



# Riders For Justice Bylaws

1. The organizations's purpose is to defend and promote the rights of bikers, as well as, to associate for social reasons.
2. Persons speaking on behalf of RFJ must be the elected officers of a representative designated by the membership or officers.
3. All officers must be a registered voter and have a valid motorcycle license.
4. The membership can by a 3/4 majority, effect an election of officers at any regular meeting.
5. The membership can by a 3/4 majority vote, deny new membership, if any member questions the new membership.
6. In order for anyone to vote at the meetings, they must be a paid member.
7. Renewal of membership dues are from October to October.
8. Should this organization be dissolved, all funds shall be donated to a similar organization.

## Purpose of Riders For Justice

1. We intend to support our current Constitution and keep as much of it intact as we can.
2. We also advise our membership of the best candidates for which to vote. When they are sometimes equally good or bad, we do not make a recommendation.
3. We DO NOT and WILL NOT receive money from any government entity.
4. Our officers are available through email and/or direct telephone.
5. None of our officers are paid for their work or reimbursed for food, travel or lodging.
6. We hire a lobbying firm to represent us at the state capitol.
7. The officers also lobby at the capitol and at town meetings with state and federal congressmen.
8. We ARE NOT and DO NOT intend to be politically correct.
9. We print in our newsletter, articles of political and social interest for members, as well as, keeping them abreast of current and potential bills.

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## Notes from the Prez

by Lucky

With the sixty-fifth General Assembly now in session, there are some interesting bills being introduced. Although the budget, Tabor, and Amendment 23, the tobacco subsidies are top priority. We don't have many that are too heinous. Yet only one fifth of them are out on public domain.

Some of the good ones include our right of way bill. It is written, but we may have to do more work. There is a bill limiting the number of bills introduced by legislators from 5 to 4. (Last year 720 bills were introduced, 220 passed). A bill to lessen the length of the session from 120 days, to 90 days. Which I think will be hard to do, even though it is my favorite one yet!

**Minors drivers licensing will change. SB0036.** With all the crashes, and burns lately, the kids are doing this to themselves. Restrictions on them reflect how we have failed to teach them effectively. Since budget cuts affect schools, we have no more Drivers Ed. I don't know if it would make a difference, but in my mind, putting Drivers Ed back in school curriculum couldn't hurt. The Administrators could take a pay cut, and we could get better teachers! That would be too smart, so I see this bill to pass. Maybe without some amendments added to it. **SB047** has 16 pages to it! And this deals with **minor's revocation to be treated like an adult. Motorcycle instruction permits for three years, pending other driving instruction periods. Grandparents can hold power of attorney, etc.** This is really in depth.

Kevin Lundberg has **HB-1005, to create revenue shortfall relief fund.** This is also on my good list. This would take care of times like the last two years, when TABOR didn't take into account of how the budget works, or in this case didn't. Again, the voters will probably have to decide.

**HB1019 Vehicle Owner ID Registration, Title.** Rep. Hoppe-Veiga. This one is confusing. The actual document is 4 pages long, and what I can get out of it is it really just wants your personal ID number to purchase and title a vehicle. I'm tending to sway away from this one! **SB043** is allot like 1019. Titled **:Drivers License Update**", it has the same agenda, to get fingerprints, and most importantly, a National ID number!

**HB1023 Gun show clarification of requirement on background checks.** This is by Rep. Rose. The summary of assessment is as follows: "This bill clarifies statutes governing requirements for obtaining a criminal background check prior to the transfer of a firearm at a gun show. The bill also repeals the definition of "collection" and clarifies the definition of "gun show". The bill will become effective July 1, 05. These clarifications do not substantively affect a gun show vendors responsibilities, or the likelihood that the background check provisions will be violated. This bill is not anticipated to affect state or local government revenue or expenditures, and is assessed as having no fiscal impact". In other words I think it wants to loosen some restrictions, and will come under fire. So to speak

**HB1028 Fallen Soldier license plates.** Rep. Vigil. Self-explanatory. How many van-ity plates do we need? Although this one is cool.

**HB 1031 Prohibit Credit Based Scoring.** Butcher-Tochtrup. Companion in **SB 005,** Lamborn. Finally, we don't have to worry about getting insurance for our vehicles, and have our credit screw us! Yes Martha, the insurance companies can now use your credit score against you. This will be fair.

**HB1081 Titles for snowmobiles, and ATV's.** Rep. Rose. This would require all ATV's off the road vehicles, and snowmachines to be titled like a car. Beginning Jan. 2006.

There are more senate bills to get into. **SB 014 Used Vehicle Sale Registry.** This makes sure the seller of used vehicles has a valid registration to sell. Lotsa stipulations on this one too.

Some other bills of interest, although they don't have anything to do with motorcycles. **HB1040 Real Estate Broker Fingerprints CBI.** Balmer-Takis. Hmm, Realtors being treated like common criminals? Well, I won't get into that one! **HB1043 Traffic penalty for Wildlife crossing Zone.** Damn deer won't use the crosswalks? And **radar jamming devices prohibited. HB1045** Decker-Williams. I think there is no need to worry, since they don't work anyway! And for a finally, one I certainly like. **SB023, Keep jobs in America!** (Good Luck). **SB 064, People with religious convictions, need not get their picture on their drivers license.** I emphasize the word "conviction".

(Continued on Page 3)

Notes from the Prez (Continued from Page 2)

That's it in a nutshell, so far. We will be looking for more entertainment as the session progresses.

Quote for Feb. "Whenever the government of the United States shall break up, it will probably be in consequence a false direction having been given to public opinion. Opinion can be so perverted as to cause the false to seem the true; the enemy the friend, and a friend an enemy; the best interests of the nation to appear insignificant, and trifles of moment; in a word, the right the wrong, and the wrong the right".-James Fenimore Cooper

METRO DENVER NEWS

By Tiger Chandler

January is only half over and it seems like 3 months have gone by. Here in Denver and surrounding area there are so many meetings, benefits, events to attend and now with session starting at the Capital there will not be time to idle.

On Dec 28th both Lucky and I attended a meeting in Thornton on the Right-of-Way bill, those attending were ABATE, BikePac, Confederation of Clubs and Riders for Justice. During the meeting both ABATE & BikePac presented their versions/ideas/etc on the Right-of-Way bill which was promptly forwarded to Rep. Jim Welker by both Lucky and myself. One thought was that the careless driving penalties need to be amended to go along with the right-of-way penalties, that when an officer gives a ticket out they will give a careless driving ticket then in court it will be pleaded down to a right-of-way violation. As I have stated this information has been given to Rep Jim Welker for his consideration.

January 12th the 2005 bills began to be listed on the state web site and WE NOW HAVE A BILL ==== HB05-1071. Our sponsor is Rep. Jim Welker, which we support 200%. (I am sorry that I could not print the bill at this time but you can read or download the pdf on the bill at http://www.leg.state.co.us/Clies2005a/csl.nsf/BillFoldersHouse?OpenFrameSet). We still have some work to do on this but we feel with the help of our new lobbyist Kathy Oatis and everyone involved we will succeed!

January 13th was the Denver Metro meeting where Lucky, Will and I (as officers) got to speak with our new Lobbyist Kathy Oatis. She will be watching the bills that we have told her were of interest to us (RFJ) and helping with HB05-1071. We have another meeting planned with her and hopefully ABATE, BikePac, Confederation of Clubs on Tuesday January 18th to go over HB05-1071. Both Lucky and I feel that we will get some good information from Kathy and look forward to working with her on all issues that concern the motorcyclists of Colorado. The rest of the evening discussion was concerning the bills that we had access to as of 3pm that day (HB05-1023, HB05-1031, HB05-1045, HB05-1054, SB05-005, SB05-014, SB05-018, SB05-036, SB05-047, and SB05-048). We know that this is not all the bills as of this date and will continually keep our eyes on the list for new bills of concern and pass the information on to you.

January 15th Lucky, Duke and I were at the Saturday breakfast for Rep Angie Paccione. We were there for a number of reasons which included enlisting her help with HB05-1071, which she had been given materials in October. Angie gave a good talk about opening day of session, what to expect from session, politics of the parties and her bills. After her talk and questions from the attendees we got our chance to talk one-on-one with her. She stated that she thought our bill was good and to keep her informed, I again invited her to the swap meet at the end of the month (which I believe she will be attending), and I discussed volunteering time to help her at the state house (we always need friendly's at the state house, especially now that it is a Democratic Legislature - and if I do spend time in the interworkings maybe this will pay off for our bill !!!!!!!).

News from the West Side

Carl

Here I go again, a short month since my last report. On the home front our fund raiser is well underway and it looks like it will be a good one. Again it is February 26th at the Eagle hall in Grand Junction, Co. The details for the West Side Fundraiser are on page 9.

What I am about to say is for the core of RFJ. I will not go into a blow by blow detail as to what has happened, but what do I want to say is as follows.

In any organization there is a designated way of doing business - it's called Parliamentary Procedures.

You have the President at the top. His or her job is to oversee and guide the organization.

Then come the Sub-Officers - Vice Presidents, Secretary, Treasurer, and so on. They are under the President, are the servers of the Core and give support to the President

Then come the appointed officers.- Editor .Webmaster, and so on.

Now here is the most important part of the main structure of the organization - the people of that organization. If the backbone and this support is there, then you have a group that will make things move. But without this part your organization becomes weakened and at some point will become out of control and can go into chaos. SO, the point that I am making is that the organization is no better than that of its own backbone.

