funded almost exclusively by big insurance companies. As a wing of the insurance industry, they are always trying to increase their profits under the guise of safety. It's a thinly veiled attempt to save insurance providers from having to pay out on a claim. Less fatalities on the highways is certainly a good thing, however, the insurance companies don't want to save lives as much as they want to save money.

The MRF was contacted by the subcommittee to provide a witness who could speak to motorcycle safety from another point of view. The committee staff requested that Washington based lobbyists not testify at the hearing - thus excluding MRF Vice President of Government Relations Jeff Hennie from direct participation.

The MRF is proud to say that New Hampshire State Senator Robert Letourneau will be representing the motorcyclists on the panel. Senator Letourneau is a member of the state Motorcycle Rider Education Advisory Board and the Governor's Motorcycle Safety Task Force. Letourneau is Chairman of the New Hampshire Civil War Memorial Commission as well as a motorcyclist for the past 41 years. Letourneau also recently completed an experienced rider education course so he practices what he preaches. Senator Letourneau is

known in the motorcycling world as "Radio Bob" and is a stalwart of the rights movement.

The MRF invites you to attend the hearing if you live in the DC metro area or are up for a ride to DC. Should you wish to attend the July 16th hearing in 2167 of the Rayburn building please let us know. Email Jeff@mrf.org or call 202-546-0983 and let us know you will be coming. We hope to hear from you. While this subcommittee is friendly towards motorcyclists, it's always good to have a few bikers in the room.

For more information on the hearing and the sub-committee members, you can visit them on the internet at <http://transportation.house.gov>.

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July 30, 2008

The Motorcycle Riders Foundation reports that language similar to the HIPAA loophole-fix language contained in HR 1076 may be offered by the bill's sponsor to a piece of legislation being worked on by the US House

Energy and Commerce committee, as previously reported by the MRF.

While we are not privy to private negotiations between committee leadership and the bill's sponsor, we are cautiously optimistic that language that would be of benefit to motorcyclists would be included. The MRF has been aggressively lobbying committee members and staff to encourage this.

You may recall reading about an amendment offered in a committee mark up two weeks ago - that would have closed the loophole - that allows for insurance companies to refuse benefits for an injury, based on the source of the injury.

It's what is known in the insurance industry as a "source of injury exclusion". The amendment, offered by Dr. Michael Burgess (R-TX) was ruled not germane by Chairman Dingell (D-MI) and struck down.

Upon closer examination, it was brought to light that in fact the amendment was germane, so germane that the Chairman admitted he was wrong, that he was embarrassed by the oversight and wanted to correct his mistake. At that point the committee had dispensed of the bill leaving the fate of the amendment up to the House Rules committee, the last committee to consider any legislation before full consideration of the House.

A few options remain. Chairman Dingell, the Ranking Republican on the Committee, Mr. Barton (R-TX) and the amendment author, Mr. Burgess, have all signed off on a process agreement and a recommendation to the Rules committee to include the amendment before the measure is voted on before the full House of Representatives.

The MRF will notify you if and when the legislation comes before the House for a vote.

This positive news puts HR 1076 one step closer to becoming law. However much remains to be seen from the Rules committee, the Senate (S 616) and ultimately the White House.

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July 17, 2008

US House Holds Highway Safety Hearing

The Motorcycle Riders Foundation reports that the US House of Representatives Transportation and Infrastructure Committee, Subcommittee on Highways and Transit held a hearing Wednesday July 16th regarding the status of all of the National Highway Traffic Safety Administration's (NHTSA) highway safety programs including motorcycle safety and the importance of federal funding in supporting safety education across the country. The hearing also focused on van and tire safety, impaired driving, and strategic safety plans amongst others. Testifying on behalf of the MRF was Senator Robert Letourneau. Others who testified included NHTSA official Jim Ports, Governors Highway Safety Association (GHSA), AAA, and MADD.

New Hampshire State Senator Letourneau is chairman of the New Hampshire Senate Transportation Committee, a member of the state Motorcycle Rider Education Advisory Board, the Governor's Motorcycle Safety Task Force of the New Hampshire Highway Safety Agency, as well as an MRF Charter Member.

Letourneau thanked Congress for appropriating approximately \$25 million from SAFETEA-LU, the most recent transportation appropriations law, for motorcycle safety education efforts across the country, and encouraged Congress to continue to fund motorcycle safety and driver awareness programs around the country. He said the explosion of motorcycle sales from 356,000 in 1997 to 1.1 million today is crippling many rider education programs across the country, and that Congress needs to invest more money in motorcycle rider education.

Letourneau said other directives established in SAFETEA-LU, including encouraging motorcycle transportation as a means to conserve energy,

opening High Occupancy Vehicle (HOV) lanes to motorcycles and establishing a Motorcycle Advisory Council to work with the U.S. Secretary of Transportation, have been beneficial to both motorcycle riders and the nation.

"In New Hampshire, during the first 10 years of our motorcycle education program, over 23,000 riders have completed the education course and only one of those riders was involved in a fatality," said Letourneau.

"Clearly, education is the key to successfully reducing motorcycle fatalities, and New Hampshire's experience is proof positive."

During the hearing while questioning NHTSA, GHSA and Government Accountability Office (GAO) Ranking Member Duncan (R-TN) mentioned that if motorcycle fatalities are growing then we (congress) should consider enlarging the 2010 funds exponentially.

There was plenty of talk about helmets and helmet laws. All of the government panelists advocated for helmet law. The acting chairwoman at that point of the hearing Grace Napolitano (D-CA) seemed to nod along in agreement with the helmet advocates. So it's a good thing the actual Chairman is Peter DeFazio (D-OR) who staunchly opposes mandatory helmet laws.

"There was talk of helmet laws from the usual suspects and we expected that, I feel the motorcyclists were well represented with the MRF, AMA, MIC and ABATE of MD in the room today" said Motorcycle Riders Foundation Vice President of Government Relations Jeff Hennie. "There was also as much talk, if not more, about funding proper rider education so that's the direction we want to keep going in" he added.

In Other Committee News

The Energy and Commerce Committee approved a bill that states that insurers must provide coverage to students who downgrade to part-time status as a result of a serious illness or injury. It would continue coverage for up to 12 months.

Although the bill is non controversial, the markup hit a hiccup after Texas Republican Michael C. Burgess offered a bill of his (HR 1076) as an amendment to bar insurers from denying coverage for injuries sustained from legal recreational activities. Burgess said that current law allows plans to deny benefits if an injury results for some high-risk activities such as use of a motorcycle or snowboarding.

While Chairman John D. Dingell, (D-MI), said he believed the law should be changed to prohibit those denials, he ruled the amendment was not germane to the underlying bill. Some Members including ranking member Joe L. Barton (R-TX), countered that the amendment would change the same section

of law as the college student bill, but after some debate, agreed to abide by the chair's ruling. John Shimkus(R-IL) and John Shadegg (R-AZ) voted present on the measure's final passage as a procedural protest to the germaneness ruling.

The amendment may have failed but a favorable view from the Chairman could be promising down the road.

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