Now here is how this all works The President is over the whole group. Then there come the Vice Presidents. Their job is to work between the outlying groups (membership) and the president, keeping in communication with both sides.

Then it's the Secretary's turn and their major duties are to keep an accurate record of all operations for the group.

Next, here comes the Treasurer, whose main duty is to keep a record of all out-going and in-coming money and maintain an accurate bankbook balance.

When the President cannot conduct a meeting, the Vice President takes over in place of the President. When there is no President or Vice President, then the Secretary conducts the meeting. When there is no President, Vice President or Secretary. then it's the Treasurer's turn.

When this system works, the main body can still go on as normal to get something done without going into a total lock up at 90 mph and the organization will keep from being tailed out.

Here is the problem child, Anyone that does not follow this process is going to disrupt the system and can send the organization into a bad tail spin that can't be pulled out of. For example, the president does something without letting his group know - bad business - causes mistrust. Another example, a Vice President acts and goes over the President's head or the group's wishes, then comes uncertainty and insecurity and the group's efforts stop.

A third example, the main group sees something that is not right, like a procedure done incorrectly and the group goes into total confusion and everyone stops and all of the above happens. Then you could have chaos and maybe go past the point of no return. GOOD BY TO THE ORGANIZATION.

The final point that I want to make is the main group must support your officers. This can be done just by being at a meeting and, most of all, getting involved. The officers are setting up methods of communicating with the members, and the members can do their parts by responding. For more information on this, see "Please Help" on page 7.

Officers must listen to the people and support them. You, as an officer, must make your people feel that they are a part of this system and also support your president.

The outline that I just have listed most everybody already knows, but for some reason some people needed to be reminded . It doesn't hurt me to remind myself, again, after all I am only human and I can make mistakes too. But if a organization follows these steps as they were designed, then all anyone needs is a little consideration towards each other and things are going to happen in a positive way. No one person can do the job by themselves, it takes everybody working together as a team. AND THAT'S WHEN WE ARE ALL THE REAL WINNERS.

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\*Biker Bits\*

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NEBRASKA:

SENATOR ADRIAN SMITH INTRODUCES

MOTORCYCLE HELMET BILLS

Motorcycle riders who love to feel the wind in their hair when riding down the road will get to plead their case again in the Legislature. Senator Adrian Smith of Gering introduced two bills today to do away with the state law requiring helmets to be worn by motorcycle riders. The legislature last debated the issue in 2003. One proposal would just do away with the law. The other would require those who want to ride without a helmet to first complete a safety course and wear eye protection. Smith says he wants senators to see the difference between an outright repeal of the law and his other approach requiring the safety course. It was that version of the bill that failed to win enough support last time. The helmet law has been in effect since 1989.

# \*Biker Bits\*

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## **Fourth District C.A. Says Insurers Cannot Exclude Motorcycles From Uninsured Motorist Coverage**

By a MetNews Staff Writer

A provision in an auto insurance policy, excluding uninsured and underinsured motorist coverage for an accident that occurs when the insured is operating a motor vehicle with less than four wheels, violates state law, the Fourth District Court of Appeal ruled yesterday.

"We conclude this exclusion contravenes public policy because it impermissibly narrows the scope of UM and UIM coverage and we therefore reverse the judgment in favor of the insurer," Justice James A. McIntyre wrote for Div. One.

The court reinstated an action by Robert W. Daun, a San Diego police officer seeking recovery under the underinsured motorist provision of his personal auto policy with USAA Casualty Insurance Company. Daun's police motorcycle was involved in an accident with a driver whose carrier paid policy limits of \$15,000; Daun's USAA policy had UM and UIM limits of \$30,000 but purported to exclude coverage where "you or any family member is the operator of any self-propelled vehicle with less than four wheels that is not insured for this coverage under this policy."

San Diego Superior Court Judge Charles R. Hayes concluded there was no coverage under the policy and dismissed Daun's suit for violation of the Unfair Competition Law. But McIntyre said the exclusion violates Insurance Code Sec. 11580.2, which mandates that all motor vehicle policies written in the state include UM and UIM coverage unless waived by both the insured and insurer in writing and in the manner specified by the code section. Otherwise, there are eight specified situations in which coverage may be excluded.

The statute has been interpreted as incorporating coverage in at least the mandatory minimum amount into any policy as to which there is no waiver or an insufficient waiver, the justice explained.

None of the statutory exemptions appear to apply in Daun's case, McIntyre wrote. An exception for injuries suffered by an occupant of a vehicle owned by the insured but not covered by the policy does not apply, the jurist reasoned, since the city, not Daun, owned the motorcycle. Nor does the exception for injuries suffered by an insured "while entering into or alighting from a motor vehicle other than the described motor vehicle if the owner thereof has insurance similar to that provided in this section" apply, the justice wrote, because the motorcycle was self-insured by the city.

While an insurer may exclude coverage for a "class of motor vehicles" from the liability portion of its policy, McIntyre went on to say, no such exclusion is permitted from UM and UIM coverage under Sec. 11580.2.

"In summary, section 11580.2 mandates UM and UIM coverage to the named insured regardless of whether the individual is in a motor vehicle or on a horse, motorcycle, bicycle or stilts when injured by an uninsured or underinsured motorist, so long as one of the statutory exclusions does not apply," the justice elaborated. "...The fact Daun was in a non-owned motor vehicle at the time of the accident and not in the insured motor vehicle does not

vitate coverage where none of the statutory exclusions apply."

The case is Daun v. USAA Casualty Insurance Company, 05 S.O.S. 40.

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## **Driver's License Rules in Intel Law Spark Outrage**

By Jeff Johnson

CNSNews.com Senior Staff Writer

(CNSNews.com) - A bipartisan group of senators, representatives, and members of the 9/11 Commission flanked President Bush Friday at his signing of sweeping intelligence reform legislation. But an equally diverse collection of citizens' groups criticized what they saw as the potential for government oppression and invasions of privacy modified in the new law.

President Bush called the new law, "the most dramatic reform of our nation's intelligence capabilities since President Harry S. Truman signed the National Security Act of 1947.

"Under this new law, our vast intelligence enterprise will become more unified, coordinated and effective," Bush said. "It will enable us to better do our duty, which is to protect the American people."

But critics of the bill — liberal, conservative and libertarian — questioned one provision they said could greatly expand the government's ability to monitor and limit the freedoms of law-abiding citizens.

### **At issue is Section 1027 of Subtitle B of the National Intelligence Reform Act of 2004, entitled "Drivers Licenses and Personal Identification Cards."**

That provision requires the Secretary of Transportation and the Secretary of Homeland Security to "establish minimum standards for driver's licenses or personal identification cards issued by a State" within 18 months after the enactment of the law. Licenses and photo IDs from states that fail to comply with the standards would not be accepted by the federal government for any purpose, including getting past airport security, entering a federal building or even claiming certified mail.

Peter Gadiel of 9/11 Families for a Secure America supported the provision. He and other survivors of those killed in the terrorist attacks agreed with the Kean (9/11) Commission's conclusion that the standardization of driver's licenses will make it more difficult for terrorists to again successfully attack on U.S. soil.

"The 9/11 Commission says it in black and white on page 390 [of its report] that the federal government should set standards for driver's licenses," Gadiel recently told reporters.

Proponents of Section 1027 said requiring uniform, basic information on driver's licenses was not the same as creating a national ID card issued by the federal government. But Jim Babka - president of ownsizedc.org, a citizens' group that lobbies Congress to reduce the size of the federal government - disagreed.

"When you standardize everything, when the federal government sets all the rules and collects all the names in a federal database, it doesn't matter what entity

actually hands you your card," Babka argued, "you've got a national ID card."

High potential for abuse, fraud, disclosures and mistakes

Babka warned that a national ID card system would have an inherently high potential for abuse, in part because the new law designates appointed officials, rather than elected representatives, to set the standards.

"You need a driver's license to purchase a gun from a dealer, you need it to travel on any form of public transportation, you need it to get a job, you need it to open a checking account, to cash a check, to check into a hotel, to rent a car, and to purchase cigarettes or alcohol," Babka explained. "So, if the federal government can set the standards so high as to deny you a driver's license or a photo ID, it's effectively turned you into a non-person."

Section 1027 supporters defended the law and pointed to the legislative mandate that the standardization regulations, "shall include procedures and requirements to protect the privacy and civil and due process rights of individuals who apply for and hold driver's licenses and personal identification cards."

But Larry Pratt, executive director of Gun Owners of America, took no comfort in that alleged protection.

"When the government says they're concerned about my privacy after they've just said I have to have one of their cards, somehow, that's not very reassuring," Pratt said.

"I still have a Social Security card that says, 'Not for Use for Identification,'" Pratt added. "Anybody who thinks that they are going to stop where they are doesn't understand 'mission creep' in government."

George Getz, communications director for the Libertarian Party, concurred.

"When they passed the Social Security Act, they said, 'Oh, my gosh, this will never be used for identification purposes,' and, who knows, maybe they meant it at the time," Getz speculated. "But that Social Security number has now, in effect, become a national ID number."

Babka said he believes even those who trust the government not to intentionally misuse the information collected in a national ID card database should still be concerned about the potential for highly personal information to be improperly disclosed.

"The danger of having this stuff collected on a list, especially a highly centralized list," Babka continued, "is that it will be much easier for someone to 'accidentally' end up with information that you wouldn't want getting out, that you wouldn't want your neighbors, your family or your friends to know about."

Laura Murphy of the American Civil Liberties Union said she fears mandating a uniform national ID standard could actually make it easier for terrorists to create their own fake identification documents and steal others' information.

**\*Biker Bits\* (Continued from Page 4)**

**Drivers Licenses and Personal Identification Cards**

"There's a problem with counterfeiting in this country and stealing someone's identity is a huge problem," Murphy told CNN/FN's Lou Dobbs. "And so if we can't even protect the \$20 bill, how in the heck are we going to protect a national ID card?"

"This is not a way to reduce terrorism, since terrorists will always find a way to create fake identities," Getz said, echoing Murphy's comments. "That's exactly what happened with the 9/11 hijackers."

Pratt pointed out another area of concern: Incorrect data could be accidentally or intentionally associated with an honest citizen's record in a national ID database. He recalled an incident in which security officials prevented Sen. Edward Kennedy (D-Mass.) from boarding a plane because his name was mistakenly placed on a "no-fly list."

"He was able to call the head of the appropriate agency, the Transportation Security Administration, and tell them to get his record straightened out," Pratt said. "Now, the rest of us may be able to finally buy the gun or get on the plane, but they won't clean up the data because the bureaucrats don't care."

"They're treating us as if we were a bunch of cattle to have a brand on our butt and a tag in our ear," Pratt concluded, "so that the government can know where we are at all times."

Law targets 'innocent' citizens, ignores terrorists, illegal aliens

Getz said the flaws with the legislation go even deeper than its potential for abuse, fraud, unintentional disclosures of personal information or mistakes. The law simply regulates the wrong people, he charged.

"Only the innocent will have to submit to this kind of government surveillance scheme, and that's exactly what's wrong with it," Getz said. "It targets the innocent and it certainly won't inconvenience terrorists one bit."

Babka said the issue comes down to one of simple statistics.

"Most of the people reading this are not terrorists. I'm not a terrorist and 99.99 percent of the population aren't terrorist[s]," Babka said. "But, this will affect 99.99 percent of the population."

"This is too much," Babka concluded, "this is overkill."

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**OPEN LETTER FROM REPRESENTATIVE JIM WELKER,  
Sponsor of our Right of Way Bill**

From: "Jim Welker" <[jwelker@uccweb.com](mailto:jwelker@uccweb.com)>  
Date: Sun, 16 Jan 2005 15:52:07 -0700

Dear Friends and Supporters,

The 65 House Representatives and 35 Senators were officially sworn in at 10:00 a.m. on Wednesday, January 12, 2005. On Thursday, the Governor gave his "State of the State" address before the joint House, the Senate, the Supreme Court, the Attorney General and other dignitaries. His overall tone was optimistic. Colorado is a very desirable state to live in, and we, as Republicans, want to safeguard its positive qualities. Governor Owens stated that we will NOT compromise our principles concerning tort reform, sensible workman's comp. formulas, school choice, and prohibiting the Internet tax.

This session will be an interesting one. The other party is in charge now and they are flexing their muscles. We expect to debate bills on every aspect of public life, from the cost of education for illegal aliens to the availability of raw milk. I was recently

(Continued on Page 13)

**HAWG WILD C.C.**

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# COAST TO COAST BIKER NEWS

compiled and edited by Bill Bish

**U.S. SENATE APPROVES BILL TO END HEALTH INSURANCE DISCRIMINATION** Legislation aimed at closing a discriminatory loophole in medical insurance has passed the U.S. Senate and will now go to the House of Representatives for consideration. S.423, entitled Health Care Parity for Legal Transportation, was authored by Senators Susan Collins (R-ME) and Russ Feingold (D-WI). The measure would prohibit insurers from denying health care benefits to insured's who are injured while participating in so-called "risky activities" such as riding motorcycles, ATVs, horseback riding, snowmobiling, skiing or other legal recreational or transportation activities. "Americans who enjoy recreational or transportation activities such as riding motorcycles should have the right to the same health insurance protection whether they are injured on their bike or in their home," said co-author Sen. Collins. Congress had passed the Health Insurance Portability and Accountability Act (HIPAA) back in 1996, which prohibits companies from denying access to employer-sponsored health insurance for motorcyclists and others, but federal regulators created a loophole that allows insurers to deny benefits to those injured as a result of their participation in certain activities. In other words, your employer is required to provide you with health care insurance, but your health insurance company is not required to provide medical benefits! On November 21, 2004, the United States Senate acted to close this loophole before adjourning from ses-

sion. S.423 will now be considered before the House, where a companion bill, HR 1749 was introduced by Representatives Scott McCinnis (R-CO) and Ted Strickland (D-OH). The National Coalition of Motorcyclists encourages all concerned riders and Motorcyclists' Rights Organizations to contact their Congressional representatives and urge them to support S.423 to end these discriminatory health care practices.

**PENNSYLVANIA STIFFENS PENALTIES FOR CARELESS DRIVING** On December 8, 2004, Governor Ed Rendell signed HB 873 into law, which establishes increased penalties for those convicted of careless driving that results in serious injury or death. Under heavy lobbying by ABATE of Pennsylvania, the legislation passed near-unanimously through both chambers of the legislature. House Bill 873 will establish an increased fine of \$500 and a 6 month license suspension for persons convicted of careless driving when the offender unintentionally causes the death of another person. Careless driving offenses that result in serious bodily injury to another person would carry a \$250 fine and a three month license suspension. "If a tragedy occurs because of a driver's careless action, even though those actions were unintentional, then there should be serious consequences," said Representative Rick Geist, who chairs the House Transportation Committee. "We have to reinforce the notion that drivers must be alert and responsible behind the wheel. Tragic things can happen in an instant if you aren't." Previously, a conviction of careless driving resulted only in a fine of \$25 plus cost and fees, as well as three points on the person's driving record. No further penalties existed in the event of a death or serious injury occurring as a result of this violation. "All things considered we fared well in the 2003-2004 legislative session," points out ABATE Legislative Coordinator

John Mullendore, who also serves on the NCOM Board of Directors, "including the passage of the helmet modification bill and the passage of the Veterans motorcycle license plates. We also realized the discount given to motorcycles that used the E-Z pass on the turnpike."

**MINI-MOTORCYCLES "DANGEROUS" GIFTS** Lots of kids are asking Santa for a new bike this Holiday season, but before you park a pocket bike under your Christmas tree you should know that they're not a recommended toy for your tot. Just in time for the holidays, WATCH has released its annual "Most Dangerous Toys" list for 2004. World Against Toys Causing Harm, Inc., or WATCH, has published the worst-toys list since 1968 to educate the public about the dangers of certain toys, and Pocket Rockets top this year's roll of most dangerous toys. In fact, Consumer Reports magazine calls the mini-motorcycles the most dangerous holiday gift you can buy this year. They may look cool,

and they're a hot seller this Christmas season, but Consumer Reports engineers found the faster they go the less stable the bikes feel. "At 20 miles-per-hour, it's hard to hold a straight course. And once you put on the brakes, it takes 20 feet to come to a stop," reports the top consumer magazine. "Making tight turns is another problem, as they don't have a very large turning radius...as a result, you have to pick the bike up and turn it around." You're not supposed to ride mini-motorcycles on the road, adds the report, but people do. And compared to other vehicles, these bikes sit very low to the ground. That makes them tough to spot from a car or truck. Bottom line: Consumer Reports, says they're too dangerous to give as holiday gifts. Their advice: If your teen wants a mini motorcycle for the holidays, try talking about electric scooters instead. They're fast and fun, too, but lower to the ground and safer.

**FLYING DUTCHMAN MOTORCYCLE** We've all heard of flying cars in our future, but now the Dutch firm Spark Design has announced even stranger news - a flying motorcycle, which may be available sooner than you'd think. Spark Design claims the vehicle - which looks like a cross between a helicopter and a full-fairing bike - will be able to take off and land vertically and reach 125mph both on land and in the air. The rotor and propeller are folded until the machine needs to fly. Once airborne, the rear-mounted propeller pushes the craft along and the unpowered main rotor spins to give the craft lift. It is designed to fly under the 4,000ft threshold used by commercial aircraft. The company, that has worked on products as disparate as the Carver (a three-wheeled enclosed motorbike that leans over in corners), parts for coffee pots, and handicap bathroom door handles, says the flying motorcycle could be ready for test flights in less than a year. The machine will be made in Canada mainly for the U.S. market.

**"SMART" HELMET GIVES MOTORCYCLISTS A HEADS UP** A "smart" helmet has been invented that tells the wearer how fast they are traveling, what gear the motorcycle is in and whether turn signal indicators are on. The new device, inspired by the Heads-Up Display technology used by fighter pilots, flashes information onto a small digital screen inside the helmet. Piers Tucker, a 24-year-old industrial designer from Leeds, England, who invented the helmet in an effort to promote road safety, claims that the screen - which is within the rider's peripheral vision - will allow motorcyclists to monitor their speed without taking their eyes off the road. "I designed this helmet to save lives," he said. "When you are riding a motorcycle at a fast speed, it is difficult to concentrate on the displays on the dashboard and the roads at the same time." The helmet calculates the rider's precise speed by utilizing satellite global positioning data (GPS), while information about the indicators and gears is sent to the helmet by radio transmitters. Tucker, who is not a motorcyclist himself, claims that if the helmet proves popular with riders, dashboard dials could disappear from motor-



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cycles altogether. "It takes about 0.25 seconds to look down, focus on a speedometer and refocus on the road again. This doesn't sound like much but it can make the difference between life and death." Ian Mutch, of the Motorcycle Action Group (MAG-UK), which campaigns on safety issues and is a member group of the International Coalition of Motorcyclists (ICOM), said that it would be cheaper and safer if motorcyclists simply rode at slower speeds. "Bikers who want avoid accidents should take greater care, but an illuminated screen could be a distraction in itself," he said

**JAPANESE MULL MOTORCYCLE PASSENGER LAW** The military newspaper Stars and Stripes reported on December 3rd that "Japanese officials have yet to decide how to implement for status-of-forces-agreement personnel a revised law allowing motorcyclists to carry one passenger on certain freeways." Under the traffic law revised in June, motorcyclists 20 or older who have had a motorcycle license for more than three years will be allowed to ride double on freeways, according to a National Police Agency spokesman. The implementation date was set Tuesday for April 1. Because SOFA personnel are exempt from obtaining a Japanese driver's license, Japanese officials say they must figure out a way to implement the rule for them. Riding double on motorcycles was banned in 1965 after a series of accidents by motorcyclists riding double on freeways. The law was revised following motorcyclists' increased demand to use freeways and their complaints about the inconvenience of traveling long distances when not able to use freeways.

**TAXPAYERS LIABLE FOR JANKLOW'S FATAL ACCIDENT** Former U.S. Rep. Bill Janklow from South Dakota will not have to pay any money out of his own pocket for the accident that killed 55-year-old Hardwick, MN motorcyclist Randy Scott, resulting in Janklow being convicted of second-degree manslaughter and other lesser charges. The lawyer representing Scott's family announced November 29th that he will let stand a federal judge's ruling that Janklow was on duty Aug. 16, 2003, when the Cadillac he was driving sped through a stop sign near rural Trent, SD and caused the fatal collision with Scott's Harley-Davidson motorcycle. That means federal taxpayers, not Janklow, would pay any monetary awards from a wrongful death lawsuit because Janklow is covered by the Federal Tort Claims Act, which protects federal employees from negligence claims when they're on duty. The federal judge now will dismiss the civil lawsuit against Janklow and the Scott family will file a new claim against the U.S. government, specifically the U.S. House of Representatives. Scott's mother, sister, son and daughter initially sued Janklow in Minnesota state court, but the U.S. attorney in Minnesota concluded Janklow was on official business and should be covered by the government, so the case was moved to federal court. The family appealed, but two federal judges affirmed the original ruling. The Scott family wanted the case returned to state court so they could collect more money through punitive damages, something not allowed if the case remained in federal court. Now, they will only be able to collect actual losses, such as pain and suffering and loss of companionship. Janklow, 65, was elected to the House in 2002 after serving 16 years as governor. He resigned from Congress in January, spent 100 days in jail for the criminal convictions and paid a fine.

**WORLD'S FASTEST INDIAN** Oscar winning actor Sir Anthony Hopkins will star in "The World's Fastest Indian," the true-life story of Burt Munro, a New Zealander who spent several decades constructing a 1920 Indian Motorcycle, then traveled to Utah and set a new land-speed record back in the 70's. Roger Donaldson, director of "The Recruit" is using his own writing and is directing the project.

**WEIRD NEWS – DUCATI "MONSTER" DOOMED?** The "Monster Garage" cable television series, Monster.com, Disney's "Monsters, Inc." the "Monsters of the Midway" Chicago Bears' nickname, and a host of other enterprises that use the word "monster" have found themselves named in lawsuits and trademark infringement claims filed by Monster Cable Products, Inc. Even the Monster Seats above Fenway Park's left field wall have been targeted in what Monster Cable officials say is an aggressive legal strategy to protect the firm's good name. "We have an obligation to protect our trademark; otherwise we'd lose it," said Monster Cable founder Noel Lee, reports the San Francisco Chronicle. The cable mogul is preparing for a trial against the Discovery Channel over their popular "Monster Garage" series starring custom bike builder Jesse James, because the show uses images of "provocative women" and an iron cross logo that could tarnish Monster Cable's image.

**QUOTABLE QUOTE:** "The one who says it cannot be done should not interrupt the one who is doing it." Ancient Chinese Proverb

## AND THAT'S ALL THE NEWS THAT FITS!



### PLEASE HELP!

The editors of Riders for Justice maintain an e-mail for anyone to write to us with your suggestions, concerns and comments.

We would also like to know if there are any particular issues you would like for the newspaper to address. We know that there are a number of excellent motorcycle magazines which print somewhat similar articles and we do not want to duplicate someone else. There is too much going on in the motorcycle world to do that.

We will cover, of course, all that is applicable to motorcycle rights and concerns in both the Colorado Congress and the United States Congress. This includes printing entire bills when practicable. Otherwise, if the matter is too long, we will direct you to a website where the information can be accessed.

We are considering in the near future the feasibility of starting a Letters to the Editor column and would like your input on that.

Please direct your comments, suggestions and concerns to [editor@ridersforjustice.com](mailto:editor@ridersforjustice.com)

Thank you,  
Ron and Gwen Campbell

### 'EXTEND THE RIDE'

#### Harley, Buell to help troops

Thursday, January 6, 2005

Military personnel stationed in Iraq and Afghanistan who own a Harley-Davidson or Buell motorcycle will get a break on their warranty coverage.

"Operation Extend the Ride" applies to owners of Harley-Davidson and Buell motorcycles who are coalition military personnel from any country deployed to an area controlled by CENTCOM, or deployed in support of coalition operations in the Middle East since Nov. 1, 2001.

Harley-Davidson and Buell will provide an extension of the factory warranty for the number of days the person is deployed to account for the balance of the remaining warranty period.



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\*\*\*EDITOR@RIDERSFORJUSTICE.COM\*\*\*

The following site has the helmet law status for the 50 states, clicking on the state will bring up the helmet statute:

<http://www.hog-rider.com/helment.html>

\*\*\*\*\*

Riders for Justice would like to extend their support and encouragement for those of our numbers that are on active duty with the military as well as those who have served their Country in the past. We are very aware of the importance of keeping the United States free and of the crucial need for us to be aware of what is happening in our Country and making our voices heard. We thank all of our troops wherever they are serving. God Bless You and bring you home soon.

# AMA NOTES

February 2005

AMA is hosting a Washington, D.C., seminar for motorcyclists who want to learn how to influence governmental decisions, whether in Congress or their local councils.

The seminar is March 6-9, 2005 at the Phoenix Park Hotel in Washington, DC. Participants will meet and learn from the AMA's Washington staff, as well as other political experts. In addition to learning about state and federal issues facing motorcyclists today, participants will get tips on building relationships with government agency officials and lobbying elected officials.

Participants will also prepare to meet face-to-face with members of their congressional delegation. But the seminar isn't all work; there will be a welcome reception, as well as a luncheon and a banquet over the course of the seminar.

The seminar registration fee is \$75. The registration deadline is February 11. AMA membership is required. For more information or to register, contact Sharon Titus at (614) 856-1900, ext. 1252 or by e-mail at [stitus@ama-cycle.org](mailto:stitus@ama-cycle.org).

**A Pennsylvania** General Assembly bill to increase penalties for careless driving when someone is injured or killed has cleared and been signed by the Governor Edward Rendell. The measure, HB-873, received final approval in the House by a 192-2 vote on November 21. ABATE of PA

was the driving force in getting the bill passed, backed by the AMA, as part of the AMA's national Justice for All campaign that seeks increased penalties for those who kill or injure vulnerable road users, including motorcyclists and bicyclists.

Under the new law, drivers convicted of careless driving when the offender unintentionally causes the death of another person face increased fines of \$500 and a six-month drivers license suspension. A careless driving offense that results in serious bodily injury to another person carries a \$250 fine and three-month license suspension.

Under current law, a careless-driving conviction results in a \$25 fine plus costs and fees, as well as three points off a person's license. No further penalties currently exist if a death or serious injury results from a careless-driving violation.

The bill is the latest victory for motorcyclists in efforts nationwide to increase penalties for drivers who injure or kill vulnerable road users, and to educate drivers to share the road. Similar laws have been passed in Washington New York, Virginia, North Carolina, Washington, and Massachusetts.

The AMA's national Justice for All campaign focuses on the inadequate sentencing of drivers who kill or seriously injure others on the road. The campaign seeks to get three measures passed in all 50 states. Those measures will: increase penalties, including jail time, for those who commit manslaughter with a motor vehicle; impose fines and drivers license suspensions on drivers who commit traffic offenses that injure or kill others; and get motorcyclist-awareness instruction included in each state's driver-education program. To learn more about the AMA Justice for All program, go to the Justice for All page. Or contact AMA Grassroots Manager Terry Lee Cook at (614) 856-1900, ext. 1288; or by e-mail at [tcCook@ama-cycle.org](mailto:tcCook@ama-cycle.org).

**The AMA Board of Directors** has presented Ed Waldheim, president of the California Off-Road Vehicle Association, with the AMA Motorcycling Advocate Award for his lifetime of work for motorcyclists. Waldheim is a member of the Board of Trustees for AMA's District 37 (Southern California). He is also a member of the California Off-Highway Motor Vehicle Recreation Commission, president of The Friends of El Mirage, and active with many other groups.

The Motorcycling Advocate Award, one of the AMA's highest honors, was created by the AMA Board of Directors to recognize individuals fighting for the rights of motorcyclists.

**Japanese** officials have yet to decide how to implement a revised law allowing motorcyclists to carry one passenger on certain freeways.

Under the traffic law revised in

June 2004, motorcyclists 20 or older who have had a motorcycle license for more than three years will be allowed to ride double on freeways.

Riding double on motorcycles was banned in 1965 after a series of accidents by motorcyclists riding double on freeways. The law was revised following motorcyclists' increased demand to use freeways and their complaints about the inconvenience of traveling long distances when not able to use freeways.

The revised law also raised fines for violators from 6,000 yen (about \$58) to 12,000 yen (about \$116). Those who don't pay, or who contest the ticket and are found guilty by a court, now face a fine of up to 100,000 yen (about \$972). The previous fine was up to 50,000 yen (about \$486). (*Stars and Stripes*)

**New Jersey** Assembly bill 3425, which would have seriously restricted racing at most racetracks, was withdrawn from consideration. Under the proposal, introduced by Assemblymen Michael Panter (D-12th) and Robert Morgan (D-12th), no motor vehicle could be operated on a racetrack that is within a mile of residential housing before 11 a.m. or after 10 p.m. Monday through Saturday, and before 11 a.m. and after 7 p.m. on Sundays.

Violators would face fines of \$2,500 for the first offense, \$5,000 for the second offense, \$10,000 for the third offense, and \$25,000 for the fourth and subsequent offenses.

Track operators say that this proposal would have essentially shut down certain forms of racing in the state as it would be virtually impossible for clubs or promoters to run successful dirt-track or motocross events.

The AMA is not opposed to reasonable hours of operation for racing facilities. But, such regulations, if necessary, should be worked out at the local level among the track operator, neighboring property owners and local government.

**Oregon** Senator Frank Shields introduced legislative concepts (LC) draft 1068 at the request of BikePAC of Oregon. LC 1068 seeks to close a loophole in insurance law that permits a health plan to restrict or eliminate benefits if an injury is sustained while riding a motorcycle.

The members of the committee voted unanimously to admit LC 1068 as a committee bill. It is expected that a bill number will be assigned in a couple of weeks. For more information contact Ken Ray, Executive Director, BikePAC at 503-351-8193 or at [ken@consultken.com](mailto:ken@consultken.com)

**British** motorcyclists will now be allowed to use car-pool lanes whether or not they carry passengers. The High Occupancy Vehicle (HOV) lane is being tried on the M1 from Autumn next year. If it works it will be extended. The Government is keen to encourage car sharing to "make better use of existing road space," according to Transport Secretary Alistair Darling. (*MCN.com*)

**The Bureau of Land Management's** (BLM) Amarillo Field Office is issuing a supplementary recreational permit rule on approximately 12,000 acres of BLM lands known as the Cross Bar from damage through over use by the public in Potter County, Texas.

The Cross Bar property was completely closed to all public use from its 1931 acquisition until 1997 by the BLM. In spite of there being no legal physical access to the property, approximately 10,000 visitor-days use occur there each year. The Cross Bar is the only BLM-managed land in the State of Texas.



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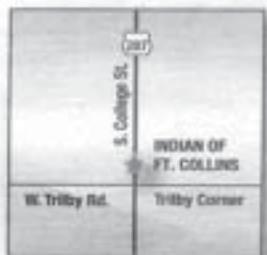
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AMA NOTES (Continued from Page 8)

The Cross Bar is adjacent to a highly utilized off-highway vehicle (OHV) area on the Canadian River. The public utilizing the Canadian Riverbed for OHV purposes frequently cuts fences and drives their OHV's onto the Cross Bar lands. Large numbers of people walk onto the property from the river during a variety of hunting seasons. In order to control numbers and prevent over use of this unique area, BLM proposes to allow public access only under a closely controlled and monitored permit system.

For further information or to obtain a permit contact Paul Tanner, Natural Resource Specialist, BLM, Amarillo Field Office, 801 S. Fillmore Street, Suite 500, Amarillo, Texas 79101-3545, (806) 356-1008 from Monday through Friday, 7:30 a.m. to 4:30 p.m. The permits will be for day use only, but use can be for any day of the week.

**Australian** off-highway motorcycle riders could have their bikes confiscated when Queensland's reckless driving laws are extended should the Police Powers and Responsibilities Act be amended. The measure is intended to help officers more effectively deal with people who use their vehicles in an irresponsible and dangerous manner in public places.

The new laws, to be drafted and introduced into Parliament this year, will give police the power to: act immediately on complaints without having to first visit the complainant; enter private properties in order to properly investigate complaints; issue a 48-hour noise abatement direction for a first complaint; seize the bike for 48 hours if the noise direction is breached (second complaint) and within 48 hours of the direction being made police could apply to the Magistrates Court to place restrictions on the bike's use - including the time, place and manner in which it can be used; impound the trail bike for another 48 hours if the court order is breached (the third complaint) and apply for a three-month impoundment order; and impound the bike again after another breach of the court order (fourth complaint) following the three-month impoundment, and make an application for a permanent confiscation and forfeiture order.

Nuisance riders also face a range of tough fines - from \$750 for breaching a police noise abatement direction to \$3000 for a court noise abatement order. (The Age)

**A Tennessee** drunk driver whose vehicle killed a woman has been sentenced to 15 years in prison and ordered to hang her photo in his jail cell. Forty-six-year-old Jimmy Nall was sentenced in Franklin under a plea bargain agreement. Nall will get a folder full of photos and stories about Sherri Glover.

The 33-year-old Glover was riding a motorcycle in June 2003 when Nall crashed into her on a rural road. His blood alcohol level was point-36, more than triple the legal limit at the time. Nall had two prior DUI's before the accident. Since he has been in jail since the crash, he's eligible for parole in three years.

(Associated Press)

**The Illinois** Departments of Transportation (IDOT) and Public Health (IDPH) are in the process of developing a new database that will assist in highway safety decision-making. The Crash Outcome Data Evaluation System or CODES database is being funded by a \$281,000 federal grant from the National Highway Transportation Safety Administration (NHTSA).

The CODES system will allow IDOT and IDPH staff to match traffic crash reports with health care data from a variety of sources, including emergency medical service records, hospital discharges and death certificates. IDOT's Division of Traffic Safety will use information to support their decisions to improve traffic safety on Illinois highways. Eventually, the CODES system will be able to better identify the full extent of injuries suffered as a result of impaired driving, not wearing safety belts and not wearing a helmet on a motorcycle.

All individual medical and crash information will remain strictly confidential in compliance with state and federal regulations. IDOT and IDPH are currently in the process of beginning to develop the database and hope to have the full CODES system up and running by the middle of 2005. (Associated Press)

**A California** group, Community ORV Watch, is demanding an end to off-highway vehicle OHV use on public land. At a recent meeting in Twentynine Palms, members met with a number of county and federal officials to address grievances raised on account of OHV use in the Basin, and to specify terms of their solution.

Although the meeting took place at City Hall in Twentynine Palms, the organization now has Basin-wide reach and residents from Desert Heights, Landers and Joshua Tree were present.

They all had one thing to say: This destruction of the natural environment and the assault on our private properties and our quality of life has to stop. The litany of complaints enumerated violations committed against landscape, private property and land laws, and against the laws of courtesy and consideration.

The center of attention at the meeting was the Bureau of Land Management (BLM). According to Community ORV Watch's complaint, the BLM's vehicle travel routes, especially those permitting OHV use, are vague and, in some cases, wholly inaccurate.

Community ORV Watch members are unanimous in their appeal to the BLM to eliminate all OHV routes in unincorporated areas. For its part, Community ORV Watch promised it would not let up the pressure. (Hi-Desert Star)

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## West Side Fundraiser

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The West Side contingent of Riders for Justice is having their annual Fundraiser at the Eagles Lodge, 1674 U.S. Highway 50, Orchard Mesa, on February 26th, 2005 from 3:00 to 9:00 p.m.

There will be food (a pot luck provided by the members) and drinks. A Raffle will also be held with many good items to raffle off, so bring your money and be prepared to have fun. As in former years, music will be provided by Ralph Dinosaur

This is the west side's once-a-year fundraiser and we depend on all of the members support to provide us with the funds to help us with our current projects.

As was done last year, our Vice President, Carl Dodson, has donated the funding for a membership drive for all West Side paid members to participate in. All those interested in a \$75 first prize (donated by Carl) should xerox the membership form on page 14 and fill in the names, addresses, etc. of those friends, relatives, etc. who are interested in joining Riders for Justice, sign your own name on the bottom of the form, get their \$20 dues and bring your signed forms plus the \$20 membership fee to the Annual Fundraiser. Second prize is a year's paid membership, also provided by Carl.

**A good time will be had by all. Come join us.**

## Department of Justice:

### Second Amendment Is Individual Right

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**Jeff Johnson, CNSNews.com**  
**Tuesday, Dec. 21, 2004**

The U.S. Department of Justice has declared that the Second Amendment explicitly recognizes the right of individual Americans to own and carry firearms. Gun rights advocates call the statement a "good first step" but cautioned that it is not the end of the gun control debate.

The "Memorandum Opinion for the Attorney General" released on the Internet last week is titled "Whether the Second Amendment Secures an Individual Right."

The 103-page report, with 437 footnotes, concluded that "the Second Amendment secures a personal right of individuals, not a collective right that may only be invoked by a State or a quasi-collective right restricted to those persons who serve in organized militia units."

That conclusion is based, according to the authors, "on the Amendment's text, as commonly understood at the time of its adoption and interpreted in light of other provisions of the Constitution and the Amendment's historical antecedents."

The Aug. 24 memorandum stated that it did not consider the "substance" of the individual right to own and carry firearms or the legitimacy of government attempts to limit the right. The document also declared that the authors were not calling into question the constitutionality of any particular limitations on owning, carrying or using firearms.

Joe Waldron, executive of Citizens Committee for the Right to Keep and Bear Arms (CCRKBA), told Cybercast News Service that the memorandum was "a good start, a good first step."

"What this does," Waldron explained, "is it puts the federal government - the U.S. Justice Department, which is the nation's chief law enforcement agency - on record as recognizing that the Second Amendment, without question, is intended to apply to individuals and not to collective organizations such as the National Guard or any kind of lesser militia."

The memo does not protect individuals from being prosecuted under gun laws, Waldron acknowledged, but he said it did require a fundamental change in how the government approaches those cases.

### Civil Rights

"It changes the courts' view of the issue, and it applies a stricter standard of scrutiny as to whether or not a given law does infringe on an

**Second Amendment Is Individual Right  
(Continued from Page 9)**

individual's constitutional rights," Waldron said. "They have to look at it from a civil rights perspective now instead of just [whether] the individual violated a given law."

Brady Center to Prevent Gun Violence did not return calls seeking comment on the Justice Department's determination, but the organization has spoken out against the "individual rights" interpretation of the Second Amendment frequently in the past, including in an amicus brief filed in federal court in 1999.

**Gun Grabbers: Second Amendment 'Depleted'**

"The fact that militia members are no longer required to supply their own arms when reporting for service has depleted the Second Amendment of most of its vitality," Brady Center stated. "And, in fact, the Second Amendment remains relevant today because the rights it protects are held by the National Guard."

Dennis Henigan, director of Brady Center's Legal Action Project, also spoke against the "individual rights" interpretation of the Second Amendment at James Madison University in 2002.

"Both the language and history of the Second Amendment show that its subject matter was not individual rights," Henigan said, "but rather the distribution of military power in society between the states and the federal government."

The Justice Department rejected Brady Center's argument.

**'A Right of Individuals'**

"A 'right of the people' is ordinarily and most naturally a right of individuals, not of a State and not merely of those serving the State as militiamen. The phrase 'keep arms' at the time of the Founding usually indicated the private ownership and retention of arms by individuals as individuals, not the stockpiling of arms by a government or its soldiers, and the phrase certainly had that meaning when used in connection with a 'right of the people,'" the Justice Department's report stated.

"Moreover, the Second Amendment appears in the Bill of Rights amid amendments securing numerous individual rights, a placement that makes it likely that the right of the people to keep and bear arms likewise belongs to individuals," the document continued.

Waldron expects the opinion to be introduced in support of the individual rights of gun owners in several cases working their way through the federal courts. His hope is that one of those cases will reach the Supreme Court.

"Is this the end, is this the Omega? Absolutely not," Waldron said. "The Omega will come when the Supreme Court begins to overturn selected gun control laws based on the fact that they do infringe upon the individual right protected in the Constitution."

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**Checked your locks lately?**

**Synopsis by Bob Schleiger, former editor of Riders For Justice**

KRYPTONITE NOT SO SUPER, MAN The U-Shaped steel locks that bikers and bicyclists have relied upon for years to thwart thieves has been picked apart, quite literally, by an Internet video that shows how to pick the most secure locks known to cyclists with a Bic pen. Just stick the non-writing end into the cylinder-shaped keyhole and twist. The New York Daily News reported that lock maker Kryptonite is scrambling to reassure customers that it is working on a solution, and they said it will provide free product upgrades for certain locks purchased since September 2002 and urged consumers to visit its company's Website to learn how they can participate in the security upgrade program.

Although the trick apparently works on many locks with tubular cylinder technology including vending machines, some ignitions and other security products, it's the bike industry's best known locksmith, Kryptonite, that's feeling most of the heat. Industry experts say that a recall could cost tens of millions of dollars and would affect riders around the world.

<http://www.dailygamecock.com/news/2004/09/27/News/Bic-Pen.Mightier.Than.Bike.ULocks-732041.shtml>

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**ALL CURRENTLY PAID MEMBERS,  
PLEASE RESPOND**

Now that we have hired a lobbyist, it is the feeling of the officers that we need to speed up the lines of communication between the officers and the membership of RFJ. With the increased usage of computers in our world, the officers would like to take advantage of this fact by setting up an e-mail list (which would NOT be made public) for the purpose of advising members quickly of congressional work (both in the Colorado and Federal Congresses) on issues that affect our rights, thus giving the membership more power to impress their views on our legislators.

This is in process and we would appreciate your input.

Please send us your response if you would like us to communicate quickly with you by e-mail by sending a response to [editor@ridersforjustice.com](mailto:editor@ridersforjustice.com). One of the following would be the appreciated response

- 1) "I have access to a computer and can send and/or receive e-mail messages. My e-mail address is: \_\_\_\_\_.
- 2) I would like to be notified by mail at the following address (fill in address)\_\_\_\_\_.

**Please do this even if you know we have your e-mail already. That way we will not have to check that your e-mail is current.**

**Conservative Alert**

(Continued from Page 1)

themselves, their families or their homes. It would also allow people whose self-defense rights have been violated by any government entity to bring legal action in federal court.

Remember the news stories over the last couple of years, about husbands and fathers who were arrested after shooting home-invaders, because the \*homeowner\* possessed a firearm for protecting his family? This bill could put an END to that kind of nonsense.

Let's join together to push through this common-sense legislation NOW!

TAKE ACTION: Tens of millions of patriotic conservatives and law-abiding, gun-owning Americans voted in November. We love the statement that John Michael Snyder of the Citizens Committee for the Right to Keep and Bear Arms (CCRKBA) made: "America is ready to really sock it to the anti-gun media, entertainment personalities, and ecclesiastical holier-than-thous, and the political lapdogs who try to work their wretched will."

Hard to argue with that. :-)

HR 47 has been referred to the House Committee on the Judiciary. We must NOT let it get stuck there — we need to let Congress know that we want SWIFT consideration of this bill! Send a message for FREE to your Representative, asking him or her to support HR 47, the "Citizens' Self-Defense Act":

<http://www.rightmarch.com/011305.htm>

#####

**LIKE TO WIN?**

As was done last year, our Vice President, Carl Dodson, has donated the funding for a membership drive for all paid members from the West Side to participate in. All those interested in a \$75 first prize (donated by Carl) should xerox the membership form on page 14 and fill in the names, addresses, etc. of those friends, relatives, etc. who are interested in joining Riders for Justice, sign your own name on the bottom of the form, get their \$20 dues and bring your signed forms plus the \$20 membership fee to the Annual Fundraiser on February 26th. Second prize is a year's paid membership, also provided by Carl.

For info on the Annual Fundraiser, see column, page 9, entitled "West Side Fundraiser"

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## MRF LEADERS' REPORT

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### SUBJECT: Motorcycle Riders Foundation 108th Congressional Legislative Wrap Up

FROM: Jeff Hennie, MRF Vice President -  
Government Relations

As of December 8th the United States 108th Congress has officially adjourned, over two months past the target adjournment date set a year ago, of October 6th. Both bodies of Congress returned to Washington to finish up the final spending bills and cast the final votes on the Intelligence Intelligence Reform Act, the biggest intelligence overhaul bill in 50 years.

The 108th Congress was active for the Motorcycle Riders Foundation and all American motorcyclists. We saw a lot of legislative near misses this time around, something that is not all the unusual when it comes to the US Congress. The TEA highway bill was de-railed late in the session. The HIPAA bill was passed out of the Senate but failed to make it through even the committee level on the House side. Overall in the 108th we won many small battles and suffered no big defeats.

### Highway Reauthorization Status Report

A six-year reauthorization bill for federal highway and mass transit programs was left stranded in a Senate-House conference when members of Congress could not agree on how to distribute money to state highway programs. The programs have been running on a series of six extensions. The latest extension runs out on May 31, 2005. The bill, the successor to the 1998 TEA-21, would authorize federal funds for highway and mass transit projects through fiscal year 2009.

House Transportation and Infrastructure Chairman, Don Young (R-AK), started the process by proposing a \$375 billion, six-year reauthorization package that would have partially been funded by a slight increase in the federal 18.4 cents-per-gallon tax. The White House rejected the package because of the tax increase. The White House came back with a veto threat of any bill with a price tag of over \$256 billion. Young's tax increase would have raised gas a nickel per gallon, the price of a gallon of premium at the time was \$1.40.

Defying White House veto threats, both chambers mustered veto-proof majorities to pass versions of the bill that called for a much higher spending level than \$256 billion line in the sand drawn by the White House. The Senate took the lead passing a \$318 billion dollar package in February. A couple of months later, after Mr. Young was forced to scale back his impressive bill, the House passed a \$284 billion measure.

House and Senate conferees then faced two big challenges; agreeing on a bottom spending line, and satisfying so-called "donor" states, which pay more to the highway trust fund than they get back and with the

"donee" states which receive more money than they contribute.

Republicans conferees coalesced around a final figure of \$299 billion, which according to House Ways and Means Chairman Thomas, would be supported by the White House.

Despite seemingly wide spread agreement on \$299 billion, House and Senate negotiators could not agree on a formula to gratify the "donor vs. donee" problem. Senate Democrats also refused to settle for \$299 billion, instead they stood behind the \$318 billion package.

The Highway bill died on the table when Congress adjourned on December 8, 2004.

The MRF would like to thank every SMRO and individual that made calls, wrote letters and traveled to Washington DC to fight for the inclusion of the motorcycle safety language. The MRF will continue to work with our friends in Congress to defend motorcycle riders' rights in your nation's capitol.

### Looking Forward

In the next Congress, Chairman Young, who has one full term left at the helm of the powerful House Transportation and Infrastructure, will likely try to exceed the \$299 billion compromise package that was left in the 108th. Young was vague when pressed on where the extra money will come from. There is a general agreement amongst the negotiators that with out the pressures of a Presidential election they should be able to reach an agreement before the current deadline of May 31, when the extension runs out.

### Motorcycle Awareness Month

A significant victory was seen in the Senate when they passed Senate Resolution 168, Designating May as Motorcycle Safety Month, on April 28th of this year. The resolution introduced by Senator Ben "Nighthorse" Campbell (R-CO), simply states that the US Senate agrees with riders that May ought to be the official motorcycle safety month. Marilyn Musgrave (R-CO) introduced the House companion bill, House Resolution 614, after the Senate had acted and was never sent to the floor for consideration by the House.

### HIPAA

The legislation to close the current loophole in the Health Insurance Portability and Accountability Act saw some movement in the waning days of the 108th Congress.

The legislation prohibits a group health plan or health insurance issuer from denying benefits provided for the treatment of an injury, solely because such injury resulted from the participation in a legal form of transportation such as motorcycling.

### Senate Action

The Senate bill S. 423 unanimously passed the US Senate in the early hours of November 21, 2004. The Senate sponsors, Susan Collins (R-ME) and Russ Feingold (D-WI) worked tirelessly to get the bill passed, motorcyclists everywhere owe both of them a debt of gratitude.

### House Report HIPAA

The House companion bill, HR 1749, has 177 cosponsors and they are uniformly bipartisan. The House bill, although the impressive number of cosponsors, was not given a chance to be vetted in the committee process. The bills two sponsors, Scott McCinnis (R-CO) and Ted Strickland (D-OH) are both invaluable champions of motorcyclists, however only Strickland will be returning for another tour of duty in the 109th Congress. McCinnis has decided to end his career in Congress after 12 years, to spend more time with his family.

### Outlook

The bills will both be reintroduced in the coming Congress and action is expected early in the 2 year 109th Congress. The MRF will continue to work alongside the AMA and the other members in the HIPAA coalition.

The MRF remains committed to you, the riders, and putting your legislative priorities on the front burner of the US Congress. The MRF would like to thank every individual and SMRO who contacted federal legislators on behalf of motorcyclists. Whether it was in person in DC, over the phone, through the mail, on the computer or in your home town it all makes a difference when it comes to making the national voice of riders heard loud and clear in Washington DC.

The MRF would also like to thank those who contributed to MRFPAC. The 109th Congress will begin serious business shortly after the Presidential inauguration on January 20th. The MRF looks forward to seeing you in Washington, DC during the 109th congress.

\*\*\*\*\*

## Hardtail!

You feel the road different, on a hardtail you see, some will never understand that exactly like me. they think a ride should be smooth as silk, but, me, that would make it boring as plain milk.

I can feel the road through the seat of my ride, I can sense the connection deep inside, of me and the roads, the ones that I travel, the ones that let all the worries unravel.

"But it vibrates and bounces and seems sorta rude," say those who ride others, who think my ride crude,"you can't ride a hardtail like you can my whatever" "It'll beat you till yer nothing but a lump covered in leather."

This aint so, and I will stand by what I say, for I have ridden 600 miles for many a day, and never have I unfolded, from the seat with anticipation, of having a new ride with the newest suspension.

Hardtails aint for all, now this much it true, whats fine for me, might be hell for you, To me, it's solid, and has the feel of life, sort of like the 33 years with my wife. I love them both, the Mrs, and the bike, and until I die, they will be what I like.

Preacher 2004 prchr@aaahawk.com

## 12. RIDERS FOR JUSTICE

### A FIVE-MINUTE HANDBOOK FOR MOTORCYCLE RIGHTS ACTIVISTS

#### NO ONE IS AS INTERESTED AS YOU ARE

Nowadays everyone's attention span and time are limited. Be grateful if you get anyone's attention on our issue, even for a few seconds. Some wannabe activists come in like a lion, then disappear faster than sh\*t through a short dog. Take whatever you get from any volunteer. Praise and thank them. Don't be disappointed when they drift away. They will. But some come back. Keep the light on for them.

The AMA stinks. So does MRF, NCOM, ABATE, and any or all of the rest of the MROs. At the same time, all of these organizations are the best thing since sliced bread. We won't keep or retrieve our rights without them. It's normal to love them and hate them at the same time. Be sure your complaints about them go to the person who can do something about your problem. Never give up your membership - it's much easier to fix things from the inside. Avoid griping in public — our opponents love it when we do. Always handle our dirty laundry behind closed doors. Always.

#### THERE IS NO MAGIC BULLET

There is no single answer, rule, or solution. Never has been, and never will be. None of us will write the single brilliant letter to the editor or internet message that will miraculously turn everything around. Keep steadily busy. Do as much as you can, whenever you can. Anything you do counts. But some things count more than others. Find out what counts. Then do it more.

#### THERE IS NO FINAL VICTORY

Preserving Bikers Rights is an ongoing PROCESS. We are winning and losing battles during this process, but the war will never be over. Becoming active to keep your rights is a lot like cleaning your house: it's thankless and boring work, but necessary. Like dirt, the Safety Nazi crowd will just keep coming back. Forever.

Your activism will keep us winning more than losing. Our opponents count on wearing us down. They love it when one of us (not you, of course) gets discouraged and drops out. When you fully understand and accept the reality that Biker Rights is a never-ending struggle, you're automatically in the top 5 percent of all Bikers Rights defenders. Congratulations.

#### BIKERS RIGHTS ACTIVISM IS BORING

It's especially boring when you are doing things that really make a difference. Most of us want drama. We want to be entertained. Phone bank calling, precinct talking, going to Bikers Rights grassroots seminars — suddenly, even a trip to the dentist for a root canal will start to look better. Sorry, but there is no workaround on this aspect. Freedom is not free. It's a pain in the ass. Get used to it, get over it, and get to work.

#### USE THE POWER OF FEAR AND GUILT

Bikers are susceptible to these emotions. Awaken sleeping Bikers Rights activists by tapping these powerful emotions. Fear and guilt will move mountains - and fill the collection plate, and recruit new members. If Bikers won't become active for themselves, ask them to do it for their families. For their children. For their country. And — this tactic works! — ask them to do it for YOU.

#### POLITICIANS ONLY CARE ABOUT VOTES AND MONEY

In-person visits, phone calls, and snail-mailed, handwritten letters to elected folks help — because politicians know that if you take this much trouble, you and your family and friends will also vote.

#### HOT TIP:

Make yourself known to politicians for issues other than Bikers rights. Don't present yourself as a single-issue person. Praise and help politicians on THEIR pet projects. Then, when Motorcycle issues come up, your opinion will seem especially credible. Otherwise, you will soon be stereotyped and discounted as a single-issue voter.

#### ANOTHER HOT TIP:

Politicians have to explain why they vote Yes or No on proposed laws. Sometimes they really need your help in composing explanations to their constituents. If you want your elected official to vote Yes, on a seemingly unpopular Helmet Modification Bill, she might be more willing to vote your way if you give her a "back door" — a good, common sense explanation that she can give to all of her constituents.

#### GET THE RIGHT PEOPLE IN OFFICE IN THE FIRST PLACE

If we have the right people in power, anti-biker laws will not be passed. Period. The laws are what matter. This concept is so simple that many folks can't see it, just like they can't "see" the air they breathe. The anti-rights crowd can hold all the news conferences they want, but nothing will happen unless they can pass more laws. This fact tells you about the how, what, where, when, why, and with whom you should be spending your time, energy, and money. Politicians pass laws. Therefore, you must get involved in politics to protect your rights. There is just no way to get around this. Sorry. I don't like politics either. Bummer!

#### STOP THE SABER RATTLING — NOW!

Avoid those shrill folks who sound threatening or talk about doomsday. It's a waste of your time. These noisy folks remind me of a couple in a failing marriage who only talk about a getting a divorce instead of talking about their real problems. If they don't solve their problems, separation or divorce becomes the inevitable outcome. Some people get pumped up on silly fantasy scenarios. I do not.

#### ARM YOURSELF WITH ACCURATE INFORMATION

Paradoxically, bad information or disinformation is a plague in the so-called Information Age. When you write or talk about Bikers Rights issues, use only the facts, the truth, and the provable. Verify any quotes that you use. Back up your generalizations with powerful and specific examples. Get on the internet, and get your like-minded friends online. Join several of the hundreds of net communities that will keep you informed instantly and completely about our special issues. Information is power!

#### IGNORE MEDIA SPIN

It's far too easy to go bonkers reacting to the latest media-driven crisis. Don't let the media push your buttons. The activist pros I know do not overreact to crises. In fact, most of the ultra-pros that I know do not react at all to media hysteria. Bashing the media about their bias is not productive. Some Bikers use media bias as an excuse to do nothing — because the situation seems so overwhelming and hopeless. Truth is, if you are a busy activist — already steadily doing stuff that matters — you will find the media reacting to YOU. Be friendly and polite with them — not hostile. Become a reliable source of information for them. And just keep on being ACTIVE.

#### JUST SHOW UP

It's been said that 80 percent of success is showing up. Being there. Showing up to vote. Showing up at a Bikers Rights seminar. At your Senator/Delegates A. At a city council meeting. My father's favorite motto: "Your actions speak so loud that I can't hear a word you're

(Continued on Page 14)

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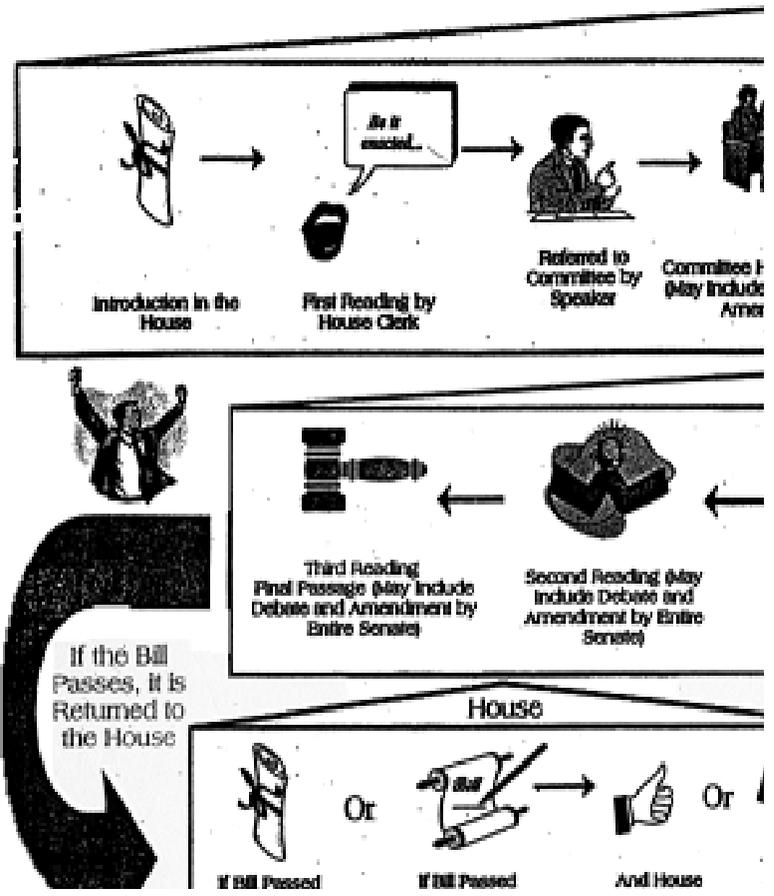
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# How a Bi



## Open letter from Rep. Jim Welker

(Continued from Page 5)

appointed to the "Local Government Committee" which oversees the relationship between the state government and individual counties, cities, and towns. I am also serving on the Transportation and Energy Committee, as I did last year.

Finalizing our budget is, of course, our priority. Let me give you an overview of the legislative issues that confront us.

### Budget, TABOR, and Amendment 23

As Republicans our goal is to provide necessary services and not "over tax or over regulate." Because of TABOR, Colorado is the envy of many states. Our citizens enjoy one of the lowest tax burdens. Liberal-led California has one of the highest.

Governor Owens clearly explained that the recession in 2001 was caused by the stock market

downturn, 9/11, the drought, and the fires. All resulted in 16% less revenue to the state government. Thus, expenses had to be cut just like we do at home when less money comes in. It had nothing to do with TABOR.

### The Governor's budget includes:

Asking the voters permission to retain \$500 million in TABOR surplus Reducing the state's income tax from 4.63% to 4.5%

Investing \$100 million annually in transportation, allowing the state to bond for up to \$1.7 billion for new highways and Bridges

Amending TABOR to eliminate the "ratchet effect" during and following recessions

Securitize the tobacco settlement to address short-term budget needs

Rep. Keith King has a budget proposal that would lower our income tax rate from 4.63% to 4.45%, to allow the state spending to go up to 5% for several years instead of 6%. It would shift equal amounts of money from Amendment 23 (K-12 spending increases) to

the allowed TABOR amount. I understand that Speaker Romanoff's plan would basically gut TABOR and leave Amendment 23 untouched setting us on the road to continual large spending increases for the next several years. This type of flawed Democratic reasoning makes it difficult to form a viable proposal to present to Colorado voters.

### Guns, Gays, and God

Earlier this month, Senator Ken Gordon (D) talked about the Republicans pushing their "guns, gays, and God" legislation. But, the Democrats beat us to the punch. Sen. Jennifer Veiga, of Denver, and Rep. Alice Madden, of Boulder, both Democrats, are trying again to get sexual orientation included in employment anti-discrimination state laws. I predict there will be more bills like this from the Democrats.

### Justice System

The Chief Justice of the Supreme Court, Mary

saying.” Your “silent” activism can be a model for others.

What will your 3 riding buddies think when they find out you spent an afternoon handing out brochures door-to-door for a pro-biker politician?

**DON'T MESS WITH TRUE BELIEVERS - THE HIDDEN BONUS OF BIKERS RIGHTS ACTIVISM**

The more involved you get with freedom, issues, the more you will realize that your single issue actually complements and protects other human rights issues.

Personally, I am deeply offended by many aspects of today's culture. When I focus my activism on Bikers Rights, I can often sense I am making a measurable difference. All rights — like all humans — are connected.

**WHEN IN DOUBT, JUST DO SOMETHING**

Sometimes we don't know what will work. Sometimes the rule is that there are no rules. Don't hesitate to try something new and innovative — get it out on the table!

Often your finest essay or brilliant letter will not be acknowledged, or you will just get a form letter response. But that letter to the editor that you dashed off in a few minutes appears in tomorrow's newspaper! Go figure. Better yet, try not to figure.

Trust yourself, trust your instincts — and just do something.

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**Open letter from Rep. Jim Welker**

**(Continued from Page 13)**

Malarkey recently stated that with 4.5 million citizens, we had well over 700,000 court cases in 2004. This is unbelievable to me! Here are some other facts:

We have over 250 judges, with the need for 12 new district judges.

-A total of 217 probation officers allows a mere 11 minutes per week per person for consultation. We need 56 new probation officers.

-Colorado's judicial branch has been a leader in the US in computer technology and the tracking of offenders. We have a 90% success rate; most states are only at 30%.

-We are the only state that has electronic filing and tracking system of litigation cases.

-Two of our goals are to simplify divorce proceedings and speed up the resolution of cases involving foster and adopted children.

-We have 24 adult prisons, with almost 20,000 inmates, growing by about 850 new inmates per year. We also have 10 youth prisons, and all the county jails on the front range from Fort Collins to Pueblo are FULL. What does this say about our society?

**Transportation**

Our transportation budget is about \$1.2 billion per year. This goes to maintain the existing infrastructure; none is left for new highways or bridges. The Governor wants to change this. He has plans for about \$1.7 billion in 25 - 30 year bonds to use for new construction, which is a commonly used financing tactic. We need about \$100 million to spend on the widening of I-25 from Hwy 52 (4 miles south of Longmont) to Hwy 66 (about 3 miles north of Longmont).

There will be a bill introduced allowing the tolling across county lines to provide the revenue and funding for a major highway and commercial rail line to

be built in eastern Colorado from the Fort Collins area to Pueblo. This is a \$2 billion project being put together by private business. This would allow almost all of the freight trains to not use the lines through Denver and allow many of our trucks to bypass the front range metro area. This would also free up our existing rail lines for passenger rail from Fort Collins to Pueblo

Our CDOT 2030 Statewide Plan is due to be finalized in February 2005. Please send your comments to: <http://www.dot.state.co.us/StateWidePlanning/PlansStudies/2030Plan.asp>

Right now the federally mandated Environmental Impact Study (EIS) on I-25 from Hwy 66 to Wellington is costing \$15 million for 3 years. We need to secure funding for these improvements. In the next 10 years, we also need to spend about \$12 billion on other state projects such as widening of I-25 from Castle Rock through Colorado Springs, and completion of the last part of W-470 on the northwest part of the Denver metro area.

Twenty years ago, we spent about 12% of our budget on our transportation needs. Now it is less that 6%. Twenty years ago, we spend 3% of our budget on prisons, now it is about 9%. It looks like we are using money to build concrete walls instead of concrete to drive on. Please don't get me wrong, we need to lock up the dangerous criminals. The average prisoner has 9 felonies before they are put into a state prison. We are much safer when this type of criminal is kept behind bars for as long as possible.

**My Legislative Agenda**

I have introduced three bills. One is to change the bills that a legislator can carry from 5 to 4. One is to reduce the session from 120 days to 90. The other is to

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**(Continued on Page 15)**



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### Open letter from Rep. Jim Welker (Continued from Page 14)

increase the penalties for causing an accident while going through a yield right of way sign. This has been the cause of many motorcycle accidents and deaths. I honestly believe that we can get our work done in 90 days rather than 120. For instance, Montana meets 60 days every other year. Texas also meets every other year.

George Washington said "Government is not reason or eloquence. It's more like fire - a dangerous servant and a fearful master." Our goal should be more efficiency and less laws. Yet last year in Colorado, about 720 laws were introduced and about 430 were signed by the Governor. If we do this every year, what kind of "fire" will we leave our children 20 or 30 years from

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Join me at the Larimer Republican Breakfast Club on Mondays, at 7 to 8:30 a.m. It is at the Cottonwood Club, just south of the intersection of Trilby Road and Hwy 287. Come and hear Congressman Bob Beauprez.

Even with our problems and warts, we have the best country in the world- by far!!! I always appreciate your support and most importantly, your prayers!

Respectfully,  
Rep. Jim Welker  
House District 51 - Loveland  
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